Regulations and other Acts

Gouvernement du Québec

O.C. 669-2012, 27 June 2012

Education Act
(R.S.Q., c. I-13.3)

**School tax
— Computation of the maximum yield for the
2012-2013 school year**

Regulation respecting computation of the maximum yield of the school tax for the 2012-2013 school year

WHEREAS, under subparagraphs 1, 2 and 3 of the first paragraph of section 455.1 of the Education Act (R.S.Q., c. I-13.3), the Government must, by regulation, determine the rules for establishing the allowable number of students for computing the maximum yield of the school tax that the school board and the Comité de gestion de la taxe scolaire de lîle de Montréal may levy and the rates of increase of the amounts per student and of the base amount referred to in section 308 of the Act;

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8 of that Act, if the authority making it is of the opinion that the fiscal nature of the norms established, amended or repealed thereby warrants it;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where the authority that has made it is of the opinion that the fiscal nature of the norms established, amended or repealed thereby warrants it;

WHEREAS the Government is of the opinion that the fiscal nature of the norms established by the Regulation justifies the absence of prior publication and such coming into force;

IT IS ORDERED, therefore, on the recommendation of the Minister of Education, Recreation and Sports:

THAT the Regulation respecting computation of the maximum yield of the school tax for the 2012-2013 school year, attached to this Order in Council, be made.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation respecting computation of the maximum yield of the school tax for the 2012-2013 school year

Education Act
(R.S.Q., c. I-13.3, s 455.1, 1st par., subpars. 1, 2 and 3)

1. For the computation of the maximum yield of the school tax for the 2012-2013 school year, provided for in section 308 of the Education Act (R.S.Q., c. I-13.3), the allowable number of students must be determined by

(1) calculating the number of 4-year-old preschool students who may be taken into account, by multiplying by 1.00 the number of such students legally enrolled for a minimum of 144 half days on 30 September 2011 in the schools under the jurisdiction of the school board;

(2) calculating the number of 5-year-old preschool students who may be taken into account, by multiplying by 1.80 the number of such students legally enrolled for a minimum of 180 days on 30 September 2011 in the schools under the jurisdiction of the school board, except students referred to in paragraphs 7 and 8;

(3) calculating the number of elementary school students who may be taken into account, by multiplying by 1.55 the number of such full-time students legally enrolled on 30 September 2011 in the schools under the jurisdiction of the school board, except students referred to in paragraphs 7 and 9;

(4) calculating the number of secondary school students who may be taken into account, by multiplying by 2.40 the number of such full-time students legally enrolled on 30 September 2011 in the schools under the jurisdiction of the school board, except students referred to in paragraphs 7 and 10. Students admitted, following Secondary 3, to a program of study leading to a secondary school vocational diploma who pursue their general education concurrently with their vocational studies may not be taken into account for the purposes of this paragraph;

(5) calculating the number of students admitted to a program of study leading to a secondary school vocational diploma or to an attestation of vocational specialization who may be taken into account pursuant to paragraph 1 of section 4, by

(a) multiplying by 3.40 the number of full-time students admitted to a program of study leading to a secondary school vocational diploma, except students referred to in subparagraph *b*, or to an attestation of vocational specialization, legally enrolled during the 2010-2011 school year in the vocational training centres under the jurisdiction of the school board and recognized by the Minister of Education, Recreation and Sports for the purposes of the budgetary rules for the 2010-2011 school year;

(b) multiplying by 3.40 the number of full-time students admitted, following Secondary 3, to a program of study leading to a secondary school vocational diploma who pursue their general education concurrently with their professional studies, legally enrolled on 30 September 2010 in the vocational training centres under the jurisdiction of the school board and recognized by the Minister for the purposes of the budgetary rules for the 2010-2011 school year;

(c) multiplying by 3.40 the number of students corresponding to the difference between the number of new places, in terms of the enrollment capacity of an educational institution, allotted by the Minister for one or more vocational programs of study and the number of full-time students admitted to such program or programs of study during the 2010-2011 school year in the vocational training centres under the jurisdiction of the school board and recognized by the Minister for the purposes of the budgetary rules for the 2010-2011 school year; and

(d) adding the products obtained under subparagraphs *a*, *b* and *c*;

(6) calculating the number of students admitted to adult education services who may be taken into account, in accordance with the Schedule to this Regulation, by multiplying by 2.40 the number of full-time students;

