

Regulations and other acts

Gouvernement du Québec

O.C. 1004-98, 5 August 1998

An Act respecting childcare centres and childcare services
(R.S.Q., c. S-4.1)

Reduced contributions — Amendments

Regulation to amend the Regulation respecting reduced contributions

WHEREAS under paragraphs 20 and 21 of section 73 of the Act respecting childcare centres and childcare services (R.S.Q., c. S-4.1; 1997, c. 58, ss. 58 and 122, pars. 1, 13 and 14), the Government may, by regulation, for certain services which are determined therein, fix the amount of a contribution which apply to services provided to children subject to the age class determined by this Regulation and which is required from a parent or from any other person determined by this Regulation by the holder of a childcare centre permit or of a home childcare provider;

WHEREAS under the same provisions, the Government may also determine the conditions subject to which a parent may pay the contribution or be exempted therefrom for all or some of the services that it determines;

WHEREAS the Government approved the Regulation respecting reduced contributions by Order in Council 1071-97 dated 20 August 1997;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be approved without having been published as prescribed by section 8 of that Act if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS under section 13 of that Act, the reason justifying the absence of prior publication shall be published with the regulation;

WHEREAS the Government is of the opinion that the absence of prior publication is justified by the urgency due to the following circumstances:

— the purpose of the proposed changes is to grant the parents of children who are at least 3 years old on 30 September 1998 the reduced contribution provided

for in the Regulation respecting reduced contributions as of 1 September 1998, as announced in the Government's family policy;

— certain children attending class at the kindergarten or elementary level are among the persons covered;

— it is imperative, considering the needs for care of those persons during the school year, that the proposed amendments come into force on 1 September 1998;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting reduced contributions;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Education and Minister of Child and Family Welfare:

THAT the Regulation to amend the Regulation respecting reduced contributions, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting reduced contributions(*)

An Act respecting childcare centres and childcare services
(R.S.Q., c. S-4.1, s. 73, pars. 20 and 21; 1997, c. 58, ss. 58 and 122, pars. 1, 13 and 14)

1. The Regulation respecting reduced contributions is amended in section 1

(1) by adding the words “for a child who is at least 3 years old on 30 September of the year of reference” after the words “a type of service” in the second paragraph;

(2) by adding the following after the second paragraph:

“A type of service is either, for a child who is at least 5 years old on 1 October of the year of reference, a day

* The Regulation respecting reduced contributions made by Order in Council 1071-97 dated 20 August 1997 (1997, G.O. 2, 4392) has not been amended since.

of childcare equivalent to a continuous period or to discontinuous periods totalling at least 2 hours and a half per day.”.

2. Section 2 is amended by substituting “at least 3” for “4” .

3. Section 6 is amended by inserting the words “for the care of a 3 or 4-year old child” after the words “reduced contribution” in the first paragraph;

4. The following is added after section 6:

“**6.1.** A childcare provider must also provide a parent who has paid the reduced contribution for the care of a child who is at least 5 years old on 1 October with:

(1) educational childcare spread over a maximum of 5 hours per day, between 6:30 a.m. and 6:30 p.m., for a maximum of 20 days per 4-week period and for an annual maximum of 200 days spread from 1 September to 30 June per year of reference;

(2) the material required for providing a child with an educational program.

Where one of the days mentioned in paragraph 1 is a pedagogical day provided for in the school calendar, the childcare provider must, for that day and up to a maximum of 20 pedagogical days, provide the parent of a child attending class at the kindergarten or elementary level with continuous educational childcare spread over a maximum of 10 hours per day between 6:30 a.m. and 6:30 p.m.

A childcare provider must fulfil that obligation taking the following factors into account: the organization of childcare, the days of attendance by the child and the hours for providing childcare as agreed between the provider and the parent.”.

5. The following is added after section 11:

“**11.1.** A parent is not eligible to the exemption from payment of the reduced contribution for the care of his child who is at least 5 years old on 1 October of the year of reference.”.

6. Section 12 is amended

(1) by substituting the words “his birth certificate” for the words “a copy of his act of birth” in subparagraph 3 of the second paragraph;

(2) by substituting the following for subparagraph 4 of the second paragraph:

“(4) the child’s birth certificate, except if the child is at least 5 years old on 1 October of the year of reference and if the child attends class at the kindergarten or elementary level.”;

(3) by adding the following after the second paragraph:

“The parent of a child who is at least 5 years old on 1 October of the year of reference attending class at the kindergarten or elementary level must provide an attestation, signed by the principal of the school attended by his child, establishing that the child may not be received in childcare services provided at school because of the absence of such a service or, where the service exists, because of a lack of availability.”;

(4) by substituting the words “A parent who wishes to be granted the exemption from the reduced contribution must also” for the words “Moreover, a parent who wishes to be granted the exemption from the contribution must” in the third paragraph.

7. Section 13 is amended by substituting “the child’s age” for “that the child is 4 years old” in the second paragraph.

8. Section 15 is amended by striking out the second paragraph.

9. Section 21 is amended by striking out the words “as well as any day off for which he was granted the reduced contribution” after the words “reduced contribution” in the first paragraph.

10. Section 24 is amended by inserting “and in section 49 of the Regulation respecting day care centres” after the words “childcare centres”.

11. This Regulation comes into force on 1 September 1998.

2451