

## 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, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to index certain allowable expenses for the purposes of computing the amount of financial assistance for education expenses. Provisions relating to school fees are also amended to take into account the cost of telematics services such as Internet and the increase in university tuition fees.

A further purpose is to increase the applicable exemption amounts for computing the contribution of a student's parents, sponsor or spouse. Part-time students whose capacity for employment is severely limited will be deemed to be full-time students if they participate in a social assistance and support measure or program. Allowances such students receive as incentives to continue their education will be excluded from their income.

The draft Regulation also amends the conditions for recognizing a borrower in a precarious financial situation. Consequential amendments are also made to the Regulation respecting financial assistance for education expenses to reflect amendments that have been made to Acts to which the Regulation refers.

Further information may be obtained by contacting Daniel Simpson, Director for Policy and Programs, Aide financière aux études, Ministère de l'Éducation, du Loisir et du Sport, 1035, rue De La Chevrotière, 20<sup>e</sup> étage, Québec (Québec) G1R 5A5; telephone: 418 646-5206.

Interested persons may submit comments on this matter in writing, before the expiry of the 45-day period, to the Minister of Education, Recreation and Sports, 1035, rue De La Chevrotière, 16<sup>e</sup> étage, Québec (Québec) G1R 5A5.

MICHELLE COURCHESNE,  
*Minister of Education, Recreation and Sports*

### Regulation to amend the Regulation respecting financial assistance for education expenses\*

An Act respecting financial assistance for education expenses  
(R.S.Q., c. A-13.3, s. 57)

**1.** Section 17 of the Regulation respecting financial assistance for education expenses is amended

(1) by replacing "\$13,885" in subparagraph 1 of the first paragraph by "\$15,274";

(2) by replacing "\$11,775" in subparagraph 2 of the first paragraph by "\$12,931";

(3) by replacing "\$2,100" in subparagraph 3 of the first paragraph by "\$2,310";

(4) by replacing "\$2,200" in subparagraph 4 of the first paragraph by "\$2,250";

(5) by replacing "\$2,400" in the second paragraph by "\$2,650".

**2.** Section 18 is amended

(1) by replacing "\$11,755" in the first paragraph by "\$12,931";

(2) by replacing "\$2,200" in the second paragraph by "\$2,250".

\* The Regulation respecting financial assistance for education expenses, made by Order in Council 344-2004 dated 7 April 2004 (2004, *G.O.* 2, 1211), was last amended by the regulation made by Order in Council 623-2005 dated 23 June 2005 (2005, *G.O.* 2, 2299). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 March 2007.

**3.** Section 26 is amended

(1) by replacing subparagraph 1 of the first paragraph by the following:

“(1) receives last resort financial assistance under the Individual and Family Assistance Act (2005, c. 15), other than financial assistance for participating in a social assistance and support measure or program offered under that Act;”;

(2) by replacing “\$165” in the second paragraph by “\$168”.

**4.** Section 27 is amended

(1) by replacing “section 16 of the Act respecting income support, employment assistance and social solidarity (R.S.Q., c. S-32.001)” in paragraph 1 by “section 49 of the Individual and Family Assistance Act”;

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

“(5) has a severely limited capacity for employment within the meaning of the Individual and Family Assistance Act and is participating in a social assistance and support measure or program offered under that Act.”.

**5.** Section 29 is amended

(1) by replacing “didactic materials” in the third paragraph by “educational materials and access to telematics services”;

(2) by replacing the amounts set out respectively in subparagraphs 1 to 6 of the third paragraph by the following:

- (1) “\$165”;
- (2) “\$165”;
- (3) “\$190”;
- (4) “\$365”;
- (5) “\$415”;
- (6) “\$190”.

**6.** The following section is inserted after section 29.1:

“**29.2.** A special allocation for school fees is granted to a student who attends a university-level institution in Québec if the amount of the loan that may be granted to

the student, computed in accordance with section 14 of the Act respecting financial assistance for education expenses, corresponds to the amount of the first portion of a loan set out in paragraph 3 of section 49 or, if the student’s contribution is recomputed as provided in the third paragraph of section 1, the amount of the loan corresponds to the portion of the maximum loan amount established pursuant to section 54.

The amount of the allocation granted to a student in the form of a loan is \$16.65 per credit.

The amount of the allocation is not taken into account in computing the amount of financial assistance for education expenses.”.

**7.** Section 32 is amended

(1) by replacing “\$325” and “\$715” in the first paragraph by “\$332” and “\$730”;

(2) by replacing “\$125”, “\$200”, “\$515” and “\$200” in the second paragraph by “\$128”, “\$204”, “\$526” and “\$204”.

