

## Draft Regulations

### Draft Regulation

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

#### 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 a 21-day period 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 urgency due to the following circumstances:

— the amendments made to the Regulation respecting financial assistance for education expenses, which should apply as of the fall trimester of the 2002-2003 year of allocation, would not be taken into account in due time because of the time period prescribed for the publication of draft regulations.

The purpose of the draft Regulation is to determine the conditions and rules of the new loans program for part-time studies in vocational training at the secondary level and for part-time studies at the postsecondary level established by the Act respecting financial assistance for education expenses.

The draft Regulation aims to establish the maximum amount of the financial resources a person may have for a year in order to be eligible for a loan. It also aims to establish, for the purpose of computing the amount of financial assistance, the list of allowable expenses and the amounts allocated for these expenses.

Lastly, the draft Regulation aims to determine, for the purpose of the loans and bursaries program, the situations in which a person who is pursuing part-time studies is deemed to be pursuing full-time studies in a program of studies.

Further information may be obtained by contacting Claude Provencher, Director General, Aide financière aux études, 1035, rue De La Chevrotière, 20<sup>e</sup> 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<sup>e</sup> étage, Québec (Québec) G1R 5A5.

SYLVAIN SIMARD,  
*Minister of Education*

### Regulation to amend the Regulation respecting financial assistance for education expenses<sup>1</sup>

An Act respecting financial assistance for education expenses  
(R.S.Q., c. A-13.3, s. 57; 2001, c. 10, s. 1 and c. 18, s. 5; 2002, c. 13, s. 8)

**1.** The Regulation respecting financial assistance for education expenses is amended by substituting the following for the title of Division VIII of Chapter I:

“STUDENTS DEEMED TO BE ENROLLED FULL-TIME AND STUDENTS DEEMED TO BE ENROLLED”.

**2.** The Regulation is amended by inserting the following sections after the title of Division VIII of Chapter I:

“**52.1.** A student is deemed to be enrolled full-time in a program of studies recognized by the Minister if he is pursuing studies in such a program part-time and if he is in any of the following situations:

(1) the student is single and is living with his child, who is under 12 years of age;

<sup>1</sup> 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 928-2001 dated 22 August 2001 (2001, *G.O.* 2, 4815). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2002, updated to 1 March 2002.

(2) the student is at least 20 weeks pregnant or has lived with her child from his birth until the age as of which he is subject to compulsory school attendance;

When the child suffers from a major functional deficiency within the meaning of section 54 or from mental disorders described in a medical certificate issued by a physician, the period during which the student is deemed to be enrolled full-time in a program of studies recognized by the Minister is extended until the child, if he is pursuing studies, has reached the age of 21.

**52.2.** When the student is deemed to be enrolled full-time in a program of studies recognized by the Minister, the trimesters for which he may receive financial assistance in the form of loan or in the form of loans and bursaries are taken into account proportionally with regard to the amount of time for which the student is enrolled.”.

**3.** The Regulation is amended by inserting the following chapter after section 75 :

#### “CHAPTER I.1

#### LOANS PROGRAM FOR PART-TIME STUDIES IN VOCATIONAL TRAINING AT THE SECONDARY LEVEL AND FOR PART-TIME STUDIES AT THE POSTSECONDARY LEVEL

#### DIVISION I ELIGIBILITY

**75.1.** A student whose annual financial resources are under \$35 000 is eligible for a loan.

The amount provided for in the first paragraph is increased to \$50 000 when the student has a spouse or when the student is deemed to be receiving a contribution from his parents or sponsor. The amount is, however, not increased when the student is in one of the situations described in section 17.

The amounts provided for in the first and second paragraphs are increased by \$2600 for the first child and by \$2400 for each additional child when the student is living with his child or his spouse’s child. The amount provided for in the first paragraph is increased by \$1995 when the student is single and is living with his child.

**75.2.** The financial resources of a student are established by adding his gross income within the meaning of the Taxation Act and, if applicable, that of his spouse or, if the student is single, that of his parents or sponsor for the calendar year preceding the current year of allocation.

In the case provided for in section 14, the parents’ income consists of only the gross income of the sole parent whose income must be taken into account according to that section.

Notwithstanding the first paragraph, when the student is in one of the situations described in section 17, the income of his parents or sponsor shall not be taken into account.

