

14. The following is inserted after section 60:

“61. Where an enterprise referred to in section 2 or 8 must implement a recovery and reclamation program before 1 January 2019 for the products referred to in subparagraphs 1, 3 and 4 of the third paragraph of section 53.0.1, the enterprise may implement its program without the elements provided for in paragraphs 3, 9, 10 and 11 of section 5, but only for the first two calendar years of implementation of the program.

Despite the period provided for in the first paragraph of section 6, that enterprise must notify the Minister of its intent to implement its program not later than 1 month before the date provided for in Chapter VI for its implementation. The enterprise may send in a second notice to the Minister the information referred to in subparagraph 9 of the second paragraph of that section, the information referred to in subparagraph 13 of the second paragraph concerning the description and schedule of the research and development activities and the information referred to in subparagraph 10 of the second paragraph, before the end of the first full calendar year of implementation of the program.

Regarding the first report required, as the case may be, under section 9 or 11, it must be submitted not later than 30 April of the year following the first full calendar year of implementation of the program and must cover the period since the beginning of the program.

That enterprise must ensure at all times that the service providers and subcontractors participating in the implementation of its program comply with every applicable environmental standard.”

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

103033

Draft Regulation

Individual and Family Assistance Act
(chapter A-13.1.1)

Individual and Family Assistance — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Individual and Family Assistance Regulation, appearing below, may be made on the expiry of 60 days following this publication.

The draft Regulation follows on the amendments to the Individual and Family Assistance Act (chapter A-13.1.1) made by the Act to allow a better match between training and jobs and to facilitate labour market entry (2016, chapter 25), assented to on 10 November 2016. It also proposes measures to better financially support low-income persons and families in order to fight poverty and social exclusion.

Aim for Employment Program

The draft Regulation introduces new provisions into the Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1), devoted to the Aim for Employment Program. That financial assistance program is intended exclusively for persons whose capacity for employment is not severely limited and who, for the first time, would be eligible for last resort financial assistance. The proposed provisions specify the classes of persons required to participate in the program, as well as those that may be excluded from its application. They state the time at which the individualized labour market entry plan, that the Minister of Employment and Social Solidarity must prepare for every person required to participate in the program, takes effect. The provisions also set out the cases in which a participant is exempt from the commitments provided for in the plan, as well as the circumstances in which a participant may refuse a job offered or leave a job without contravening the commitments. The draft Regulation also prescribes the cases in which participation is interrupted, extended, or terminated before the scheduled time.

The draft Regulation sets out the rules to establish the financial assistance to which the participant or the participant’s family is entitled, in the form of the Aim for Employment benefit and the participation allowance. Under the program, the basic monthly benefit may be increased by certain amounts, including a supplementary amount corresponding to 20% of the work income in excess of the exemption already provided for in the Regulation. The participation allowance will be \$38 or \$60 per week, depending on the type of activities carried out.

The draft Regulation sets out the amounts that may be progressively deducted from the benefit if a participant fails to fulfil the commitments comprised in his or her plan. Those amounts apply only to the month that follows the month in which the Minister notes the failure, and only once during that month. In no case will a reduction entail a cut greater than 50% in the benefits to which the participant or the participant’s family would have been entitled.

Other measures

Since the provisions of the Individual and Family Assistance Act that concerned the Youth Alternative Program are revoked, the draft Regulation eliminates all references to that program. It also removes the current obligation to produce a monthly statement imposed on recipients under the Social Assistance Program.

As is already the case with liquid assets, the draft Regulation allows to exclude income from assets received by succession from the calculation of the benefit of recipients under the Social Solidarity Program, up to \$950 per month, retroactively to 1 November 2015. It also proposes measures applicable to financial assistance programs: an increase in special benefits for funeral expenses as well as for transportation expenses for medical purposes, new liquid assets that are excluded and an increase in the total amount that may be excluded for the value of certain property and liquid assets, including the value of a residence.

As for the recovery of claims, the draft Regulation provides for measures that will relax the consequences of a false declaration by a debtor if the latter is recognized by the Minister as a voluntary declarant. The draft Regulation also proposes harmonization provisions to adapt the Regulation to the new names given to the fiscal benefits paid by the federal government. Lastly, transitional and final provisions are included.

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

Further information on the draft Regulation may be obtained by contacting France Edma, Direction des politiques d'assistance sociale, Ministère du Travail, de l'Emploi et de la Solidarité sociale, 425, rue Jacques-Parizeau, 4^e étage, Québec (Québec) G1R 4Z1; telephone: 418-646-0425, extension 46998; email: france.edma@mtess.gouv.qc.ca.

