

Under the draft Regulation, a person is not required to hold an authorization under section 22 of the Environment Quality Act (R.S.Q., c. Q-2) for activities, works or constructions carried out in a protected area under the Natural Heritage Conservation Act (R.S.Q., c. C-61.01) if the person already holds an authorization for that purpose.

The exemption is added to the exemptions in sections 1 to 3 of the Regulation respecting the application of the Environment Quality Act.

Further to the provisions of section 6 of the Regulation as regards those other exemptions, any intervention arising from a project authorized by the Government pursuant to section 31.5 of the Act that is a project subject to the assessment and review procedure remains subject to the application of section 22 of the Environment Quality Act.

The proposed amendment reduces the administrative burden on enterprises and persons required under two statutes to submit an application for authorization to the same Minister for the same project. Unnecessary duplication and overlapping is thereby avoided, which is beneficial to good public administration from both an economic and a practical standpoint.

Further information may be obtained by contacting Joanne Laberge, Direction du patrimoine écologique et des parcs, Ministère du Développement durable, de l'Environnement et des Parcs, Édifice Marie-Guyart, 4^e étage, boîte postale 21, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; telephone: 418 521-3907, extension 4426; fax: 418 646-6169; email: joanne.laberge@mddep.gouv.qc.ca

Interested persons having comments to make on the draft Regulation are asked to send them in writing before the expiry of the 60-day period to Joanne Laberge at the address indicated above.

LINE BEAUCHAMP,
*Minister of Sustainable Development,
Environment and Parks*

Regulation to amend the Regulation respecting the application of the Environment Quality Act *

Environment Quality Act
(R.S.Q., c. Q-2, s. 31, 1st par., subpar. f)

1. The Regulation respecting the application of the Environment Quality Act is amended in section 1 by adding the following paragraph:

“(6) construction, work or activities to be carried out in aquatic reserves, biodiversity reserves or ecological reserves, or on land set aside for reserve purposes, if an authorization has been issued by the Minister under the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).”.

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

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Draft Regulation

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

Individual and family assistance — 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 Individual and Family Assistance Regulation, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation proposes various enhancements for recipients of last resort financial assistance.

Under the draft Regulation, a dependent child who ceases to be part of a family because of work income or income from a public plan will continue to be eligible for the special benefit to cover the cost of medications.

* The Regulation respecting the application of the Environment Quality Act, made by Order in Council 1529-93 dated 3 November 1993 (1993, *G.O.* 2, 5996), was last amended by the regulation made by Order in Council 320-2006 dated 13 April 2006 (2006, *G.O.* 2, 1344). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 September 2007.

An accused person required to reside in a half-way house or a facility, other than a penitentiary, a correctional facility or other prison, will be eligible for financial assistance in the same manner as a person not subject to that requirement.

The draft Regulation proposes to increase the reimbursement for expenses incurred by a recipient who uses a private vehicle to obtain medical care. The new rate will be \$0.145 per kilometre travelled (the rate also applying to the use of a private vehicle in connection with the enforcement of a claim for support), or \$0.41 per kilometre travelled 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. The draft Regulation will allow the amount to be paid directly to the organization or taxi transport service provider.

The draft Regulation contains various provisions relating to the Working Income Tax Benefit and the disability supplement for handicapped persons paid by the Canada Revenue Agency beginning in 2008. Those amounts are not income that reduces last resort financial assistance and are temporarily excluded as liquid assets on certain terms.

The draft Regulation allows a recipient to exclude income tax refunds as liquid assets for the month in which they are received, and increases the amount of the deductions that apply to the parents' income for the purposes of calculating the parental contribution. Proceeds from a life insurance policy or a death benefit paid in a lump sum will be excluded, on the same conditions as assets received from a succession under the Social Solidarity Program. Provision is made to maintain, on certain conditions, various liquid asset exclusions available to recipients of last resort financial assistance even should they be required to repay the assistance.

Technical and consequential amendments are proposed, in particular to reflect the new terminology used in the Act respecting the Québec correctional system (2002, c. 24).

The draft Regulation will have positive consequences for persons and families receiving last resort financial assistance. It will have no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Christine Brockman, Direction des politiques de sécurité du revenu, Ministère de l'Emploi et de la Solidarité

sociale, 425, rue Saint-Amable, 4e étage, Québec (Québec) G1R 4Z1; telephone: 418 646-7221; fax: 418 644-1299.

Any interested person wishing to comment on the draft Regulation is requested to submit written comments to the Minister of Employment and Social Solidarity, 425, rue Saint-Amable, 4^e étage, Québec (Québec) G1R 4Z1, within the 45-day period.

SAM HAMAD,
*Minister of Employment
and Social Solidarity*

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.

* 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, 2007, updated to 1 September 2007.

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.”

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 two or three 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 assistance 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.