

Gouvernement du Québec

O.C. 742-2006, 16 August 2006

An Act respecting the Ministère de l'Emploi et de la Solidarité sociale and establishing the Commission des partenaires du marché du travail (R.S.Q., c. M-15.001)

An Act respecting the Ministère du Revenu (R.S.Q., c. M-31)

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

An Act respecting the Ministère de la Santé et des Services sociaux (R.S.Q., c. M-19.2)

Agreement on Social Security between the Government of Québec and the Government of the French Republic
— Ratification and implementation

Ratification of the Agreement on Social Security between the Gouvernement du Québec and the Government of the French Republic, signed at Paris on 17 December 2003, and Regulation respecting the implementation of the Agreement

WHEREAS Décret 1317-2003 dated 10 December 2003 authorized the Minister of International Relations and Minister responsible for La Francophonie to sign alone the Agreement on Social Security between the Gouvernement du Québec and the Government of the French Republic;

WHEREAS the Agreement was signed at Paris on 17 December 2003;

WHEREAS the Agreement on Social Security concerns pensions, health, and industrial accidents and occupational diseases;

WHEREAS, under paragraph 3 of section 5 of the Act respecting the Ministère de l'Emploi et de la Solidarité sociale and establishing the Commission des partenaires du marché du travail (R.S.Q., c. M-15.001), in the exercise of the Minister's functions, the Minister may, in particular, enter into agreements in accordance with the law, with a government other than the Gouvernement du Québec, a department of such a government, an international organization, or a body under the authority of such a government or organization;

WHEREAS, under section 10 of that Act, notwithstanding any other legislative or regulatory provision, where an agreement in the area of income security and social benefits under paragraph 3 of section 5 of that Act extends the coverage of an Act or a regulation to a person defined in the agreement, the Government may, by regulation, enact the measures required to implement the agreement in order to give effect to the agreement;

WHEREAS the Government may, by regulation made under section 96 of the Act respecting the Ministère du Revenu (R.S.Q., c. M-31), give effect to international fiscal agreements entered into under section 9 of that Act;

WHEREAS, under section 215 of the Act respecting the Québec Pension Plan (R.S.Q., c. R-9), the Government may make regulations respecting the manner in which the act shall apply to any case affected by an agreement entered into with another country;

WHEREAS, under section 10 of the Act respecting the Ministère de la Santé et des Services sociaux (R.S.Q., c. M-19.2), the Minister may, according to law, enter into agreements with any government, one of its departments, with an international organization or with an agency of that government or organization for the purposes of enabling, on a basis of reciprocity, a person to benefit, from the time specified in those agreements and on the conditions determined therein, from all or part of the health services and social services provided for in the Acts administered by the Minister or in the laws of a foreign State to which the agreements apply;

WHEREAS, under the third paragraph of that section, to give effect to such agreements, the Government may, by regulation, determine the manner in which an Act administered by the Minister is to apply in any case covered by the agreements, and adapt the provisions of such an Act;

WHEREAS the Agreement constitutes an international agreement within the meaning of section 19 of the Act respecting the Ministère des Relations internationales (R.S.Q., c. M-25.1.1);

WHEREAS the Agreement also constitutes an important international commitment within the meaning of subparagraph 1 of the second paragraph of section 22.2 of the Act respecting the Ministère des Relations internationales;

WHEREAS, under the third paragraph of section 20 of the Act respecting the Ministère des Relations internationales, international agreements referred to in section 22.2

of that Act must, to be valid, be signed by the Minister of International Relations, approved by the National Assembly and ratified by the Government;

WHEREAS, under section 22.4 of the Act respecting the Ministère des Relations internationales, the ratification of an international agreement or the making of an order referred to in the third paragraph of section 22.1 of that Act shall not take place, where it concerns an important international commitment, until the commitment is approved by the National Assembly;

WHEREAS the National Assembly approved the Agreement on 20 April 2004;

WHEREAS, under Order in Council 1118-93 dated 11 August 1993, the draft regulations and the regulations related to the implementation of reciprocal agreements for social security entered into by the Gouvernement du Québec are exempt from the application of the Regulations Act (R.S.Q., c. R-18.1);

IT IS ORDERED, therefore, on the recommendation of the Minister of International Relations and Minister responsible for La Francophonie, of the Minister of Health and Social Services, of the Minister of Employment and Social Solidarity and of the Minister of Revenue:

THAT the Agreement on Social Security between the Gouvernement du Québec and the Government of the French Republic, signed at Paris on 17 December 2003 and approved by the National Assembly on 20 April 2004, appearing as a schedule to the Regulation respecting the implementation of the provisions relative to industrial accidents and occupational diseases contained in the Agreement on Social Security between the Gouvernement du Québec and the Government of the French Republic, approved by Order in Council 740-2006 dated 16 August 2006, be ratified;

