

Regulations and other Acts

Gouvernement du Québec

O.C. 1009-2011, 28 September 2011

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 carrying out of the Act;

WHEREAS the Government made the Regulation respecting financial assistance for education expenses (R.R.Q., c. A-13.3, r. 1);

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 instituted 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 the draft Regulation attached to this Order in Council is the consolidation of two draft Regulations that, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), were published in Part 2 of the *Gazette officielle du Québec* of 22 June 2011 and 29 June 2011 with a notice that they could be made by the Government on the expiry of 45 days following their publication;

WHEREAS the draft Regulations were submitted to the advisory committee on the financial accessibility of education and the committee has given its advice;

WHEREAS it is expedient to make the draft Regulation attached to this Order in Council;

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.

GILLES PAQUIN,
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 by replacing section 17 by the following:

“**17.** For the purpose of computing the contribution of the parents or sponsor, the applicable exemptions are as follows:

(1) \$2,881 for each child of the parents or sponsor other than the student who, being minor, is single and has no children or, being of full age, pursues full-time studies and is deemed to reside with his or her parents or sponsor within the meaning of section 31 or is deemed to receive a contribution from his or her parents or sponsor;

(2) \$2,444 if the student has a major functional deficiency within the meaning of section 47.”

2. Section 18 is replaced by the following:

“**18.** For the purpose of computing the spouse's contribution, an exemption of \$2,444 is granted if the student has a major functional deficiency within the meaning of section 47.”

3. Section 26 is amended by replacing “\$174” in the second paragraph by “\$179”.

4. Section 29 is amended by replacing the amounts in subparagraphs 1 to 6 of the third paragraph by the following amounts:

- (1) “\$176”;
- (2) “\$176”;
- (3) “\$203”;
- (4) “\$388”;
- (5) “\$443”;
- (6) “\$203”.

5. Section 29.1 is replaced by the following:

“**29.1.** An allocation for training support materials is granted, on request, to a student who is eligible for a loan.

The amount of the allocation granted to the student in the form of a loan is \$150 per 4-month period.

The amount allocated is not taken into account for the purpose of computing financial assistance for education expenses.”.

6. Section 29.2 is amended by replacing “\$16.65” in the second paragraph by “\$70.83”.

7. Section 32 is amended

(1) by replacing “\$345” and “\$758” in the first paragraph by “\$354” and “\$778” respectively;

(2) by replacing “\$138” and “\$551” in the second paragraph by “\$147” and “\$571” respectively.

8. Section 33 is amended

(1) by replacing “\$62” in the first paragraph by “\$64”;

(2) by replacing “\$175” in the second paragraph by “\$180”.

9. Section 34 is amended by replacing “\$257” and “\$1,196” in the first paragraph by “\$264” and “\$1,228” respectively.

10. Section 35 is amended by replacing “\$89” in the second paragraph by “\$91”.

11. Section 37 is amended by replacing “\$234” in the fifth paragraph by “\$240”.

12. Section 40 is amended by replacing “\$67” and “\$536” in the first paragraph by “\$69” and “\$552” respectively.

13. Section 50 is amended

(1) by replacing the amounts in subparagraphs 1 to 3 of the first paragraph by the following amounts:

- (1) “\$13,937”;
- (2) “\$13,937”;
- (3) “\$18,313”;

(2) by replacing the amounts in subparagraphs 1 to 3 of the second paragraph by the following amounts:

- (1) “\$3,756”;
- (2) “\$4,753”;
- (3) “\$5,755”.

14. Section 74 is amended

(1) by replacing the first paragraph by the following:

“**74.** A borrower is in a precarious financial situation if the borrower’s income referred to in Schedules I and II 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 (c. N-1.1, r. 3) by 160.21, and the borrower expects his or her income to remain such for the following 5 months.”;

(2) by replacing “\$234” and “\$117” in the second paragraph by “\$240” and “\$120” respectively.

15. The following is inserted after section 74:

“**74.1.** A borrower is also in a precarious financial situation if the monthly payment necessary for the borrower to repay the balance of the principal and interest of his or her loan within 180 months following the end of the partial exemption period is greater than the minimum monthly payment the borrower is able to make in his or her situation, and the borrower expects the situation to remain such for the following 5 months.