**8.** Section 33 is amended

(1) by replacing “\$58” in the first paragraph by “\$59”;

(2) by replacing the second paragraph by the following:

“However, if the child is of full age or if the student is not entitled to child assistance payments under the Taxation Act, the amount is increased to \$169 per month.”.

**9.** Section 34 is amended by replacing “\$243” and “\$1,128” in the first paragraph by “\$248” and “\$1,152”.

**10.** Section 35 is amended by replacing “\$83” in the second paragraph by “\$85”.

**11.** Section 37 is amended

(1) by replacing the third paragraph by the following:

“Living expenses for a child are also allocated to a student who has shared custody of his or her minor child if the student is not entitled to child assistance payments under the Taxation Act.”;

(2) by replacing the fifth paragraph by the following:

“The living expenses for a child are \$221 a month for each child.”;

(3) by replacing the sixth paragraph by the following:

“Despite the third and fifth paragraphs, if no amount has been established as a spouse’s contribution, a student who is entitled to child assistance payments under the Taxation Act is entitled to living expenses for a child equal to the amount obtained by subtracting the amount of child assistance payments to which the student is entitled as child assistance payments, calculated on a month basis, from the amount set out in the fifth paragraph.”

**12.** Section 38 is amended by replacing “section 39 of the Act respecting childcare centres and childcare services (R.S.Q., c. C-8.2)” in the second paragraph by “section 82 of the Educational Childcare Act (R.S.Q., c. S-4.1.1)”.

**13.** Section 40 is amended by replacing “\$63” and “\$504” in the first paragraph by “\$64” and “\$512”.

**14.** Section 46 is amended by adding the following subparagraph at the end of the first paragraph:

“(4) the student’s capacity for employment is limited within the meaning of the Individual and Family Assistance Act and the student is participating in a social assistance and support measure or program offered under that Act.”

**15.** Section 50 is amended

(1) by replacing the amounts set out respectively in subparagraphs 1 to 3 of the first paragraph by the following:

- (1) “\$13,069”;
- (2) “\$13,069”;
- (3) “\$15,662”;

(2) by replacing the amounts set out respectively in subparagraphs 1 to 3 of the second paragraph by the following:

- (1) “\$3,522”;
- (2) “\$4,457”;
- (3) “\$5,396”.

**16.** Section 74 is replaced by the following:

“**74.** A borrower is in a precarious financial situation if the borrower’s employment income referred to in Schedule I is less, on a monthly basis, than the amount obtained by multiplying the minimum wage set out in section 3 of the Regulation respecting labour standards (R.R.Q., 1981, c. N-1.1, r.3) by 160.21, and the borrower expects his or her income to remain such for the following 4 months.

The amount determined under the first paragraph is increased by \$221 for each child of the borrower. The amount is further increased by \$112 if the borrower has no spouse and lives with the child.”

**17.** Section 86 is amended by replacing “\$85” in subparagraph 3 of the first paragraph by “\$101.65”.

**18.** Section 96 is amended by replacing “section 16 of the Act respecting income support, employment assistance and social solidarity” in the first paragraph by “section 49 of the Individual and Family Assistance Act”.

**19.** Schedule II is amended by adding “, other than those paid under the Individual and Family Assistance Act” at the end of paragraph 5.

**20.** Despite section 6, the amount of the special allocation for school fees granted under section 29.2 of the Regulation respecting financial assistance for education expenses is as follows:

- (1) for the 2007-2008 year of allocation: \$3.33 per credit;
- (2) for the 2008-2009 year of allocation: \$6.66 per credit;
- (3) for the 2009-2010 year of allocation: \$9.99 per credit;
- (4) for the 2010-2011 year of allocation: \$13.32 per credit.

**21.** Despite section 15, the amount allocated under subparagraph 3 of the first paragraph of section 50 of the Regulation respecting financial assistance for education expenses is as follows:

- (1) for the 2007-2008 year of allocation: \$15,262;

(2) for the 2008-2009 year of allocation: \$15,362;

(3) for the 2009-2010 year of allocation: \$15,462;

(4) for the 2010-2011 year of allocation: \$15,562.

**22.** Despite section 17, the amount allocated under subparagraph 3 of the first paragraph of section 86 of the Regulation respecting financial assistance for education expenses is as follows:

(1) for the 2007-2008 year of allocation: \$83.33 per credit;

(2) for the 2008-2009 year of allocation: \$91.66 per credit;

(3) for the 2009-2010 year of allocation: \$94.99 per credit;

(4) for the 2010-2011 year of allocation: \$98.32 per credit.

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