Any person wishing to comment on the matter is requested to submit written comments within the 60-day period to the Minister of Employment and Social Solidarity, 425, rue Jacques-Parizeau, 4^e étage, Québec (Québec).

FRANÇOIS BLAIS,
*Minister of Employment and
Social Solidarity*

Regulation to amend the Individual and Family Assistance Regulation

Individual and Family Assistance Act
(chapter A-13.1.1, ss. 131, 132, 133, 133.1, 134, 136)

CHAPTER I AMENDING PROVISIONS

1. The Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1) is amended in section 3

(1) by replacing “Youth Alternative Program” by “Aim for Employment Program”;

(2) by adding the following paragraph at the end:

“Any reference to a last resort financial assistance program refers to the Social Assistance Program or the Social Solidarity Program.”.

2. Section 19 is amended by adding the following paragraph at the end:

“Despite the foregoing, for the purposes of the Aim for Employment Program, the child referred to in subparagraph 1 of the second paragraph becomes a member of the family as of the month following the month in which the child is added to the family; the adult or child referred to in any of subparagraphs 2 to 4 of the second paragraph ceases to be a member of the family as of the month following the event.”.

3. Section 25 is amended

(1) by replacing “and 164” in the second paragraph by “, 164 and 164.1”;

(2) by inserting the following at the end of the second paragraph: “The foregoing also applies to the application of the Aim for Employment Program, except section 101.”.

4. Section 30 is revoked.

5. Section 53 is amended by replacing “Youth Alternative Program” in the first paragraph by “Aim for Employment Program”.

6. Section 71 is amended by replacing “of the national child benefit supplement under” and “of the national child benefit supplement” by “of the Canada child benefit granted under Subdivision A.1 of Division E of Part I of” and “of the Canada child benefit”, respectively.

7. Section 72 is amended by replacing “as a national child benefit supplement” in the second paragraph by “as a Canada child benefit”.

8. Section 89 is amended by replacing “\$0.41” in the third paragraph by “\$0.43”.

9. Section 110 is amended

(1) by inserting the following sentence at the end of the first paragraph: “The foregoing also applies to a stillborn child or a child who was sheltered by an institution that operates a rehabilitation centre or was taken in charge by an intermediary resource, a foster home or a tutor appointed by the Court under section 70.1 of the Youth Protection Act (chapter P-34.1).”;

(2) by striking out “and the sums paid on the date of death under a prearranged funeral services contract or a prepurchased sepulture contract” in the second paragraph;

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

“Where the funeral expenses of a person referred to in the first paragraph are the subject, in whole or in part, of a prearranged funeral services contract or a prepurchased sepulture contract, the benefit is granted only if the value of the contract is not more than \$12,000.”

10. Section 111 is amended

(1) by replacing paragraph 2 by the following:

“(2) the Canada child benefit established in accordance with section 71, except for the application of the second paragraph of section 72;”;

(2) by replacing “or the national child benefit supplement” in paragraph 9 by “or the Canada child benefit”;

(3) by replacing “the Youth Alternative Program or a specific program” in paragraph 15 by “a specific program or as reimbursement for expenses related to participation in the Aim for Employment Program”;

(4) by striking out paragraph 27.

11. Section 130 is amended by replacing “and 164” in the third paragraph by “, 164 and 164.1”.

12. Section 138 is amended

(1) by replacing “in the Youth Alternative Program or a specific program” in paragraph 6 by “in a specific program or as reimbursement for expenses related to participation in the Aim for Employment Program”;

(2) by adding the following at the end:

“(16) for the month of its receipt, financial assistance granted under a program established by the Commission des partenaires du marché du travail to favour enrolment in a training program leading to a profession deemed a priority by the Commission.”

13. Section 140 is replaced by the following:

“**140.** Advance payments as a work premium made under the Taxation Act (chapter I-3), advance payments related to the child assistance payment paid under section 1029.8.61.28 of that Act and advance payments paid as a Canada child benefit under the Income Tax Act (R.S.C. 1985, c. 1, 5th Supp.) are excluded for the purposes of calculating the benefit for the month of their receipt.

If they are paid quarterly, advance payments related to the Working Income Tax Benefit and the supplement for handicapped persons paid by the Canada Revenue Agency as well as the amounts related to the child assistance payment granted under section 1029.8.61.28 of the Taxation Act 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.