For the purposes of the first paragraph, the amount of the minimum monthly payment is computed by multiplying the borrower’s monthly income referred to in Schedules I and II by the percentage obtained by

(1) subtracting, from the borrower's monthly income referred to in Schedules I and II, the amount computed in accordance with section 74;

(2) dividing the amount obtained under subparagraph 1 by the number 25,000 increased, if applicable, by 7,500 for each child of the borrower and by 10,000 if the borrower has no spouse and lives with his or her child; and

(3) adding 0.02 to the number obtained under subparagraph 2.

Despite the second paragraph, the amount of the minimum monthly payment may not exceed 20% of the borrower's monthly income referred to in Schedules I and II.

The rate of interest applicable to the computation of the monthly payment necessary for the borrower to repay the balance of the principal and interest of his or her loan within the time fixed in the first paragraph is a variable rate that fluctuates as provided in section 73."

16. Section 75 is amended

(1) by replacing "60" in the first paragraph by "120" and by adding ", if the borrower is in such a situation at the time of application" at the end of that paragraph;

(2) by replacing "in the repayment agreement" in the third paragraph by "in section 73";

(3) by inserting the following after the third paragraph:

"Despite the foregoing, a borrower referred to in section 74.1 must, during any time he or she is recognized as a borrower in a precarious financial situation, pay to his or her financial institution the minimum monthly payment computed under the second paragraph of that section."

17. Section 76 is amended

(1) by inserting the following paragraph after the first paragraph:

"In the case provided for in section 74.1, a borrower may not be recognized again as a borrower in a precarious financial situation if the borrower fails to make a monthly payment payable pursuant to the fourth paragraph of section 75.";

(2) by replacing "24" in the second paragraph by "60".

18. Section 82 is amended by replacing "\$2,805" and "\$2,101" in the third paragraph by "\$2,881" and "\$2,158" respectively.

19. Section 85 is amended by adding the following after paragraph 2:

"(3) transportation expenses."

20. Section 86 is amended

(1) by replacing the amounts in subparagraphs 1 to 3 of the first paragraph by the following amounts:

(1) "\$2.14";

(2) "\$3.19";

(3) "\$162.13";

(2) by replacing "\$10.38" in the second paragraph by "\$10.66".

21. The following is inserted after section 87:

"**87.1.** An amount of \$364 is allocated to a student for transportation expenses for each trimester if he or she studies in an outlying area listed in the third paragraph of section 40."

22. Section 88 is amended by replacing "86 and 87" by "86, 87 and 87.1".

23. Section 91 is amended by replacing "\$8,000" by "\$13,500".

24. Schedule I is amended by replacing the part preceding subparagraph 1 of the first paragraph by the following:

"**SCHEDULE I**
(ss. 1, 8, 9 and 74)

The student's employment income, for the calendar year ending during the current year of allocation, is composed of the following:"

25. Schedule II is amended by replacing the part preceding paragraph 1 by the following:

"**SCHEDULE II**
(ss. 1 and 74)

The student's other income, for the calendar year ending during the current year of allocation, is composed of the following:"

26. Schedule III is replaced by the following:

“SCHEDULE III

(s. 12)

**CONTRIBUTION OF THE PARENTS, SPONSOR
OR SPOUSE**

Contribution of the parents or sponsor	
\$35,000 to \$72,000	\$0 on the first \$35,000 and 19% on the remainder
\$72,001 to \$82,000	\$7,030 on the first \$72,000 and 29% on the remainder
\$82,001 to \$92,000	\$9,930 on the first \$82,000 and 39% on the remainder
\$92,001 and +	\$13,830 on the first \$92,000 and 49% on the remainder
Contribution of the parent or sponsor without a spouse	
\$30,000 to \$67,000	\$0 on the first \$30,000 and 19% on the remainder
\$67,001 to \$77,000	\$7,030 on the first \$67,000 and 29% on the remainder
\$77,001 to \$87,000	\$9,930 on the first \$77,000 and 39% on the remainder
\$87,001 and +	\$13,830 on the first \$87,000 and 49% on the remainder
Contribution of the spouse	
\$28,000 to \$65,000	\$0 on the first \$28,000 and 19% on the remainder
\$65,001 to \$75,000	\$7,030 on the first \$65,000 and 29% on the remainder
\$75,001 to \$85,000	\$9,930 on the first \$75,000 and 39% on the remainder
\$85,001 and +	\$13,830 on the first \$85,000 and 49% on the remainder

”.

