

Draft Regulation

Educational Childcare Act
(R.S.Q., c. S-4.1.1)

Reduced contribution — 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 Reduced Contribution Regulation may be submitted to the Government to be made on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to specify the terms and conditions applicable to the payment of the reduced contribution by eligible parents. It also specifies the services that must then be provided by the childcare provider.

The draft Regulation also changes the procedure to determine the eligibility of a parent for the reduced contribution.

The draft Regulation has no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Anne-Marie Bouthillier, Agence des services à la famille, office of the Associate Deputy Minister, 425, rue Saint-Amable, Québec (Québec) G1R 4Z1; telephone: 418 643-3170; fax: 418 643-8670.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Families, 425, rue Saint-Amable, Québec (Québec) G1R 4Z1.

MICHELLE COURCHESNE,
Minister of Families

Regulation to amend the Reduced Contribution Regulation *

Educational Childcare Act
(R.S.Q., c. S-4.1.1, ss. 82 to 84, 86, 106, pars. 25 to 28, and s. 108)

1. The Reduced Contribution Regulation is amended by replacing section 5 by the following:

“**5.** The reduced contribution is set at \$7 per day. The contribution is to be paid monthly or at fixed intervals of less than one month, in approximately equal instalments.”.

2. Subparagraph 4 of the first paragraph of section 6 is replaced by the following:

“(4) subject to section 10, all the educational material used and any other good or service put at the disposal of or offered or provided by any person to the children received by the childcare provider, while the childcare is provided.”.

3. Subparagraph 2 of the first paragraph of section 7 is replaced by the following:

“(2) subject to section 10, all the educational material used and any other good or service put at the disposal of or offered or provided by any person to the children received by the childcare provider, while the childcare is provided.”.

4. Section 8 is replaced by the following:

“**8.** A childcare provider must fulfil the obligations in sections 6, 7 and 12 by taking into account the organization of the services and the days of attendance required for the child and by providing the parent with hours of childcare corresponding to the parent’s childcare needs and apportioned over all the operating hours of the provider.

However, the holder of a childcare centre permit or day care centre permit must ensure that services are provided at least from 7:00 a.m. to 6:00 p.m.”.

5. The following is added after section 8:

“**8.1.** The Minister may, upon application by a permit holder, agree with the permit holder on a schedule different from the schedule prescribed under the second paragraph of section 8. The Minister is to take the following criteria into account in assessing such an application:

- (1) the needs of the parents concerned;
- (2) the childcare services offered by other permit holders in the territory served by the applicant; and
- (3) the quality of the organization of the childcare services.

The applicant must, upon request, provide the Minister with the information and documents required to assess the application.”.

* The Reduced Contribution Regulation, made by Order in Council 583-2006 dated 20 June 2006 (2006, G.O. 2, 2185), has not been amended.

6. The first paragraph of section 9 is replaced by the following:

“9. A parent must agree with the childcare provider, in a written agreement, on the childcare services required for the child, on whether they are to be provided on a day or half-day basis, on the days of attendance required and, within the limits set in sections 6 to 8.1, on the hours of childcare that meet the parent’s childcare needs.”.

7. Section 10 is replaced by the following:

“10. No childcare provider may, directly or indirectly, require or receive costs or a contribution from a parent in addition to those set by this Regulation for any activity organized, item furnished or service offered during the hours in which the childcare referred to in sections 6, 7 and 12 is provided.

That prohibition does not apply to

(1) occasional outings organized in connection with an educational activity;

(2) outings in which the child may participate that are intended to allow children to attend sport or recreational facilities unavailable in the childcare provider’s facility and put at their disposal by a person other than the childcare provider, a person to whom the provider is related within the meaning of section 3 of the Act or one of the childcare provider’s employees, and for which the childcare provider incurs costs;

(3) personal hygiene items furnished to a child for which costs are incurred by the childcare provider; or

(4) a meal other than a meal provided pursuant to section 6.

In the above cases, the childcare provider must give the parent, with the childcare services agreement referred to in section 9,

(1) a detailed description of the outings, if they are known at the time the childcare services agreement is signed, otherwise as soon as they become known, and the amount of the related costs; and

(2) a detailed description of the personal hygiene items and meals for which the childcare provider requires costs, and the amount thereof.

If the parent accepts, the parties are to agree in a special agreement. If the parent refuses, the childcare provider must provide the child with the educational

services to which the child is entitled. However, the latter obligation does not apply to a home childcare provider who organizes occasional outings.”.

8. Section 11 is amended by replacing “the Employment-Assistance Program under the Act respecting income support, employment assistance and social solidarity (R.S.Q., c. S-32.001)” by “the Social Assistance Program or the Social Solidarity Program under the Individual and Family Assistance Act (R.S.Q., c. A-13.1.1)”.

9. Section 12 is amended

(1) by replacing “The first paragraph of section 6 applies” in the second paragraph by “The first paragraph of section 6 and section 8 apply”;

(2) by replacing subparagraph 2 of the third paragraph by the following:

“(2) subject to section 10, all the educational material used and any other good or service put at the disposal of or offered or provided by any person to the children received by the childcare provider, while the childcare is provided.”.

10. Section 14 is amended by replacing “the Employment-Assistance Program established under the Act respecting income support, employment assistance and social solidarity” in the fourth paragraph by “the Social Assistance Program or the Social Solidarity Program under the Individual and Family Assistance Act (R.S.Q., c. A-13.1.1)”.

11. The following paragraph is added at the end of section 18:

“However, if the childcare provider is a home childcare provider, the decision takes effect on the date on which the childcare is provided, which cannot be more than 10 days prior to the date of the decision.”.

12. This Regulation comes into force on (*enter the 15th day following its publication in the Gazette officielle du Québec*).

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