

**13.** The Regulation respecting hazardous materials<sup>7</sup> is amended by revoking section 126.

**14.** The Regulation respecting contaminated soil storage and contaminated soil transfer stations<sup>8</sup> is amended by revoking section 75.

**15.** This Regulation comes into force on 1 June 2008.

8706

Gouvernement du Québec

**O.C. 456-2008, 7 May 2008**

Individual and Family Assistance Act  
(R.S.Q., c. A-13.1.1)

**Individual and Family Assistance  
— Amendments**

Regulation to amend the Individual and Family Assistance Regulation

WHEREAS, under the Individual and Family Assistance Act (R.S.Q., c. A-13.1.1), the Government made the Individual and Family Assistance Regulation by Order in Council 1073-2006 dated 22 November 2006;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Individual and Family Assistance Regulation was published in Part 2 of the *Gazette officielle du Québec* of 27 February 2008 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation without amendment;

<sup>7</sup> The Regulation respecting hazardous materials, made by Order in Council 1310-97 dated 8 October 1997 (1997, *G.O.* 2, 5199), was last amended by the regulation made by Order in Council 808-2007 dated 18 September 2007 (2007, *G.O.* 2, 2581). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2008, updated to 1 March 2008.

<sup>8</sup> The Regulation respecting contaminated soil storage and contaminated soil transfer stations was made by Order in Council 15-2007 dated 16 January 2007 (2007, *G.O.* 2, 525) and has not been amended since it was made.

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

THAT the Regulation to amend the Individual and Family Assistance Regulation, attached hereto, be made.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

**Regulation to amend the Individual and Family Assistance Regulation \***

Individual and Family Assistance Act  
(R.S.Q., c. A-13.1.1, s. 131, pars. 8, 9 and 12; s. 132, pars. 8, 10 and 15; s. 133, par. 2 and s. 136)

**1.** The Individual and Family Assistance Regulation is amended in section 16 by adding the following sentence: “Despite the foregoing, if the financial assistance is granted under a last resort financial assistance program, the child continues to be a dependant of that person for the purposes of the special benefit for pharmaceutical services under section 83.”.

**2.** Section 26 is replaced by the following:

“**26.** An independent adult required to reside in a half-way house is eligible for financial assistance from the month in which the adult begins residing in the half-way house and

(1) is authorized to be temporarily absent from a correctional facility or a community correctional centre for reintegration purposes under section 54 or 136 of the Act respecting the Québec correctional system (2002, c. 24); or

(2) has been conditionally released under section 143 of that Act.

For the purposes of this section, a half-way house means a community residential centre, a community shelter or a foster home bound by a partnership agreement or service contract with the Minister of Public Security to facilitate the reintegration of the persons required to reside there.”.

\* The Individual and Family Assistance Regulation, made by Order in Council 1073-2006 dated 22 November 2006 (2006, *G.O.* 2, 3877), was last amended by the regulation made by Order in Council 1064-2007 dated 28 November 2007 (2007, *G.O.* 2, 3688). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2008, updated to 1 March 2008.

**3.** The following is inserted after section 26:

“**26.1.** Despite section 26, an adult accused who is required to reside in a half-way house, a facility other than a penitentiary, a correctional facility or other prison is eligible for financial assistance. The provisions of this Regulation that are specific to an adult required to reside in a facility do not apply, however, to the accused.”.

**4.** Section 89 is amended by replacing the second paragraph by the following:

“If transportation is by private vehicle, the special benefit is paid to cover parking fees and vehicle use expenses up to \$0.145 per kilometre travelled.

The vehicle use expenses are, however, paid up to \$0.41 per kilometre if the transportation is provided by a volunteer driver under the control of a humanitarian organization recognized by the Ministère de la Santé et des Services sociaux under one of its support programs, provided the total remuneration for such transportation, excluding parking fees, is no more than a contribution to vehicle use expenses and the organization keeps a permanent record of all trips made. In such a case, the claim for payment may be made by the organization, with the consent of the independent adult or an adult member of the family, and the special benefit paid directly to the organization.”.

**5.** Section 90 is amended by adding the following paragraph:

“The special benefit may be paid directly to the taxi transport service provider with the consent of the independent adult or an adult member of the family.”.

**6.** Section 95 is amended by replacing “the use of the vehicle up to a maximum of \$0.135” in the second paragraph by “vehicle use expenses up to \$0.145”.

**7.** Section 111 is amended by adding “paid under the Taxation Act, and the Working Income Tax Benefit and the supplement for handicapped persons paid by the Canada Revenue Agency” at the end of paragraph 12.

**8.** Section 138 is amended by adding the following paragraph:

“(12) for the month in which they are received, sums received as income tax refunds.”.

**9.** Section 140 is replaced by the following:

“**140.** If they are received quarterly, advance payments as a work premium made under the Taxation Act and advance payments related to the Working Income Tax

Benefit and the supplement for handicapped persons paid by the Canada Revenue Agency are wholly excluded for the month in which they are paid and are excluded in the proportion of two-thirds for the following month and one-third for the last month.