27. Despite section 1 of this Regulation, for the 2011-2012 year of allocation, section 17 of the Regulation respecting financial assistance for education expenses reads as follows:

“**17.** For the purpose of computing the contribution of the parents or sponsor, the applicable exemptions are as follows:

(1) \$15,274, if the student’s parents live together or if the student’s sponsor is married or in a civil union;

(2) \$12,931, if the student’s parents no longer live together, if one of the parents is deceased or if the student’s sponsor is neither married nor in a civil union;

(3) the lesser of \$2,310 and 14% of the gross revenue within the meaning of the Taxation Act (R.S.Q., c. I-3) of the parent having the lower gross revenue, if both of the student’s parents have income;

(4) \$2,444, if the student has a major functional deficiency within the meaning of section 47.

An exemption of \$2,881 is granted for the student and for each other child of the parents or for each child of the sponsor who, being minor, is single and has no children or, being of full age, pursues full-time studies and is deemed to reside with his or her parents or sponsor within the meaning of section 31 or is deemed to receive a contribution from his or her parents or sponsor.”.

28. Despite section 2 of this Regulation, for the 2011-2012 year of allocation, section 18 of the Regulation respecting financial assistance for education expenses reads as follows:

“**18.** An exemption of \$12,931 is granted for the purpose of computing the spouse’s contribution.

An additional exemption of \$2,444 is granted if the student has a major functional deficiency within the meaning of section 47.”.

29. Despite section 6 of this Regulation, the amount allocated pursuant to the second paragraph of section 29.2 of the Regulation respecting financial assistance for education expenses is as follows:

(1) for the 2011-2012 year of allocation: \$16.65 per credit;

(2) for the 2012-2013 year of allocation: \$27.50 per credit;

(3) for the 2013-2014 year of allocation: \$38.33 per credit;

(4) for the 2014-2015 year of allocation: \$49.17 per credit;

(5) for the 2015-2016 year of allocation: \$60.00 per credit.

30. Despite section 13 of this Regulation, the amount allocated pursuant to subparagraph 3 of the first paragraph of section 50 of the Regulation respecting financial assistance for education expenses is as follows:

(1) for the 2011-2012 year of allocation: \$16,688;

(2) for the 2012-2013 year of allocation: \$17,013;

(3) for the 2013-2014 year of allocation: \$17,338;

(4) for the 2014-2015 year of allocation: \$17,663;

(5) for the 2015-2016 year of allocation: \$17,988.

31. Despite section 20 of this Regulation, the amount allocated pursuant to subparagraph 3 of the first paragraph of section 86 of the Regulation respecting financial assistance for education expenses is as follows:

(1) for the 2011-2012 year of allocation: \$107.98;

(2) for the 2012-2013 year of allocation: \$118.81;

(3) for the 2013-2014 year of allocation: \$129.64;

(4) for the 2014-2015 year of allocation: \$140.47;

(5) for the 2015-2016 year of allocation: \$151.30.

32. Despite section 26 of this Regulation, the table provided for in Schedule III to the Regulation respecting financial assistance for education expenses is as follows:

(1) for the 2012-2013 year of allocation:

Contribution of the parents or sponsor	
\$30,200 to \$72,000	\$0 on the first \$30,200 and 19% on the remainder
\$72,001 to \$82,000	\$7,942 on the first \$72,000 and 29% on the remainder
\$82,001 to \$92,000	\$10,842 on the first \$82,000 and 39% on the remainder
\$92,001 and +	\$14,742 on the first \$92,000 and 49% on the remainder

Contribution of the parent or sponsor without a spouse

\$25,200 to \$67,000	\$0 on the first \$25,200 and 19% on the remainder
\$67,001 to \$77,000	\$7,942 on the first \$67,000 and 29% on the remainder
\$77,001 to \$87,000	\$10,842 on the first \$77,000 and 39% on the remainder
\$87,001 and +	\$14,742 on the first \$87,000 and 49% on the remainder

