

Regulations and other acts

Gouvernement du Québec

O.C. 928-2001, 22 August 2001

An Act respecting financial assistance for education expenses
(R.S.Q., c. A-13.3; 2001, c. 10; 2001, c. 18)

Financial assistance for education expenses — Amendments

Regulation to amend the Regulation respecting financial assistance for education expenses

WHEREAS, under section 57 of the Act respecting financial assistance for education expenses (R.S.Q., c. A-13.3; 2001, c. 10, s. 1; 2001, c. 18, s. 5), the Government may make regulations for the purposes of the Act;

WHEREAS the Government made the Regulation respecting financial assistance for education expenses by Order in Council 844-90 dated 20 June 1990;

WHEREAS it is expedient to amend the Regulation respecting financial assistance for education expenses once more;

WHEREAS, under section 23.7 of the Act respecting the Conseil supérieur de l'éducation (R.S.Q., c. C-60), every draft regulation respecting the financial assistance programs established by the Act respecting financial assistance for education expenses must be submitted to the Advisory committee on the financial accessibility of education;

WHEREAS the Advisory committee examined the draft Regulation respecting the financial assistance program for education expenses attached to this Order in Council and gave its opinion on 18 July 2001;

WHEREAS, in accordance with sections 10 and 12 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 11 July 2001, with a notice that it could be made by the Government upon the expiry of 21 days following its publication;

WHEREAS, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS the government is of the opinion that the urgency due to the following circumstances justifies such coming into force:

— the applications for financial aid that have already been sent in must be evaluated by taking into account the amendments that have been made to the Regulation respecting financial assistance for education expenses attached to this Order in Council;

WHEREAS it is expedient to make the Regulation with amendments in order to take the comments received into account;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Education:

THAT the Regulation to amend the Regulation respecting financial assistance for education expenses, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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; 2001, c. 18, s. 5)

1. Section 4 of the Regulation respecting financial assistance for education expenses is amended

(1) by substituting the following subparagraph for subparagraph 2 of the first paragraph:

* 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 Regulations made by Orders in Council 1214-2000 dated 18 October 2000 (2000, *G.O.* 2, 5183) and 749-2001 dated 20 June 2001 (2001, *G.O.* 2, 2967). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

“(2) 50 % of his actual employment income which exceeds his minimum contribution established in accordance with section 5;”;

(2) by substituting the following paragraph for the second paragraph :

“For the purposes of subparagraph 2, shall constitute real employment income the income contemplated by Schedule II of the calendar year ending during the current year of allocation or, in the case of income contemplated in paragraph 11 of the Schedule, those of the fiscal year ending during the calendar year ending during the current year of allocation; when the student was not studying full-time or was registered full-time in a secondary institution during the winter trimester preceding the current year of allocation, only 2/3 of the income shall be taken into account. Finally, the income contemplated in paragraph 7 of the Schedule shall not be taken into account for computation purposes when the student benefits from a training programme which is offered and paid for by a Government department or agency.”.

2. Section 10 is amended by substituting, in paragraph 7, “\$2400” for “\$2250”.

3. The Regulation is amended by inserting the following after section 18 :

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

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 has completed six full-time trimesters toward the same diploma.”.

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

5. Section 33 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.

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

7. Section 39 is amended by substituting, in the first paragraph, “\$2400” for “\$2250”.

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

9. 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.”.

10. 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”.

11. 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.”.

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

“SCHEDULE V
(ss. 12, 15, 20 and 22)

Disposable income		Requested contribution
Higher than	Not exceeding	
\$0	\$8 000	0 % of disposable income
\$8 000	\$44 000	0 % of the first \$8 000 and 19 % of the remainder
\$44 000	\$54 000	\$6 840 of the first \$44 000 and 29 % of the remainder
\$54 000	\$64 000	\$9 740 of the first \$54 000 and 39 % of the remainder
\$64 000		\$13 640 of the first \$64 000 and 49 % of the remainder.”.

13. 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 or her studies during the trimesters referred to in each of the following cases is not considered as having abandoned his or her 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 office within an organization of 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.

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.”.

14. This Regulation applies from the summer trimester of the year of allocation 2001-2002.

15. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

4493