

Regulations and other acts

Gouvernement du Québec

O.C. 9-2006, 17 January 2006

An Act respecting parental insurance
(R.S.Q., c. A-29.011; 2005, c. 13)

Regulation — Amendment

Regulation to amend the Regulation under the Act respecting parental insurance

WHEREAS, pursuant to section 20 of the Act respecting parental insurance (R.S.Q., c. A-29.011), amended by section 12 of the Act to amend the Act respecting parental insurance and other legislative provisions (2005, c. 13), the Conseil de gestion de l'assurance parentale may make regulations on the matters referred to therein;

WHEREAS section 88 of the Act respecting parental insurance, amended by section 50 of the Act to amend the Act respecting parental insurance and other legislative provisions, provides that the regulations of the Conseil de gestion require the approval of the Government which may approve them with or without amendment;

WHEREAS the Government approved the Regulation under the Act respecting parental insurance by Order in Council 986-2005 dated 19 October 2005;

WHEREAS, in accordance with section 10 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation to amend the Regulation under the Act respecting parental insurance, made by the Conseil de gestion, was published as a draft regulation in the *Gazette officielle du Québec* of 29 December 2005, with a notice that it could be approved by the Government, with or without amendment, on the expiry of 15 days following that publication;

WHEREAS, under section 13 of the Regulations Act, the Regulation was published within a period shorter than that set out in section 11 of that Act pursuant to section 107 of the Act to amend the Act respecting parental insurance and other legislative provisions;

WHEREAS, pursuant to that section 107, a regulation made before 1 January 2006 under the Act respecting parental insurance as amended by the Act to amend the Act respecting parental insurance and other legislative

provisions is exempt from the requirement set out in section 17 of the Regulations Act regarding the date of coming into force;

WHEREAS it is expedient to approve the Regulation with an amendment;

WHEREAS it is expedient to set the date of coming into force of the Regulation as the date of publication in the *Gazette officielle du Québec*;

IT IS ORDERED, therefore, on the recommendation of the Minister of Employment and Social Solidarity:

THAT the Regulation to amend the Regulation under the Act respecting parental insurance, attached hereto, be approved with an amendment;

THAT the Regulation come into force on the day of its publication in the *Gazette officielle du Québec*.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation under the Act respecting parental insurance*

An Act respecting parental insurance
(R.S.Q., c. A-29.011, s. 20; 2005, c. 13, s. 12)

1. The Regulation under the Act respecting parental insurance is amended by inserting the following after section 31:

“31.1. Upon request, the qualifying period of a person is the same as the period that gave the person entitlement to maternity, paternity, parental or adoption benefits under this plan or the employment insurance plan for the event preceding the event for which the person filed a claim for benefits, if the person proves to the Minister's satisfaction that, despite the extension of the qualifying period, he or she was unable to have a number of weeks with insurable earnings during that period greater than 15, because

* The Regulation under the Act respecting parental insurance, approved by Order in Council 986-2005 dated 19 October 2005 (2005, G.O. 2, 4742), has not been amended since.

(1) the person was receiving benefits under this plan or the employment insurance plan in respect of the arrival of a child, or would have received such benefits had there been no waiting period, and was not receiving other insurable earnings during that period; or

(2) the person was receiving indemnities under the Act respecting occupational health and safety (R.S.Q., c. S-2.1) by reason of the fact that the person had ceased to work because continuation of work entailed physical dangers for the person by reason of her pregnancy or physical dangers for the person's unborn child or the child the person was breast-feeding.”.

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

7424