Payment of arrears in respect of the amounts referred to in this section and those granted by the federal government as Canada child tax benefits, national child benefit supplements and universal child care benefits are excluded for a 12-month period from the date of their payment.”

14. Section 147 is amended by replacing “\$145,979” by “\$153,000”.

15. Section 164 is amended by replacing “\$208,542” by “\$219,000”.

16. The following is inserted after section 164:

“**164.1.** Subject to the total amount provided for in the first paragraph of section 164, income from assets referred to in subparagraph 4 of the first paragraph of that section, excluding an immovable, is deemed to be liquid assets referred to in that subparagraph, up to \$950 per month.

The exclusion in the first paragraph applies only if, during the month in which the income is received for the first time, 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 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.

In addition, the exclusion in the first paragraph continues to apply the first time the income is converted into property.”.

17. Section 165 is amended by adding the following paragraph at the end:

“Despite the first paragraph, where there is an excess total value, the income referred to in the first paragraph of section 164.1 is deemed to be part of it and is then accounted for as income.”.

18. Section 168 is amended by replacing “as a national child benefit supplement” by “as the Canada child benefit”.

19. Section 169 is amended by replacing “or participates in the Youth Alternative Program or a specific program” in the first paragraph by “; participates in a specific program or receives a benefit under the Aim for Employment Program”.

20. Section 172 is amended

(1) by inserting “; received a benefit under the Aim for Employment Program” in the first paragraph after “financial assistance program”;

(2) by replacing “who participates in the Youth Alternative Program or a specific program” in subparagraph 2 of the second paragraph by “who participates in a specific program or receives a benefit under the Aim for Employment Program”.

21. Section 173 is amended

(1) by replacing “and 164” in the first paragraph by “; 164 and 164.1”;

(2) by inserting “and the first paragraph of section 164.1” in the third paragraph after “164”.

22. Section 176 is amended by replacing “a national child benefit supplement” in subparagraph 2 of the first paragraph by “a Canada child benefit”.

23. Section 177.6 is amended by replacing the first paragraph by the following:

“The amounts provided for in section 147 and 164 are increased on 1 January of each year based on the percentage variation, between the 2 preceding years, of the standardized medium taxable value of single-family dwellings for the whole of Québec, as published by the Institut de la statistique du Québec on 1 September of the preceding year.”.

24. The following is inserted after section 177.7:

“TITLE IV.1 AIM FOR EMPLOYMENT PROGRAM

CHAPTER I OBLIGATION TO PARTICIPATE IN THE PROGRAM

177.8. Every person who would be entitled to receive, as an independent adult or adult member of a family, a social assistance benefit for the month following the month of the person’s application for eligibility is required to participate in the Aim for Employment Program, subject to the provisions of this Chapter.

177.9. A person may not participate in the program if the person

(1) has already participated in it and participation was completed or terminated; or

(2) has already received, as an adult, financial assistance under a last resort financial assistance program following a prior application for eligibility.

177.10. A person does not participate in the program if, on the date of application, as the case may be,

(1) the person or the person’s spouse is eligible for the Social Solidarity Program;

(2) the person is an adult who is sheltered within the meaning of section 4;

(3) the person is an adult referred to in subparagraph 3.1 of the second paragraph of section 19;

(4) the person is in one of the situations described in section 47;

(5) the person produces a medical report establishing that the person is in the situation provided for in subparagraph 1 of the first paragraph of section 53 of the Individual and Family Assistance Act (chapter A-13.1.1) for a period of at least 12 consecutive months.

177.11. A person who would be required to participate in the program may nonetheless choose not to participate if the person proves that he or she is, on the date of the application, in a situation, other than the situation provided for in subparagraph 1 of the first paragraph of section 53 of the Act, that would have entitled the person to a temporarily limited capacity allowance under the Social Assistance Program.

The same applies to a person who meets the following conditions:

(1) the person is a member of a family composed of 2 adults;

(2) the person has a dependent child under one year of age; and

(3) an initial decision establishing a labour market entry plan has not yet been rendered.

Where a family referred to in subparagraph 1 of the first paragraph is composed of 2 adults who would be required to participate in the program, only one of them may choose not to participate.

The decision not to participate is irrevocable.

CHAPTER II LABOUR MARKET ENTRY PLAN

177.12. The labour market entry plan of a participant takes effect on the first day of the second month following the month in which the participant's application for financial assistance was deemed admissible. However, the Minister and the participant may agree on an earlier effective date.

