

Draft Regulations

Draft Regulation

An Act respecting childcare centres and childcare services (R.S.Q., c. C-8.2)

Reduced contributions — 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 reduced contributions, 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 amend the provisions pertaining to the conditions of eligibility for the reduced contribution in the Regulation to ensure its harmonization with the new Immigration and Refugee Protection Act (S.C., 2001, c. 27) and to extend the eligibility for the reduced contribution to protected persons and persons authorized to apply for permanent resident status on-site. It also proposes to harmonize the Regulation with other regulations in Québec with respect to the concept of temporary worker.

The draft Regulation also prescribes that a childcare provider must provide a child with a meal at noon or in the evening if the child is present at these times of the day; breakfast may only be served if the child is present during scheduled breakfast hours. This is intended to ensure consistency in the delivery of services established by the Regulation.

The draft Regulation limits the additional information that must be recorded on the attendance card of a child who occupies a reduced contribution place to one reference to the type of service.

The purpose of the draft Regulation is to make a childcare provider who does not provide the services referred to in section 6.1 of the Regulation for the care of a child who is at least 5 years old liable to a fine.

Study of the matter has revealed little impact on businesses, including small and medium-sized businesses.

Further information may be obtained by contacting Mariette Bety, Direction générale de la politique familiale, 1122, chemin Saint-Louis, 2^e étage, Québec (Québec) G1S 4Z5; telephone: (418) 646-9384; fax: (418) 644-5434.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of State for Social Solidarity and Child and Family Welfare, 1122, chemin Saint-Louis, Québec (Québec) G1S 4Z5.

LINDA GOUPIL,
*Minister of State for Social Solidarity
and Child and Family Welfare
Minister of Child and Family Welfare*

Regulation to amend the Regulation respecting reduced contributions*

An Act respecting childcare centres and childcare services (R.S.Q., c. C-8.2, s. 73, pars. 10.2, 21 and 24)

1. Section 5 of the Regulation respecting reduced contributions is amended

(1) by substituting the following for paragraphs 2 and 3:

“(2) the parent is a permanent resident within the meaning of the Immigration and Refugee Protection Act (S.C., 2001, c. 27);

(3) the parent’s stay in Québec is intended primarily for work purposes, and the parent holds a work permit issued under the Immigration and Refugee Protection Act or is exempted from being in possession of such a permit under that Act;”;

(2) by substituting the following for paragraphs 5 and 6:

“(5) the parent is a person recognized in Canada by a court of competent jurisdiction as a refugee or protected person within the meaning of the Immigration and Refugee Protection Act and holds a selection certificate issued under section 3.1 of the Act respecting immigration to Québec;

* The Regulation respecting reduced contributions, made by Order in Council 1071-97 dated 20 August 1997 (1997, G.O. 2, 4392), was last amended by Order in Council 826-99 dated 7 July 1999 (1999, G.O. 2, 2065). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2002, updated to 1 September 2002.

(6) the parent is a person who has been granted protection by the Minister under the Immigration and Refugee Protection Act and holds the selection certificate referred to in paragraph 5;

(7) the parent is a person who holds a temporary resident permit issued under section 24 of the Immigration and Refugee Protection Act in view of granting permanent residence and holds the selection certificate referred to in paragraph 5; or

(8) the parent is a person who is authorized to submit an application for permanent residence in Canada under the Immigration and Refugee Protection Act and the Immigration and Refugee Protection Regulations and holds the selection certificate referred to in paragraph 5.”.

2. Section 6 is amended by substituting the following for subparagraph 2 of the first paragraph:

“(2) two snacks for a child receiving childcare during the hours scheduled for providing snacks;

(2.1) a meal at noon and a meal in the evening for a child receiving childcare during the hours scheduled for these meals or breakfast only if a child is receiving childcare during the hours scheduled for breakfast;”.

3. Section 13 is amended by substituting the following for the first paragraph:

“**13.** A foreign national referred to in paragraphs 2 to 8 of section 5 must also provide the following documents:

(1) a copy of the landing card, of the permanent resident card or the confirmation of permanent residence issued by the Canadian immigration authorities;

(2) a copy of the work permit issued by the Canadian immigration authorities with the name of the workplace and employer’s name or, if the foreign national is exempted from holding such a permit, a copy of the document attesting to the foreign national’s right to legally be in Canada;

(3) a copy of a letter issued by the Minister of Education attesting that the foreign national is receiving a scholarship referred to in paragraph 4 of section 5, and a copy of the certificate of acceptance issued pursuant to section 3.2 of the Act respecting immigration to Québec;

(4) a copy of the letter issued by the competent authority of Canada establishing that the person is a refugee or a protected person within the meaning of the Immigration and Refugee Protection Act, and a copy of the selection certificate issued under section 3.1 of the Act respecting immigration to Québec;

(5) a copy of the temporary resident permit whose coding establishes that it was issued in view of granting permanent residence and a copy of the selection certificate referred to in paragraph 4; and

(6) a copy of the letter issued by the Canadian immigration authorities establishing that the person may apply for permanent residence in Canada and a copy of the selection certificate referred to in paragraph 4;”.

4. The following is substituted for section 24:

“**24.** If the parent is granted the reduced contribution or, if applicable, the exemption from payment, the childcare provider must also indicate the type of service, among the types established in section 1, on the attendance card provided for in section 99 of the Regulation respecting childcare centres and in section 49 of the Regulation respecting day care centres for each day the child is present.”.

5. Section 25 is amended by inserting “, 6.1” after “6”.

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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Draft Decree

An Act respecting collective agreement decrees (R.S.Q., c. D-2)

Installation of petroleum equipment — Amendments

Notice is hereby given, under section 5 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), that the Minister of State for Human Resources and Labour and Minister of Labour has received a petition from contracting parties to amend the Decree respecting the installation of petroleum equipment (R.R.Q., 1981, c. D-2, r.33) and, under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the “Decree to amend the Decree respecting the installation of petroleum equipment,” the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The draft Regulation concerns in particular the terms of employment related to the hours of the workday and workweek, family-related leaves, the organization of shifts, use of vehicles supplied by the employer, compensation for meals, evening and night premiums, hourly wages and both employers’ and employees’ contributions to pension and fringe benefit plans.