**75.3.** Notwithstanding section 75.2, when a student’s financial resources for the calendar year ending during the current year of allocation are at least 10% lower than for the calendar year preceding the current year of allocation, the financial resources taken into account shall be those for the calendar year ending during the current year of allocation.

#### SECTION II ALLOWABLE EXPENSES

**75.4.** The expenses allowable for the purpose of computing the amount of financial assistance are the following :

- (1) the student’s school fees;
- (2) child day-care expenses.

**75.5.** The amount allocated to a student for school fees for each trimester is determined as follows :

- (1) for vocational training at the secondary level: \$2 per course hour;
- (2) for the college level: \$3 per period of instruction;
- (3) for the university level: \$85 per credit.

The amount provided for in subparagraph 2 of the first paragraph is increased to \$10 when the student is attending a private educational institution.

**75.6.** The amount allocated to a student for child day-care expenses for each trimester is \$350 per child when all of the following conditions are met :

- (1) the student is living with his child or his spouse’s child;
- (2) the child is under 12 years of age, or if the child is 12 years of age or older, he suffers from a major functional deficiency within the meaning of section 54 or from mental disorders described in a medical certificate issued by a physician.

**75.7.** Notwithstanding sections 75.5 and 75.6, no amount is allocated to the student in respect of a category of allowable expenses when amounts are allocated to him for the same purpose for the trimester concerned by a government department or body.

**75.8.** No loan certificate is issued for an amount under \$100.

### **DIVISION III ELIGIBILITY PERIOD**

**75.9.** A student is eligible for a loan for a maximum of 14 trimesters.

### **DIVISION IV LEVEL OF INDEBTEDNESS**

**75.10.** The balance of all loans granted under this loans program may not exceed \$8 000.

### **DIVISION V MANAGEMENT OF A LOAN**

**75.11.** The provisions of Division XII of Chapter I pertaining to the presentation of the loan certificate, to the payment of the loan, to the repayment of the loan, to cases where a borrower is considered to be in default, to the applicable rates of interest or to the obligations of a borrower in a precarious financial situation shall apply, with the necessary modifications, when the borrower obtains a loan under Division II of Chapter III of the Act respecting financial assistance for education expenses.”.

**4.** The Regulation is amended by inserting the following division after section 78:

#### **“DIVISION II.1 APPLICATIONS MADE UNDER MORE THAN ONE FINANCIAL ASSISTANCE PROGRAM**

**78.1.** A student may, for a same year of allocation, make applications under more than one financial assistance program. He may, however, receive financial assistance under the loans program for a given trimester only if he is not receiving financial assistance under the loans and bursaries program for the same trimester.”.

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

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## **Draft Regulation**

Public Service Act  
(R.S.Q., c. F-3.1.1)

### **Ethics and discipline**

Notice is hereby given, in accordance with section 128 of the Public Service Act (R.S.Q., c. F-3.1.1) that the “Regulation respecting ethics and discipline in the public service”, the text of which appears below, may be adopted by the Government, with or without amendments, upon the expiry of 30 days from this publication.

The purpose of this draft regulation is to update the rules governing ethics in the public service, to take into account the current and foreseeable context. Among other things, it proposes additional rules for the post-employment period, in line with current standards, and clarifies certain provisions of the Public Service Act.

Additional information may be obtained from Pierre Boudreault, General Manager, Cadre de gestion du personnel, Sous-secrétariat au personnel de la fonction publique, 875, Grande-Allée, Québec (Québec) G1R 5R8, who may be contacted by telephone at (418) 528-6225.

Any interested person wishing to make comments on this draft regulation should send them in writing, before the end of the 30-day period mentioned above, to the Minister of State for Administration and the Public Service, Minister Responsible for Administration and the Public Service and Chair of the Conseil du trésor, 885, Grande-Allée Est, 4<sup>e</sup> étage, Québec (Québec) G1R 6C2.

JOSEPH FACAL,  
*Minister of State for Administration  
and the Public Service  
Minister responsible for Administration  
and the Public Service  
Chair of the Conseil du trésor*

## **Regulation respecting ethics and discipline in the public service**

Public Service Act  
(R.S.Q., c. F-3.1.1, s. 126, pars. 1 to 3)

### **DIVISION I OBJECT AND APPLICATION**

**1.** The purpose of this regulation is to specify the standards of ethics and discipline applicable to public servants, as stipulated in the Public Service Act (R.S.Q., c. F-3.1.1), to establish new standards and to stipulate