(7) calculating the number of handicapped 5-year-old preschool, elementary school and secondary school students who may be taken into account, by multiplying by 6.40 the number of such full-time students legally enrolled on 30 September 2011 in the schools under the jurisdiction of the school board and recognized by the Minister for the purposes of the budgetary rules for the 2011-2012 school year;

(8) calculating the number of 5-year-old preschool students enrolled in welcoming classes and francization classes who may be taken into account, by multiplying by 2.25 the number of such full-time students enrolled in welcoming classes and francization classes and legally enrolled on 30 September 2011 in the schools under the jurisdiction of the school board, except students referred to in paragraph 7;

(9) calculating the number of elementary school students enrolled in welcoming classes and francization classes who may be taken into account, by multiplying by 2.40 the number of such full-time students enrolled in welcoming classes and francization classes and legally enrolled on 30 September 2011 in the schools under the jurisdiction of the school board, except students referred to in paragraph 7;

(10) calculating the number of secondary school students enrolled in welcoming classes and francization classes who may be taken into account, by multiplying by 3.40 the number of such full-time students enrolled in welcoming classes and francization classes and legally enrolled on 30 September 2011 in the schools under the jurisdiction of the school board, except students referred to in paragraph 7;

(11) calculating the number of preschool and elementary school students enrolled in school day care services who may be taken into account pursuant to paragraph 3 of section 4, by multiplying by 0.05 the number of such students;

(12) calculating the number of students enrolled in the school board's student transportation services who may be taken into account pursuant to paragraph 4 of section 4, by

(a) multiplying by 0.75 the number of students enrolled on 30 September 2011 in a transportation service employing vehicles used exclusively to transport such students;

(b) multiplying by 0.40 the number of students enrolled on 30 September 2011 in a transport service employing vehicles that have specific public transit routes and are not reserved exclusively to transport such students; and

(c) adding the products obtained under subparagraphs *a* and *b*; and

(13) adding the numbers obtained under paragraphs 1 to 12.

2. The allowable number of students determined under section 1 must be adjusted by adding the number of students who may be taken into account for the purposes of the reduction in the school population.

The number of students who may be taken into account for the purposes of the reduction in the school population is determined by

(1) calculating the number of students who may be taken into account for the purposes of the reduction in the total number of students by

(a) multiplying by 0.99 the total of the numbers obtained under paragraphs 2 to 4 and 7 to 10 of section 1 of the Regulation respecting computation of the maximum yield of the school tax for the 2011-2012 school year (c. I-13.3, r. 3.2), to which is added, where applicable, the number obtained under subparagraph 1 of the second paragraph of section 2 of that Regulation; and

(b) subtracting from the product obtained under subparagraph *a*, the sum of the numbers obtained under paragraphs 2 to 4 and 7 to 10 of section 1, as they read taking into account the application of section 3, if applicable;

(2) determining the number of students who may be taken into account for the purposes of the reduction in the number of 5-year-old preschool and elementary school students by

(a) calculating the number of 5-year-old preschool and elementary school students who may be taken into account under paragraph 7 of section 1 of the Regulation respecting computation of the maximum yield of the school tax for the 2011-2012 school year;

(b) multiplying by 0.99 the total of the numbers obtained under subparagraph *a* and paragraphs 2, 3, 8 and 9 of section 1 of the Regulation respecting computation of the maximum yield of the school tax for the 2011-2012 school year to which is added, where applicable, the number obtained under subparagraph 2 of the second paragraph of section 2 of that Regulation;

(c) calculating the number of 5-year-old preschool and elementary school students who may be taken into account under paragraph 7 of section 1; and

(d) subtracting from the product obtained under subparagraph *b*, the total of the numbers obtained under subparagraph *c* and paragraphs 2, 3, 8 and 9 of section 1, as they read taking into account the application of section 3, if applicable;

(3) calculating the number of students who may be taken into account for the purposes of the reduction in the number of secondary school students by

(a) calculating the number of secondary school students who may be taken into account under paragraph 7 of section 1 of the Regulation respecting computation of the maximum yield of the school tax for the 2011-2012 school year;

(b) multiplying by 0.99 the total of the numbers obtained under subparagraph *a* and paragraphs 4 and 10 of section 1 of the Regulation respecting computation of the maximum yield of the school tax for the 2011-2012 school year to which is added, where applicable, the number obtained under subparagraph 3 of the second paragraph of section 2 of that Regulation;

(c) calculating the number of secondary school students who may be taken into account under paragraph 7 of section 1; and

(d) subtracting from the product obtained under subparagraph *b*, the total of the numbers obtained under subparagraph *c* and paragraphs 4 and 10 of section 1, as they read taking into account the application of section 3, if applicable;

(4) subtracting from the sum of numbers obtained under paragraphs 2 and 3, the number obtained under paragraph 1 and multiplying by 0.37 the resulting number; and

(5) adding the numbers obtained under paragraphs 1 and 4.

