

Gouvernement du Québec

**O.C. 1359-2009**, 21 December 2009

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

**Financial assistance for education expenses  
— Amendment**

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 carrying out 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 its 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 committee has issued its advice;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published as provided for in section 8 of that Act if the authority making it is of the opinion that the urgency of the situation requires it;

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, under sections 13 and 18 of that Act, the reasons justifying the absence of prior publication and such coming into force must be published with the regulation;

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

Further to a judgment rendered recently by the Québec Court of Appeal, the amendments made to the Regulation respecting financial assistance for education expenses by the regulation attached to this Order in Council were required to clarify the Government's intention;

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.** The Regulation respecting financial assistance for education expenses is amended in Schedule II

(1) by replacing paragraph 6 by the following:

“(6) amounts received as support, paid for the student or the student's child, in excess of \$1,200 per year of allocation, as well as other monetary benefits or benefits to which a monetary value may be assigned, except compensatory allowances, received as a result of a de facto separation agreement, a judgment granting separation as to bed and board or a divorce judgment;”;

(2) by striking out paragraph 9.

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

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\* 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 811-2008 dated 27 August 2008 (2008, *G.O.* 2, 4447A), the regulation made by Order in Council 386-2009 dated 1 April 2009 (2009, *G.O.* 2, 1585) and the regulation made by Order in Council 1175-2009 dated 11 November 2009 (2009, *G.O.* 2, 3707). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.