177.13. A participant who, at the beginning or during participation, proves that he or she is in the situation provided for in subparagraph 1 of the first paragraph of section 53 of the Act for a period shorter than 12 weeks is exempt from the obligation to fulfil the commitments set out in the labour market entry plan during that time.

The obligation to fulfil the commitments set out in the plan applies again from the week following the week in which the participant ceases to be in the situation referred to in the first paragraph.

177.14. Where a labour market entry plan provides for the obligation to accept an offered job, the participant may nonetheless refuse a job in any of the following circumstances:

(1) in the course of the job offered, the participant would be subject to conditions of employment that

(a) go against public order or a provision of the Charter of Human Rights and Freedoms (chapter C-12) or of the Act respecting labour standards (chapter N-1.1);

(b) are likely to endanger the participant's health, safety or physical or psychological integrity, in particular because the employment involves tasks that are too difficult to perform given the participant's state of health, physical capacities or handicap;

(c) require the performance of a volume of tasks or a number of working hours clearly greater than the foreseeable expectations for such a job;

(2) the job offered is vacant following a strike or lock-out;

(3) the proposed working schedule is incompatible with the participant's family obligations, in particular because the participant must look after his or her spouse, a child or a close relative;

(4) the job offered would entail expenses for the participant, in particular day care or travelling expenses, that are higher than the proposed remuneration, less the amounts provided for in paragraphs 1 to 5 of section 113;

(5) access to the work environment is difficult for the participant, in particular because of its remoteness or the lack of adequate means of transportation to reach it;

(6) the participant must accompany his or her spouse or a dependent child to another place of residence;

(7) the participant obtains a reasonable assurance that another job will be offered in the near future;

(8) the participant does not have the skills required to hold the job offered.

177.15. Where a labour market entry plan provides for the obligation to keep an employment relationship, leaving a job is not failure to fulfil that obligation in any of the circumstances provided for in section 177.14.

In addition, the participant does not fail that obligation if the participant leaves a job in any of the following circumstances:

(1) the participant was victim of discrimination on the basis of a reason provided for in the Charter of Human Rights and Freedoms (chapter C-12).

(2) the participant was victim of psychological or sexual harassment at work;

(3) the participant was the subject of intimidation, of discrimination or reprisals, or of a threat of dismissal because the participant belongs to an association of workers or exercises a right recognized by law;

(4) the participant suffered undue pressure from the employer to quit his or her job;

(5) the participant has had conflictual relations with a superior, for a reason not imputable to the participant;

(6) the participant has seen an important change in the remuneration conditions or an undue delay in being paid for work done.

177.16. A participant who is fired does not contravene the obligation to maintain his or her employment relationship unless the firing is attributable to the participant's fault.

CHAPTER III INTERRUPTION, EXTENSION AND END OF PARTICIPATION

177.17. Participation is interrupted for any month in which the participant or the participant's family is no longer entitled to receive an Aim for Employment benefit by reason of the participant's resources, pursuant to the calculation method provided for in Chapter IV. Participation resumes from the month in which the participant again meets the condition provided for in section 177.8.

Despite the first paragraph, participation is not interrupted where the participant or the participant's family would have been entitled to receive an Aim for Employment benefit had it not been for the amount received as employment-assistance allowance or in the course of an employment activity referred to in section 11 of the Act.

The participant referred to in the first paragraph is deemed, where the loss of the right to receive an Aim for Employment benefit results from work income received by the participant or the participant's spouse, to be an adult ineligible for a last resort financial assistance program within the meaning of subparagraph 1 of the first paragraph of section 48. In addition, the participant referred to in the second paragraph is deemed to be an ineligible adult within the meaning of subparagraph 2 of the first paragraph of section 48. As such, those participants may continue to receive dental and pharmaceutical services under that section, for the period applicable to them and on the conditions provided for in sections 49 to 51, if applicable.

177.18. Participation is interrupted for any month in which the participant becomes ineligible for financial assistance pursuant to the second paragraph of section 20. Participation resumes from the month in which the participant is considered to reside in Québec again.

177.19. Where a participant was exempt from the obligation to fulfil the commitments set out in the labour market entry plan in accordance with section 177.13, participation is extended by

(1) one month, if the exemption is for at least 4 consecutive weeks but less than 8 consecutive weeks;

(2) 2 months, if the exemption is for at least 8 consecutive weeks.

