

Gouvernement du Québec

O.C. 1518-2001, 12 December 2001

An Act respecting income security
(R.S.Q., c. S-3.1.1)

**Income security
— Amendments**

Regulation to amend the Regulation respecting Income Security

WHEREAS, under the first paragraph of section 340 of the Act to amend the Taxation Act and other legislative provisions (1999, c. 83), notwithstanding section 106 of the Act, the Government may make regulations for the purposes of the amendments to the Act respecting income security (R.S.Q., c. S-3.1.1), enacted by sections 291 to 294 of the Act to amend the Taxation Act and other legislative provisions, for the period between 31 December 1996 and 1 October 1999;

WHEREAS, under the second paragraph of section 340 of the Act to amend the Taxation Act and other legislative provisions (1999, c. 83), a regulation made for the purposes of the amendments made by that Act to the Act respecting income security is not subject to the publication requirements set out in sections 8 and 11 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS it is expedient to make a regulation to that effect;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Labour and Social Solidarity and Minister of Social Solidarity;

THAT the Regulation to amend the Regulation respecting Income Security, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting Income Security*

An Act respecting income security
(R.S.Q., c. S-3.1.1, s. 91, 1st par., subpar. 31.1.1, and 2nd par.; 1999, c. 83, s. 340)

1. The Regulation respecting Income Security is amended by substituting the following for the first paragraph of section 87:

“87. For the purposes of subparagraph 4 of the second paragraph of section 46 of the Act, the amount of business income earned by a person for a month is equal to the part of the person’s business income for the year, referred to in subparagraph 2 of the first paragraph of section 49 of the Act, attributable to that month after it has been apportioned in accordance with this section.”.

2. The following is substituted for section 87.2:

“87.2. For the purposes of subparagraph 4 of the third paragraph of section 49 of the Act, the amount of the last resort assistance benefits determined for the family corresponds to the sum obtained by adding, for each month of the year, the amounts determined on the basis of the following formula:

$$A - (B - C)$$

In the formula in the first paragraph,

(1) A represents the amount by which the aggregate of the last resort assistance benefits received in the month by the adult and the adult’s spouse that are to be included, for the year, in computing their income under section 311.1 of the Taxation Act (R.S.Q., c. I-3), exceeds the aggregate of such benefits reimbursed by the adult and the spouse in the month that are deductible, for that year, under paragraph *d* or *d.2* of section 336 of that Act;

(2) B represents the amount of the scale of family needs applicable to the adult, divided by 12;

* The Regulation respecting Income Security, made by Order in Council 922-89 dated 14 June 1989 (1989, *G.O.* 2, 2443), was last amended by the Regulation made by Order in Council 865-99 dated 28 July 1999 (1999, *G.O.* 2, 2308). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2001, updated to 1 September 2001.

(3) C represents the family's total estimated income for the month, computed without consideration of the part attributable to that month of the amount referred to in subparagraph 4 of the third paragraph of section 49 of the Act and the amount determined in subparagraph 1 of the first paragraph.

The amount determined by the formulas B – C and A – (B – C) cannot be less than zero.”.

3. The following is substituted for section 100.1:

“**100.1.** The amount of the last resort assistance benefits that is considered received pursuant to the third paragraph of section 48.2 of the Act and the sixth paragraph of section 49 of the Act is computed by adding, for each month of the year, the amount by which the amount of the scale of family needs applicable under section 93, divided by 12, exceeds the estimated total income of the family for the month, excluding the amount determined in subparagraph 1 of the second paragraph of section 87.2.”.

4. For 1997, section 100.1, replaced by section 3, shall be read as follows:

“**100.1.** The amount of the last resort assistance benefits that is considered received pursuant to the third paragraph of section 48.2 of the Act and the fifth paragraph of section 49 of the Act is computed by adding, for each month of the year, the amount by which the amount of the scale of family needs applicable under section 93, divided by 12, exceeds the estimated total income of the family for the month, excluding the last resort assistance benefits received during the month.”.

5. Sections 1 to 3 have effect from 1 January 1998.

Notwithstanding the foregoing, for 1998, subparagraph 1 of the second paragraph of section 87.2, replaced by section 2 of this Regulation, shall, for the period before 12 June 1998, be read as if the reference therein to “paragraphs *d* and *d.2* of section 336” were a reference to “paragraphs *d* and *d.2* of subsection 1 of section 336”.

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

Décret 1519-2001, 12 December 2001

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

Section 25.4 of the Act — Extension of the effect

In the matter of the extension of the effect of section 25.4 of the Act respecting the Québec Pension Plan

WHEREAS section 25.4 of the Act respecting the Québec Pension Plan (R.S.Q., c. R-9), enacted by section 204 of chapter 41 of the statutes of 2000, came into force on 5 December 2000;

WHEREAS that section imposes certain requirements concerning the protection of confidential information on contracts made by the Régie des rentes du Québec for the maintenance and development of computer systems, the computerized processing of information and the destruction of documents where such contracts involve access to taxation information or the communication of such information;

WHEREAS in accordance with section 205 of chapter 41 of the statutes of 2000, that section of the Act respecting the Québec Pension Plan will cease to be in effect on the date and conditions set by the Government or, at the latest, on 1 January 2002, unless the Government, prior to that date, extends the effect thereof for the period it indicates;

WHEREAS that section of the Act respecting the Québec Pension Plan must continue to apply to allow the Régie to make the contracts referred to therein until a general scheme is established concerning the protection of taxation information;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Labour and Social Solidarity and Minister Social Solidarity:

THAT the effect of section 25.4 of the Act respecting the Québec Pension Plan be extended until 31 December 2003.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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