

Draft Regulations

Draft Regulation

An Act respecting financial assistance for education expenses
(R.S.Q., c. A-13.3; 2001, c. 10)

Financial assistance for education expenses — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting financial assistance for education expenses, the text of which appears below, may be made by the Government upon the expiry of 21 days following this publication.

Under section 12 of the Regulations Act, the draft regulation may be made at the expiry of a shorter period than the 45 day period provided for in section 11 of the Act because of the urgency due to the following circumstances:

— since the amendments to the Regulation respecting financial assistance for education expenses shall apply for the 2001-2002 designation year, the time limit of the publication periods of the draft Regulation would not allow to take these amendments into account in due time, that is to say the summer trimester of this designation year.

The purpose of the draft Regulation is to determine the number of trimesters that a student must have completed as well as the number of credits he must have accumulated in a given university program in order not to be deemed receiving a contribution from his parents or sponsor. It also intends to extend the eligibility period for a bursary depending on the student's family circumstances and to determine the admissible expenses which must be taken into account in order to calculate the amount of the bursary. This draft Regulation also aims at extending the period in which the Minister of Education pays the interest on granted loans as well as the period where the loans do not have to be reimbursed where studies are interrupted for one of the reasons provided for. Finally, the draft Regulation aims at reducing the student's contribution as well as his parents' or sponsor's, at indexing certain admissible expenses and at modifying the conditions for a borrower to be recognized as being in a precarious financial situation.

To date, study of the draft Regulation has shown no impact on businesses.

Further information may be obtained by contacting Claude Provencher, Director, Aide financière aux études, 1035, rue De La Chevrotière, 19^e étage, Québec (Québec) G1R 5A5; tel. (418) 646-5313.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 21-day period, to the Minister of Education, 1035, rue De La Chevrotière, 16^e étage, Québec (Québec) G1R 5A5.

FRANÇOIS LEGAULT,
Minister of Education

Regulation to amend the Regulation respecting financial assistance for education expenses* An Act respecting financial assistance for education expenses

(R.S.Q., c. A-13.3, s. 57; 2001, c. 10, s. 1)

1. Section 4 of the Regulation respecting financial assistance for education expenses is amended by substituting "50% of the amount obtained by subtracting the minimal contribution established in section 5" for the percentage "60%", in subparagraph 2 of the first paragraph.

2. The following is inserted after section 18:

"**18.1** A student who has been pursuing university studies for at least three years in Quebec and who, in a single program, has completed six full-time trimesters and has accumulated 90 credits, is not deemed to receive a contribution from his parents or sponsors.

* The Regulation respecting financial assistance for education expenses, made by Order in Council 844-90 dated 20 June 1990 (1990, *G.O.* 2, 1685) was last amended by the Regulation made by Order in Council 1214-2000 dated 18 October 2000 (2000, *G.O.* 2, 5183). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

The foregoing also applies to a student who has been pursuing university studies outside of Québec for at least four years and who has completed eight full-time trimesters or, if he has a college diploma, who has been pursuing such studies for at least three years and that he has completed six full-time trimesters towards graduation.”.

3. Section 30 is amended by substituting the amounts “\$57”, “\$30”, “\$160”, “\$114” for “\$55”, “\$29”, “\$156” and “\$111”.

4. Section 33 of the regulation is amended

(1) by substituting the amount “\$54” for “\$52” in the first paragraph;

(2) by substituting the amount “\$1098” for “\$1071” in the third paragraph.

5. Section 36 is amended by substituting the amount “\$34” for the amount “\$33”.

6. Section 42 is amended by substituting “\$242” and “\$484” for “\$236” and “\$472” in the first paragraph.

7. The following is inserted after section 46:

“**46.0.1.** The eligibility period for a bursary determined under section 45 or under section 46 shall be extended by two trimesters when the student lives with his child or his spouse’s child.

For the purpose of bursary calculation, in the case of an extension of the eligibility period, only the admissible expenses referred to in sections 34, 39, 39.1, 40 and 41 are taken into account.”.

8. Section 50 is amended by substituting the following amounts for the amounts provided for in subparagraphs 0.1 to 2 of the first paragraph:

- (0.1) “\$12 451”;
- (1) “\$12 451”;
- (2) “\$13 109”.