In the operations prescribed in this section, when a number is lower than zero, it is deemed to be zero.

3. Where the sum obtained by adding the numbers of full-time students referred to in paragraphs 2 to 4 and 7 to 10 of section 1 exceeds the sum obtained by adding the numbers of full-time students referred to in paragraphs 2 to 4 and 7 to 10 of section 1 of the Regulation respecting computation of the maximum yield of the

school tax for the 2011-2012 school year (c. I-13.3, r. 3.2) by 200 or 2%, and is at least 200 or 2% lower than the sum obtained by adding the numbers of full-time students in the categories referred to in paragraphs 2 to 4 and 7 to 10 of section 1, established according to the Minister's enrolment estimates for the 2012-2013 school year, paragraphs 2 to 4 of section 1 are to be read as follows:

"(2) calculating the number of 5-year-old preschool students who may be taken into account, by multiplying by 1.80 the number of such full-time students, established according to the Minister's enrolment estimates for the 2012-2013 school year, except students referred to in paragraphs 7 and 8;

(3) calculating the number of elementary school students who may be taken into account, by multiplying by 1.55 the number of such full-time students, established according to the Minister's enrolment estimates for the 2012-2013 school year, except students referred to in paragraphs 7 and 9;

(4) calculating the number of secondary school students who may be taken into account, by multiplying by 2.40 the number of such full-time students, established according to the Minister's enrolment estimates for the 2012-2013 school year, except students referred to in paragraphs 7 and 10;".

4.   For the purposes of section 1,

(1) students who may be taken into account by a school board for the purposes of paragraph 5 of section 1 are students who were admitted for the 2010-2011 school year to a vocational training centre under the jurisdiction of the school board to receive educational services in vocational training, in vocational education programs authorized pursuant to section 467 of the Education Act;

(2) the number of full-time students is obtained by adding the number of students enrolled full-time who participate in the minimum number of hours of activities prescribed by the basic school regulation applicable to them and the number of students enrolled part-time converted into a number of full-time students by

(a) using the following equation to calculate the proportion of full-time attendance per student enrolled part-time:

$$\frac{\text{the student's number of hours of activities per school year}}{\begin{array}{c}\text{the minimum number of hours of activities} \\ \text{per school year prescribed} \\ \text{by the basic school regulation} \\ \text{applicable to the student}\end{array}}$$

(b) adding, for each of the categories of students referred to in paragraphs 1 to 10 of section 1, the proportions obtained under subparagraph *a*;

(3) the students who may be taken into account by a school board for the purposes of paragraph 11 of section 1 are

(a) 4-year-old preschool students enrolled on 30 September 2011 in the day care services of the school board for a minimum of 2 periods per day, at least 3 days per week; and

(b) 5-year-old preschool students and elementary school students enrolled on 30 September 2011 in the day care services of the school board for a minimum of 2 periods per day, at least 3 days per week; and

(4) the students who may be taken into account by a school board for the purposes of paragraph 12 of section 1 are the students for whom the school board provides transportation at the beginning and end of classes each day.

5.   For the computation of the maximum yield of the school tax for the 2012-2013 school year, the amount per student is $781.42, or $1,015.82 if the allowable number of students is less than 1,000, and the base amount is $234,421, namely the amounts established for the 2011-2012 school year indexed by 1.47%.

6.   The Regulation respecting computation of the maximum yield of the school tax for the 2011-2012 school year (c. I-13.3, r. 3.2) is revoked.

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

SCHEDULE
(s. 1, par. 6)

