

Draft Regulations

Draft Regulation

An Act respecting income support, employment assistance and social solidarity (R.S.Q., c. S-32.001)

Income support — 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 income support, the text of which appears below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation makes various amendments to the Employment-Assistance Program. It introduces provisions to allow a midwife to certify that the special benefits for transportation and living expenses are required for a program recipient who needs to receive treatments related to pregnancy and post-natal follow-up.

With a view to harmonizing various government assistance programs, the draft Regulation provides that the special benefits for transportation and living expenses to receive treatment will not be granted to a recipient whose transportation is already covered by the policy that provides for the reimbursement of such expenses, entitled the *Politique de déplacement des usagers du ministère de la Santé et des Services sociaux*. Under the draft Regulation, the special benefits for certain losses arising from a fire or other disaster will not be granted if the recipient is covered under an assistance program for disaster victims established by the Minister of Public Security for such purposes.

The draft Regulation also provides that interest income is not excluded for calculation purposes when the interest is added to the value of a right that has been realized. It clarifies the amounts to be withheld from the debtor of a amount recoverable as a result of misrepresentation, when the debtor has previously owed an amount for that reason.

The draft Regulation also contains technical and consequential amendments.

The draft Regulation has no financial impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Nikolas Ducharme, Direction du développement des politiques et des projets expérimentaux, Ministère de l'Emploi et de la Solidarité sociale, 425, rue Saint-Amable, 4^e étage, Québec (Québec) G1R 4Z1 ; telephone: 418 646-7221 ; fax: 418 643-0019.

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 Employment and Social Solidarity, 425, rue Saint-Amable, 4^e étage, Québec (Québec) G1R 4Z1.

MICHELLE COURCHESNE,
*Minister of Employment
and Social Solidarity*

Regulation to amend the Regulation respecting income support*

An Act respecting income support, employment assistance and social solidarity (R.S.Q., c. S-32.001, s. 156, par. 13, s. 159, pars. 5 and 8 and s. 160)

1. Section 46 of the Regulation respecting income support is amended by adding the following paragraph:

“In the case of benefits referred to in paragraph 1 of section 55 and sections 62 to 65, the need may be attested to in writing by a midwife.”.

2. Section 47 is amended

(1) by inserting “or midwife” after “physician”;

(2) by striking out the last sentence.

3. Section 62 is amended

* The Regulation respecting income support, made by Order in Council 1011-99 dated 1 September 1999 (1999, *G.O.* 2, 2881), was last amended by the regulations made by Orders in Council 820-2005 dated 31 August 2005 (2005, *G.O.* 2, 3925), 1143-2005 dated 24 November 2005 (2005, *G.O.* 2, 5125) and 1170-2005 dated 30 November 2005 (2005, *G.O.* 2, 5155). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 September 2005.

(1) by replacing “or a dentist” in the first paragraph by “, a dentist or a midwife”;

(2) by adding the following paragraph at the end:

“The special benefits shall not be granted if the recipient’s transportation is covered by the policy established by the Minister of Health and Social Services, entitled the Politique de déplacement des usagers du réseau de la santé et des services sociaux.”.

4. Section 64 is amended by inserting “signed by a physician, a dentist or a midwife, as applicable,” after “medical certificate” in the first paragraph.

5. Section 65 is amended by inserting “or by a midwife, if applicable,” after “physician” in the first paragraph.

6. Section 74 is amended

(1) by replacing “other disaster” by “natural disaster, such as a landslide or flood” in the part preceding paragraph 1 of the first paragraph;

(2) by adding the following paragraph:

“The special benefits shall not be granted if the losses arise from a disaster covered by a financial assistance program established under section 100 or 101 of the Civil Protection Act (R.S.Q., c. S-2.3).”.

7. Section 84 is amended by adding “, except if it arises from the realization of a right by a person referred to in section 102 of the Act respecting income support, employment assistance and social solidarity” at the end of paragraph 11.

8. Section 186 is amended by replacing “due to more than one misrepresentation” by “owed as a result of misrepresentation and the debtor has previously owed an amount as a result of misrepresentation pursuant to the Act” in the third paragraph.

9. Section 188 is amended by replacing subparagraph 2 of the first paragraph by the following:

“(2) \$224 per month, where the recoverable amount is owed as a result of misrepresentation and the debtor has previously owed an amount as a result of misrepresentation pursuant to the Act”.

10. Section 189 is amended by replacing paragraph 2 by the following:

“(2) \$52 per week, where the recoverable amount is owed as a result of misrepresentation and the debtor has previously owed an amount as a result of misrepresentation pursuant to the Act”.

11. This Regulation comes into force on 1 April 2006.

7349

Notice

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001)

Retrospective adjustment of the assessment — 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 amending the Regulation respecting retrospective adjustment of the assessment, the text of which appears below, shall be adopted by the Commission, with or without amendment, upon the expiry of forty-five (45) days after publication of this notice.

The draft Regulation is intended to permit the Fonds au bénéfice des personnes incarcérées to file an application to be considered one and the same employer for the purposes of retrospective adjustment of the assessment.

To date, study of the matter has revealed the following impact on the employers concerned:

— a stronger incentive for employers to take accident prevention measures and reintegrate into the workforce workers who have suffered employment injuries; and

— access on request to a ratemaking plan that takes into account individual employer experience in respect of the cost of employment injuries suffered by its workers.

Any interested person having comments to make on this draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to Mr. Roland Longchamps, Vice-Chairman for Finance, Commission de la santé et de la sécurité du travail, 524, rue Bourdages, Québec (Québec) G1K 7E2.

GÉRARD BIBEAU,
*Chairman of the board and
chief executive officer
of the Commission de la santé
et de la sécurité du travail*