177.20. Participation ends in any of the following cases:

(1) the participant meets any of the conditions provided for in section 177.10;

(2) the participant is no longer eligible for financial assistance under the Act or this Regulation, except in the case provided for in section 177.18;

(3) 24 months have elapsed since the first day of the month following the date of the initial application for financial assistance.

177.21. Participation the duration of which has been increased pursuant to the first paragraph of section 83.4 of the Act ends upon request by the participant who has accumulated at least 12 months of participation if

(1) the participant proves that he or she is no longer able to fulfil the commitments set out in the participant's labour market entry plan; and

(2) no modification is likely to be made to the plan, pursuant to the fifth paragraph of section 83.2 of the Act, in order to allow the participant to continue participation in the program.

Participating ends, on the same conditions, upon request by the participant who is in any of the situations referred to in section 177.11.

Despite the second paragraph, participation ends at any time without condition upon request by a participant who has reached 20 weeks of pregnancy.

CHAPTER IV FINANCIAL ASSISTANCE

DIVISION I AIM FOR EMPLOYMENT BENEFIT

§1. *Calculation method*

177.22. The Aim for Employment benefit is granted to an independent adult or a family from the month that follows the month of the application for last resort financial assistance. It may also be granted for the month of the application, in accordance with the rules in subdivision 4.

177.23. The Aim for Employment benefit is established, for each month, by considering the adult's or family's situation on the last day of the preceding month. It is equal to the deficit in resources to meet needs, which is calculated by

(1) determining the amount of the applicable basic benefit and increasing it, if applicable, by the amounts referred to in sections 177.25 to 177.27; and

(2) subtracting from the amount obtained under paragraph 1 the income, earnings and other benefits received by the independent adult or family members during the previous month, except to the extent provided for in subdivision 3.

In addition, where the amount obtained pursuant to the first paragraph is greater than zero, the benefit is increased, if applicable, by an amount calculated in accordance with section 177.28.

§2. *Basic benefit and amounts that may increase it*

177.24. The basic benefit granted to an independent adult, including the adult referred to in sections 25 and 26, or to a family composed of one adults, is \$628. The basic benefit for a family composed of 2 adults is \$972.

177.25. The basic benefit granted to a family is increased by an amount equal to the temporarily limited capacity allowance to which the family's adult member who is not a participant would have been entitled under the Social Assistance Program. That amount is equal to the amount referred to in the first paragraph of section 64.

177.26. The basic benefit granted to a family is increased by a monthly amount equal to the sum of the adjustments for dependent children to which it would be entitled under the Social Assistance Program. Subdivision 3 of Division II of Chapter III of Title IV applies for the purposes of granting such amount.

177.27. The basic benefit granted to an independent adult or a family is increased by any special benefit to which the independent adult, the family or a family member would be entitled under the Social Assistance Program. Subdivision 4 of Division II of Chapter III of Title IV applies for the purposes of granting such amount.

177.28. In the case provided for in the second paragraph of section 177.23, the benefit granted to the participant or the participant's family is increased by an additional amount corresponding to 20% of the portion of the participant's work income in excess of the amount of the exclusion applicable in the situation under the first paragraph of section 114.

For the purposes of granting such an amount, the income referred to in the third paragraph of section 114 is not work income.

§3. *Income, earnings and other benefits*

177.29. The following income, earnings and other benefits are excluded for the purpose of calculating the Aim for Employment benefit:

(1) the child assistance payment established under section 71, except for the purposes of the first paragraph of section 72;

(2) the Canada child benefit established under section 71, except for the purposes of the second paragraph of section 72;

(3) sums received by a person as an intermediate resource or a family-type resource otherwise than as comparable remuneration pursuant to a group agreement entered into under the Act respecting the representation of family-type resources and certain intermediate resources and the negotiation process for their group agreements (chapter R-24.0.2) or comparable remuneration determined by the Minister of Health and Social Services pursuant to subparagraph 2 of the third paragraph of section 303 or section 314 of the Act respecting health services and social services (chapter S-4.2), as the case may be;

(4) sums received under the Regulation respecting financial assistance to facilitate the adoption of a child (chapter P-34.1, r. 4) and sums received by a tutor appointed by the court under section 70.1 of the Youth Protection Act (chapter P-34.1) to take in charge a child;