**NUMBER OF EQUIVALENT
FULL-TIME ADULT STUDENTS
IN GENERAL EDUCATION**

Code	School board (commission scolaire)	Number of full-time students
711000	Monts-et-Marées, CS des	499.3
712000	Phares, CS des	433.6
713000	Fleuve-et-des-Lacs, CS du	329.4
714000	Kamouraska-Rivière-du-Loup, CS de	331.1
721000	Pays-des-Bleuets, CS du	419.3
722000	Lac-Saint-Jean, CS du	627.8
723000	Rives-du-Saguenay, CS des	954.1
724000	De La Jonquière, CS	425.2
731000	Charlevoix, CS de	84.8
732000	Capitale, CS de la	2,213.5
733000	Découvreurs, CS des	448.7
734000	Premières-Seigneuries, CS des	898.6
735000	Portneuf, CS de	155.5
741000	Chemin-du-Roy, CS du	677.5
742000	Énergie, CS de l'	577.5
751000	Hauts-Cantons, CS des	201.8
752000	Région-de-Sherbrooke, CS de la	1,150.5
753000	Sommets, CS des	229.7
761000	Pointe-de-l'Île, CS de la	3,120.0
762000	Montréal, CS de	9,708.1
763000	Marguerite-Bourgeoys, CS	3,232.4
771000	Draveurs, CS des	835.1
772000	Portages-de-l'Outaouais, CS des	610.5
773000	Coeur-des-Vallées, CS au	338.2
774000	Hauts-Bois-de-l'Outaouais, CS des	222.0
781000	Lac-Témiscamingue, CS du	118.8
782000	Rouyn-Noranda, CS de	278.0

Code	School board (commission scolaire)	Number of full-time students
783000	Harricana, CS	158.2
784000	Or-et-des-Bois, CS de l'	303.5
785000	Lac-Abitibi, CS du	120.1
791000	Estuaire, CS de l'	246.9
792000	Fer, CS du	124.5
793000	Moyenne-Côte-Nord, CS de la	24.4
801000	Baie-James, CS de la	50.5
811000	Îles, CS des	41.6
812000	Chic-Chocs, CS des	313.8
813000	René-Lévesque, CS	299.4
821000	Côte-du-Sud, CS de la	382.9
822000	Appalaches, CS des	317.6
823000	Beauce-Etchemin, CS de la	810.6
824000	Navigateurs, CS des	482.1
831000	Laval, CS de	1,519.1
841000	Affluents, CS des	1,421.9
842000	Samares, CS des	872.8
851000	Seigneurie-des-Mille-Îles, CS de la	920.6
852000	Rivière-du-Nord, CS de la	688.6
853000	Laurentides, CS des	247.9
854000	Pierre-Neveu, CS	260.3
861000	Sorel-Tracy, CS de	425.5
862000	Saint-Hyacinthe, CS de	381.2
863000	Hautes-Rivières, CS des	458.9
864000	Marie-Victorin, CS	1,526.6
865000	Patriotes, CS des	582.3
866000	Val-des-Cerfs, CS du	622.0
867000	Grandes-Seigneuries, CS des	594.8
868000	Vallée-des-Tisserands, CS de la	381.3

Code	School board (commission scolaire)	Number of full-time students
869000	Trois-Lacs, CS des	325.7
871000	Riveraine, CS de la	202.2
872000	Bois-Francs, CS des	409.9
873000	Chênes, CS des	315.6
881000	Central Québec, CS	46.8
882000	Eastern Shores, CS	47.7
883000	Eastern Townships, CS	116.8
884000	Riverside, CS	210.6
885000	Sir-Wilfrid-Laurier, CS	318.1
886000	Western Québec, CS	226.3
887000	English-Montréal, CS	3,488.8
888000	Lester-B.-Pearson, CS	1,461.2
889000	New Frontiers, CS	119.2

2187

Gouvernement du Québec

O.C. 699-2012, 27 June 2012

An Act respecting immigration to Québec
(R.S.Q., c. I-0.2)

**Selection of foreign nationals
— Amendment**

Regulation to amend the Regulation respecting the selection of foreign nationals

WHEREAS, under subparagraph *f*.2 of the first paragraph of section 3.3 of the Act respecting immigration to Québec (R.S.Q., c. I-0.2), the Government may make regulations establishing the fees payable for processing an application for a selection certificate;

WHEREAS, under the second paragraph of section 3.3. of the Act respecting immigration to Québec, a regulation under subparagraph *f*.2 of the first paragraph of section 3.3 is not subject to the publication requirement set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1) and, despite section 17 of that Act, comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date mentioned in the regulation;

WHEREAS the Government made the Regulation respecting the selection of foreign nationals (c. I-0.2, r. 4), which provides, in subparagraph *c* of the first paragraph of section 56, the fees to be paid for the processing of an application for a selection certificate for a skilled worker;

WHEREAS it is expedient to increase the fees payable under that subparagraph by making the Regulation to amend the Regulation respecting the selection of foreign nationals;

IT IS ORDERED, therefore, on the recommendation of the Minister of Immigration and Cultural Communities:

THAT the Regulation to amend the Regulation respecting the selection of foreign nationals, attached to this Order in Council, be made.

GILLES PAQUIN,
Clerk of the Conseil exécutif