THAT the Regulation respecting the implementation of the Agreement on Social Security between the Gouvernement du Québec and the Government of the French Republic, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting the implementation of the Agreement on Social Security between the Gouvernement du Québec and the Government of the French Republic

An Act respecting the Ministère de l'Emploi et de la Solidarité sociale and establishing the Commission des partenaires du marché du travail (R.S.Q., c. M-15.001, s. 10)

An Act respecting the Ministère du Revenu (R.S.Q., c. M-31, s. 96)

An Act respecting the Québec Pension Plan (R.S.Q., c. R-9, s. 215)

An Act respecting the Ministère de la Santé et des Services sociaux (R.S.Q., c. M-19.2, s. 10)

1. The following Acts and the regulations made thereunder apply to any person referred to in the Agreement on Social Security between the Gouvernement du Québec and the Government of the French Republic, signed at Paris on 17 December 2003, and appearing as Schedule 1 to the Regulation respecting the implementation of the provisions relative to industrial accidents and occupational diseases contained in the Agreement on Social Security between the Gouvernement du Québec and the Government of the French Republic, approved by Order in Council 740-2006 dated 16 August 2006:

- (1) the Hospital Insurance Act (R.S.Q., c. A-28);
- (2) the Health Insurance Act (R.S.Q., c. A-29);
- (3) the Act respecting prescription drug insurance (R.S.Q., c. A-29.01);
- (4) the Act respecting the Régie de l'assurance-maladie du Québec (R.S.Q., c. R-5);
- (5) the Act respecting the Québec Pension Plan (R.S.Q., c. R-9);
- (6) the Act respecting health services and social services (R.S.Q., c. S-4.2); and
- (7) the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5).

2. Those Acts and regulations apply in the manner set out in the Agreement and in the administrative arrangement for its implementation, which appears as Schedule 2 to the Regulation referred to in section 1.

3. This Regulation replaces the Regulation respecting the implementation of the Entente entre le Gouvernement du Québec et le Gouvernement de la République française en matière de sécurité sociale (R.R.Q., 1981, c. M-23, r.3), the Regulation respecting the implementation of the Avenant à l'Entente en matière de sécurité sociale entre le Gouvernement du Québec et le Gouvernement de la République française, and the Arrangement administratif pertaining thereto made under Order in Council 1042-89 dated 28 June 1989, the Regulation respecting the implementation of Avenant n° 2 à l'Entente en matière de sécurité sociale entre le gouvernement du Québec et le gouvernement de la République française made by Order in Council 575-2002 dated 15 May 2002.

4. This Regulation comes into force on 1 November 2006.

7772

Gouvernement du Québec

O.C. 767-2006, 16 August 2006

An Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8)

Allocation of dwellings in low rental housing — Amendments

By-law to amend the By-law respecting the allocation of dwellings in low rental housing

WHEREAS, under subparagraphs *p* and *q* of the first paragraph of section 86 of the Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8), the Société d'habitation du Québec may, by by-law, establish criteria governing the allocation of dwellings in low rental housing or of such dwellings of a given category or subcategory and exempt certain persons from the application of certain criteria;

WHEREAS an amendment is necessary so that the rent stipulated in the lease is taken into account when a dwelling in low rental housing is allocated to a recipient of an emergency rent supplement, rather than the rent actually paid by the lessee as has previously been the case;

WHEREAS such an amendment ensures the economic stability of recipients of an emergency rent supplement;

WHEREAS, by Resolution 2006-028 dated 5 May 2006, the board of directors of the Société d'habitation du Québec adopted the By-law to amend the By-law respecting the allocation of dwellings in low rental housing;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the By-law to amend the By-law respecting the allocation of dwellings in low rental housing was published in Part 2 of the *Gazette officielle du Québec* of 31 May 2006 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, under section 87 of the Act respecting the Société d'habitation du Québec, the by-laws of the Société are subject to approval by the Government;

WHEREAS the comments received after the publication have been examined and considered;

WHEREAS it is expedient to approve the By-law without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Regions:

THAT the By-law to amend the By-law respecting the allocation of dwellings in low rental housing, attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

By-law to amend the By-law respecting the allocation of dwellings in low rental housing*

An Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8, s. 86, 1st par., subpars. *p* and *q* and s. 87)

1. Section 33 of the By-law respecting the allocation of dwellings in low rental housing is amended

(1) by adding the following subparagraph to the second paragraph:

“(4) the rent for the current month is determined without reference to financial assistance received by a lessee under an emergency assistance program.”;

(2) by striking out the third paragraph.

* The By-law respecting the allocation of dwellings in low rental housing, approved by Order in Council 1243-90 dated 29 August 1990 (1990, *G.O.* 2, 2433), was amended by the regulation approved by Order in Council 506-93 dated 7 April 1993 (1993, *G.O.* 2, 2429).