In addition, the amount received as a child assistance payment under section 1029.8.61.28 of the Taxation Act that includes 2 or 3 months of eligibility is wholly excluded for the month in which it is paid and, depending on the months of eligibility, is excluded in the proportion of 50% for the following month, or in the proportion of two-thirds for the following month and one-third for the last month.

Payment of arrears in respect of the amounts referred to in this section are excluded up to the last day of the following month.”.

**10.** Section 142 is amended by adding the following paragraph:

“If the benefit paid for the month during which savings begin under an individual savings plan is later claimed in its entirety by the Minister, the exclusion applies, unless the claim is made following a false declaration, up to the date on which a formal repayment notice was sent by the Minister pursuant to section 97 of the Act.”.

**11.** Section 153 is amended

(1) by replacing “\$17,100” in paragraph 1 by “\$17,606”;

(2) by replacing “\$12,210” in paragraph 2 by “\$12,349”;

(3) by replacing “\$12,210” in paragraph 3 by “\$12,349”.

**12.** Section 164 is amended

(1) by adding the following after subparagraph 4 of the first paragraph:

“(5) the proceeds from a life insurance policy received by an independent adult or a member of the family following the death of a person as well as a death benefit, if the proceeds or benefit are paid in a lump sum.”;

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

“The exclusions in subparagraphs 4 and 5 of the first paragraph apply if the property or liquid assets are received during a month in which the independent adult or the family is a recipient under a last resort financial assis-

tance program, otherwise than pursuant to section 49 of the Act, or is eligible to receive the special benefit for dental and pharmaceutical services pursuant to section 48 of this Regulation. Despite the foregoing, if the benefit paid for that month is later claimed in its entirety by the Minister, the exclusions apply, unless the claim is made following a false declaration, up to the date on which a formal repayment notice was sent by the Minister pursuant to section 97 of the Act.

In addition, the exclusion in subparagraph 4 of the first paragraph continues to apply the first time the property is converted into liquid assets or the liquid assets are converted into property, and the exclusion in subparagraph 5 of the first paragraph continues to apply the first time the proceeds or benefit are converted into property.”.

**13.** Section 173 is amended by replacing “subparagraph 4 of the first paragraph of section 164 applies only” in the third paragraph by “subparagraphs 4 and 5 of the first paragraph of section 164 apply only”.

**14.** This Regulation comes into force on 1 June 2008, except section 11, which comes into force on 1 July 2008.

8705

## M.O., 2008

### Order of the Minister of Sustainable Development, Environment and Parks dated 7 May 2008

Environment Quality Act  
(R.S.Q., c. Q-2)

Respecting the fees payable under the environment quality act

THE MINISTER OF SUSTAINABLE DEVELOPMENT,  
ENVIRONMENT AND PARKS,

CONSIDERING section 31.0.1 of the Environment Quality Act (R.S.Q., c. Q-2), enacted by section 3 of chapter 53 of the Statutes of 2002 and amended by section 5 of chapter 24 of the Statutes of 2004, under which the Minister of Sustainable Development, Environment and Parks may, by an order published in the *Gazette officielle du Québec*, determine the fees payable for the issue, renewal or modification of an authorization, approval, certificate, permit, attestation or permission under the Act or its regulations;

CONSIDERING that provision, which provides that the Minister of Sustainable Development, Environment and Parks may also fix the terms and conditions of payment of the fees and vary the fees according to the nature, scope or cost of the project, the class of source of contamination, the characteristics of the enterprise or establishment, in particular its size, or the complexity of the technical and environmental aspects of the file;

CONSIDERING the publication, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), of a draft of the Minister’s Order respecting the fees payable under the Environment Quality Act in Part 2 of the *Gazette officielle du Québec* of 3 January 2007, with a notice that it could be made by the Minister on the expiry of 45 days following that publication;

CONSIDERING that it is expedient to make the Order with amendments after taking into consideration the comments made following the publication of the Draft Order;

ORDERS AS FOLLOWS:

#### CHAPTER I GENERAL

**1.** In this Order, the word “Act” appearing alone means the Environment Quality Act (R.S.Q., c. Q-2).

#### CHAPTER II AUTHORIZATIONS

##### DIVISION I AUTHORIZATIONS OF THE MINISTER

**2.** The fees for an application for authorization under section 22 of the Act are as follows:

(1) for any project involving

(a) a dam, a bridge with an opening greater than 3.6 metres, or a marina: \$2,500;

(b) development work carried out in a watercourse, the construction, reconstruction, widening or straightening of a road likely to alter a watercourse, lake, pond, marsh, swamp or bog, or dredging operations in a watercourse where the sediment volume is equal to or greater than 50 m<sup>3</sup>: \$2,500;

(c) an electric power generating station: \$5,000 if the capacity of the generating station is less than 1MW and \$10,000 in any other case;

(d) a golf course: \$5,000;