

## Regulations and other acts

Gouvernement du Québec

### O.C. 698-2007, 22 August 2007

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

#### Financial assistance for education expenses — Amendments

Regulation to amend the Regulation respecting financial assistance for education expenses

WHEREAS, under section 57 of the Act respecting financial assistance for education expenses (R.S.Q., c. A-13.3), the Government may make regulations for the purposes of the Act;

WHEREAS the Government made the Regulation respecting financial assistance for education expenses by Order in Council 344-2004 dated 7 April 2004;

WHEREAS it is expedient to amend the Regulation respecting financial assistance for education expenses;

WHEREAS, under section 23.7 of the Act respecting the Conseil supérieur de l'éducation (R.S.Q., c. C-60), every draft regulation respecting the financial assistance programs established by the Act respecting financial assistance for education expenses must be submitted to the advisory committee on the financial accessibility of education for advice;

WHEREAS a draft of the Regulation attached to this Order in Council was submitted to the advisory committee on the financial accessibility of education and the latter gave its advice;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 30 June 2007 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies such a coming into force:

— The amendments made to the Regulation respecting financial assistance for education expenses by the Regulation attached to this Order in Council must apply as of the 2007-2008 year of allocation which begins on 1 September 2007;

— Certain students without sufficient financial resources may not receive increased financial assistance as long as those amendments are not into force;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Education, Recreation and Sports:

THAT the Regulation to amend the Regulation respecting financial assistance for education expenses, attached to this Order in Council, be made.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

### 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”;

\* 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.

(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”.

**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 (R.S.Q., c. A-13.1.1), 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 monthly 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: \$88.33 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 applies as of the 2007-2008 year of allocation.

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

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Gouvernement du Québec

## **O.C. 699-2007, 22 August 2007**

Education Act  
(R.S.Q., c. I-13.3)

### **Basic school regulation for preschool, elementary and secondary education — Amendments**

Regulation to amend the Basic school regulation for preschool, elementary and secondary education

WHEREAS, under section 447 of the Education Act (R.S.Q., c. I-13.3), the Government may make regulations to be known as the “basic school regulation”;

WHEREAS the Government by Order in Council 651-2000 dated 1 June 2000 made the Basic school regulation for preschool, elementary and secondary education;

WHEREAS it is expedient to amend the Basic school regulation for preschool, elementary and secondary education;

WHEREAS section 458 of the Education Act provides that every draft regulation under that section must be submitted to the Conseil supérieur de l'éducation;

WHEREAS a draft Regulation, attached to this Order in Council, was submitted to the Conseil supérieur de l'éducation which gave its advice;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 6 June 2007 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that urgency of the situation requires it;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies such coming into force:

— The amendments made by the Regulation attached to this Order in Council to the Basic school regulation for preschool, elementary and secondary education must apply as of the commencement of the 2007-2008 school year which began on 1 July 2007;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Education, Recreation and Sports:

THAT the Regulation to amend the Basic school regulation for preschool, elementary and secondary education, attached to this Order in Council, be made.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*