9. Section 69 is amended:

(1) by substituting “\$1125” for “\$1105” in the first paragraph;

(2) by adding the following at the end:

“The amount mentioned in the first paragraph shall be increased by \$215 when the student has a child and, if he has more than one, by \$200 for every other child. That amount shall also be increased by \$110 when the student is a single parent living with his child.”.

10. The following is substituted for Schedule V to the Regulation:

SCHEDULE V

(p. 12, 15, 20 and 22)

Disposable income

Higher than	Not exceeding	Requested contribution
\$0	\$8000	0% of disposable income
\$8000	\$44 000	0% of the first \$8000 and 19% of the remainder
\$44 000	\$54 000	\$6840 of the first \$44 000 and 29% of the remainder
\$54 000	\$64 000	\$9740 of the first \$54 000 and 39% of the remainder
\$64 000		\$13640 of the first \$64 000 and 49% of the remainder”.

11. Schedule IX to the Regulation is amended by adding the following at the end:

“For the purposes of the first paragraph, a student who interrupts his studies during the trimesters referred to in each of the following cases is not considered as having abandoned his full-time studies:

(1) where the student is pregnant:

(a) the trimester during which she reaches the twentieth week of pregnancy;

(b) the trimester of the delivery;

(c) the trimester that follows the trimester of the delivery;

(d) the summer trimester when the trimester that follows the trimester of the delivery is the winter trimester;

(2) where the student adopts a child or where his spouse gives birth to a child:

(a) the trimester of the adoption or the child’s birth;

(b) the trimester that follows the trimester of the adoption or the child’s birth;

(c) the summer trimester when the trimester that follows the trimester of the adoption or the child’s birth is the winter trimester;

(3) where the student has a disability lasting more than one month and attested to in a medical certificate issued by a physician:

(a) the trimester during which the disability lasts more than one month;

(b) the trimester that follows the trimester during which the disability lasts more than one month;

(c) the summer trimester when the trimester that follows the trimester during which the disability lasts more than one month is the winter trimester;

(4) where the student is elected to carry out duties within an organization grouping student associations:

(a) the trimester during which the student carries out such duties, up to six trimesters per level of education;

(b) the summer trimester when the sixth eligible trimester or the trimester during which he ceases to carry out such duties is the winter trimester.

Where, in the cases referred to in subparagraphs 1 and 2 of the second paragraph, a student and his spouse interrupt their full-time studies during the same trimester, only one of them may be considered as not having abandoned his full-time studies.

A borrower who does not resume his full-time studies during the following trimester is considered as having abandoned his full-time studies at the end of the last trimester of the period of interruption referred to in the second paragraph.”

12. This Regulation applies from the summer trimester of the designation year 2001-2002.

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

4411

Draft Regulation

An Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1)

Gratuitous transfer of land for public use

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting gratuitous transfer of land for public use, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to allow the Minister of Natural Resources to gratuitously transfer lands in the domain of the State in favour of a local municipality or a regional county municipality, according to their respective jurisdictions, for municipal purposes, including port installations and airport facilities. It is also proposed that such transfers be granted in favour of any non-profit organization that takes transport services (airport and port) in charge following a retrocession granted by the federal government. This Regulation replaces the Regulation respecting gratuitous transfer of land for uses of public utility made by Order in Council 232-89 dated 22 February 1989.

Any interested person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to Bernadette Crombé, Director, Politiques territoriales, Ministère des Ressources naturelles, 5700, 4^e Avenue Ouest, bureau A 314, Charlesbourg (Québec) G1H 6R1.

JACQUES BRASSARD,
Minister of Natural Resources

Regulation respecting gratuitous transfer of land for public use

An Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1, s. 71, subpars. 3 and 6)

1. This Regulation applies to lands in the domain of the State and to buildings, improvements and movables located on those lands that come under the authority of the Minister of Natural Resources under section 3 of the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1).

2. The Minister may gratuitously transfer land or grant a servitude to a municipality where it is required for the purposes of a public highway, municipal administrative services, port installations or airport facilities, a waste elimination site such as a sanitary landfill site or an incinerator, waste water treatment, protection of a drinking water reservoir or for water supply or sewer systems.

3. The Minister may gratuitously transfer land or grant a servitude to a local municipality where it is required for the development of roads or public transport, public housing, public security, social services, municipal parks, gardens, green spaces, for heritage preservation and for cultural or non-profit recreational purposes.

In this section, “local municipality” excludes the James Bay Regional Zone Council.