Contribution of the spouse

\$23,200 to \$65,000	\$0 on the first \$23,200 and 19% on the remainder
\$65,001 to \$75,000	\$7,942 on the first \$65,000 and 29% on the remainder
\$75,001 to \$85,000	\$10,842 on the first \$75,000 and 39% on the remainder
\$85,001 and +	\$14,742 on the first \$85,000 and 49% on the remainder

(2) for the 2013-2014 year of allocation:

Contribution of the parents or sponsor	
\$30,550 to \$72,000	\$0 on the first \$30,550 and 19% on the remainder
\$72,001 to \$82,000	\$7,876 on the first \$72,000 and 29% on the remainder
\$82,001 to \$92,000	\$10,776 on the first \$82,000 and 39% on the remainder
\$92,001 and +	\$14,676 on the first \$92,000 and 49% on the remainder

Contribution of the parent or sponsor without a spouse

\$25,550 to \$67,000	\$0 on the first \$25,550 and 19% on the remainder
\$67,001 to \$77,000	\$7,876 on the first \$67,000 and 29% on the remainder
\$77,001 to \$87,000	\$10,776 on the first \$77,000 and 39% on the remainder
\$87,001 and +	\$14,676 on the first \$87,000 and 49% on the remainder

Contribution of the spouse

\$23,550 to \$65,000	\$0 on the first \$23,550 and 19% on the remainder
\$65,001 to \$75,000	\$7,876 on the first \$65,000 and 29% on the remainder
\$75,001 to \$85,000	\$10,776 on the first \$75,000 and 39% on the remainder
\$85,001 and +	\$14,676 on the first \$85,000 and 49% on the remainder

(3) for the 2014-2015 year of allocation:

Contribution of the parents or sponsor

\$32,800 to \$72,000	\$0 on the first \$32,800 and 19% on the remainder
\$72,001 to \$82,000	\$7,448 on the first \$72,000 and 29% on the remainder
\$82,001 to \$92,000	\$10,348 on the first \$82,000 and 39% on the remainder
\$92,001 and +	\$14,248 on the first \$92,000 and 49% on the remainder

Contribution of the parent or sponsor without a spouse

\$27,800 to \$67,000	\$0 on the first \$27,800 and 19% on the remainder
\$67,001 to \$77,000	\$7,448 on the first \$67,000 and 29% on the remainder
\$77,001 to \$87,000	\$10,348 on the first \$77,000 and 39% on the remainder
\$87,001 and +	\$14,248 on the first \$87,000 and 49% on the remainder

Contribution of the spouse

\$25,800 to \$65,000	\$0 on the first \$25,800 and 19% on the remainder
\$65,001 to \$75,000	\$7,448 on the first \$65,000 and 29% on the remainder
\$75,001 to \$85,000	\$10,348 on the first \$75,000 and 39% on the remainder
\$85,001 and +	\$14,248 on the first \$85,000 and 49% on the remainder

(4) for the 2015-2016 year of allocation:

Contribution of the parents or sponsor

\$33,800 to \$72,000	\$0 on the first \$33,800 and 19% on the remainder
\$72,001 to \$82,000	\$7,258 on the first \$72,000 and 29% on the remainder
\$82,001 to \$92,000	\$10,158 on the first \$82,000 and 39% on the remainder
\$92,001 and +	\$14,058 on the first \$92,000 and 49% on the remainder

Contribution of the parent or sponsor without a spouse

\$28,800 to \$67,000	\$0 on the first \$28,800 and 19% on the remainder
\$67,001 to \$77,000	\$7,258 on the first \$67,000 and 29% on the remainder
\$77,001 to \$87,000	\$10,158 on the first \$77,000 and 39% on the remainder
\$87,001 and +	\$14,058 on the first \$87,000 and 49% on the remainder

Contribution of the spouse

\$26,800 to \$65,000	\$0 on the first \$26,800 and 19% on the remainder
\$65,001 to \$75,000	\$7,258 on the first \$65,000 and 29% on the remainder
\$75,001 to \$85,000	\$10,158 on the first \$75,000 and 39% on the remainder
\$85,001 and +	\$14,058 on the first \$85,000 and 49% on the remainder

33. This Regulation applies as of the 2011-2012 year of allocation, except sections 5, 19, 21, 22, 23, 26 and 32, which apply as of the 2012-2013 year of allocation, and paragraph 1 of section 14, sections 15, 16 and 17, which apply as of the 2013-2014 year of allocation.

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