

Regulations and other acts

Gouvernement du Québec

O.C. 779-99, 23 June 1999

An Act to facilitate the payment of support
(R.S.Q., c. P-2.2)

Collection of support — Amendments

Regulation to amend the Regulation respecting the collection of support

WHEREAS under paragraphs 2 and 4 of section 71 of the Act to facilitate the payment of support (R.S.Q., c. P-2.2), the Government may determine, by regulation, the nature of the security referred to in sections 3 and 26 of that Act and also the cases and conditions in and on which the Minister may pay sums of money in lieu of support payments and the increase in the maximum amount, for the purposes of section 36 of that same Act;

WHEREAS under the second paragraph of section 36 of that Act, the Minister of Revenue may, however, in the cases and on the conditions prescribed by regulation, pay to the creditor, for a period not exceeding three months, sums of money up to a maximum amount of \$1 000 to stand in lieu of support payments;

WHEREAS under the third paragraph of section 36 of that Act, the Government may, by regulation, provide for an increase in the maximum amount that the Minister may pay under the second paragraph of that section;

WHEREAS in order to improve the efficiency of that Act, it is expedient to add new securities that a debtor of support may provide in certain circumstances provided by law and to increase the maximum amount of advances that the Minister of Revenue may pay to the creditor as support payments;

WHEREAS the Regulation respecting the collection of support (Order in Council 1531-95 dated 22 November 1995) was made under the Act to facilitate the payment of support;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation to amend the Regulation respecting the collection of support was published in Part 2 of the *Gazette officielle*

du Québec of 20 January 1999 with a notice that, upon the expiry of 45 days following that publication, it could be made by the Government;

WHEREAS following that publication, comments were received;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for the Economy and Finance and Minister of Revenue:

THAT the Regulation to amend the Regulation respecting the collection of support, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the collection of support*

An Act to facilitate the payment of support
(R.S.Q., c. P-2.2, s. 36, third par., and s. 71)

1. The Regulation respecting the collection of support is amended by substituting the words “employment insurance” for the words “unemployment insurance” in paragraph 1 of section 1.

2. Section 2 is amended by adding the following after paragraph 4:

“(5) a written undertaking given by a financial institution having its head office or a place of business in Québec to pay such security to the Minister upon request; or

(6) a written undertaking given by an advocate or a notary who irrevocably holds the security in trust to pay such security to the Minister upon request.”.

* The Regulation respecting the collection of support, made by Order in Council 1531-95 dated 22 November 1995 (1995, *G.O.* 2, 3333), was only amended by the Regulation made by Order in Council 1637-95 dated 13 December 1995 (1995, *G.O.* 2, 3599) and by the Regulation made by Order in Council 38-98 dated 14 January 1998 (1998, *G.O.* 2, 498).

3. Section 6 is amended by substituting the words “Minister of Social Solidarity” for the words “Minister of Income Security” in paragraph 6.

4. The following is substituted for section 6.1:

“**6.1** The maximum amount of the advance paid to the creditor of support pursuant to the second paragraph of section 36 of the Act may not exceed \$1 500.”.

5. Section 7 is amended by substituting the words “Ministère de la Solidarité sociale” for the words “Ministère de la Sécurité du revenu” in paragraph 5.

6. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

O.C. 789-99, 23 June 1999

An Act respecting the Québec Pension Plan (R.S.Q., c. R-9)

Pensionable employment — Amendments

Regulation to amend the Regulation respecting pensionable employment

WHEREAS under paragraph *f* of section 4 of the Act respecting the Québec Pension Plan (R.S.Q., c. R-9), the Régie des rentes du Québec may, by regulation, declare any excepted employment to be pensionable employment;

WHEREAS under paragraph *f* of section 5 of the Act, the Régie may, by regulation, except employment of a casual nature or of short duration;

WHEREAS under section 220 of the Act, the regulations made by the Régie come into force only after approval by the Government;

WHEREAS the Régie, on 11 December 1998, made the Regulation to amend the Regulation respecting pensionable employment;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 31 March 1999, together with a notice indicating that it could be

submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation without amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Social Solidarity:

THAT the Regulation to amend the Regulation respecting pensionable employment, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting pensionable employment*

An Act respecting the Québec Pension Plan (R.S.Q., c. R-9, s. 4 par. *f*, s. 5 par. *f* and s. 220)

1. Section 20 of the Regulation respecting pensionable employment is amended:

(1) by revoking paragraph *c* of the first paragraph;

(2) by replacing, in subparagraph *ii* of paragraph *d* of the first paragraph, the word and figures “25 days” with the word and figures “35 hours”;

(3) by replacing the second paragraph with the following paragraphs and subparagraphs:

“Excepted employment as described in paragraph *b* or *d* of the first paragraph becomes included employment from the time the employee who performs such employment becomes an employee in the regular employment of the employer.

Employment shall be included employment from its commencement, notwithstanding paragraph *b* or *d* of the first paragraph, where such employment is performed for the benefit of a single employer during one or more periods whose total duration exceeds, in the course of a year:

(a) 6 days, in the case of employment described in paragraph *b* of the first paragraph;

* The Regulation respecting pensionable employment (R.R.Q., 1981, c. R-9, r. 8), was amended by the regulations made by Orders in Council 529-88, dated 13 April 1988 (1988, *G.O.* 2, 1940) and 187-97, dated 12 February 1997 (1997, *G.O.* 2, 932).