- (5) all the income of a dependent child;
- (6) income from a succession, a trust or a gift devolved to a dependent child before the income can be used for the child's maintenance;
- (7) income that ceases during the month of the application to establish the benefit of the following month;
- (8) interest income;
- (9) dividend income, unless it is paid as remuneration;
- (10) sums received as tax credits;
- (11) allowances received under section 3.1 of the Act respecting the Société d'habitation du Québec (chapter S-8);
- (12) sums paid by the Minister as additional expenses related to participation in an employment-assistance or a social assistance and support measure or program and sums paid by a third person and recognized as such by the Minister;
- (13) sums paid by the Minister as additional expenses related to participation in a specific program or as reimbursement for expenses related to participation in the Aim for Employment Program;
- (14) employment-assistance allowances paid by the Minister and employment-assistance allowances paid by a third party and recognized as such by the Minister, up to \$196 per month per person or, if the person has no spouse but a dependent child, up to \$327 per month;
- (15) support allowances paid by a third party and recognized as such by the Minister, up to \$130 per month per person;
- (16) amounts received under a program of the Minister of Health and Social Services for home care and assistance services;
- (17) amounts received by a person responsible for a foster home under a service contract with the Minister of Public Security to facilitate the social reinsertion of the persons required to reside there;
- (18) periodic payments of support received by a family, up to \$100 per month per dependent child;
- (19) periodic payments of support, if the payments are made as payment for a residence in which the creditor resides and of which the debtor of support is the owner;

(20) payments for a debt if they are made under a disability insurance contract;

(21) the monetary value of property given or services rendered, including in the form of clothes, furniture, meals, food or rent reductions granted by the owner or lessee, if they are given or made without consideration and otherwise than to satisfy a judgment or an obligation arising out of a juridical act.

177.30. For the purposes of considering income, sections 44, 113 to 114.1, 118 to 120 and 122 apply and section 126 applies only in the case of an adult's income.

For the same purposes, the net income from any self-employment are established at an amount corresponding to 40% of the gross income.

177.31. An independent adult or an adult member of the family is deemed to earn the income from employment that would have been received had the adult not taken advantage of the work time reduction measures or leave without pay available under the conditions of employment applicable to the adult, unless that decision was made for a serious reason, in particular because of the state of health of that adult or a member of the family, or if the adult is receiving benefits granted under the Act respecting parental insurance (chapter A-29.011) or section 22 or 23 of the Employment Insurance Act (S.C. 1996, chapter 23).

§4. Month of the application

177.32. For the month of the application, the basic benefit and, if applicable, the amounts referred to in sections 177.25 and 177.26 are established in proportion to the number of remaining days in the month on the date of the application in relation to the number of days in that month, less the income, earnings and other benefits received or to be received during that month regardless of the period for which they are owed.

177.33. Income, earnings or other benefits received during the month of the application is taken into consideration to establish the benefit for the following month, regardless of whether the income is included in establishing the assistance granted for the month of the application.

§5. Payment and increase

177.34. The Aim for Employment benefit is paid monthly, on the first day of the month, except in case of exceptional circumstances. It is paid jointly to the spouses or, if they so request, to one of them.

Special benefits are paid according to the same conditions as if they were granted under a last resort financial assistance program.

177.35. The amounts referred to in section 177.24 are increased on 1 January of each year, based on the adjustment factor established in the first, second and third paragraphs of section 750.2 of the Income Tax Act (chapter I-3) for that year.

If an amount that results from the adjustment provided for in the first paragraph is not a multiple of \$1, it must be rounded to the nearest multiple of \$1 or, if it is equidistant from two such multiples, to the higher thereof.

The Minister is to inform the public of the increase under this section through Part 1 of the *Gazette officielle du Québec* and by such other means as the Minister considers appropriate.

DIVISION II **PARTICIPATION ALLOWANCE**

177.36. The amount of the allowance granted to a participant who fulfils the commitments set out in the labour market entry plan is established weekly on the basis of the type of activities carried out in the course of the plan.

The amount of the allowance is \$60 where the participant has carried out, during a week, the activities related to training or the acquisition of skills set out in the participant's plan. That amount is increased by \$30 if the participant has no spouse and has at least one dependent child.

For the carrying out of any other type of activities, the allowance amount is \$38 for any participant.

177.37. Where a participant is exempt from the obligation to fulfil the commitments set out in his or her labour market entry plan in accordance with section 177.13 the amount of the participation allowance corresponds, for a period of exemption of less than 4 consecutive weeks, to the amount to which the participant would be entitled, depending on the participant's situation, under the second or third paragraph of section 177.36.

For a period of exemption of 4 consecutive weeks or more, the allowance amount is \$30 for any participant.

177.38. The participation allowance is established for a week regardless of the number of days when activities are planned in the course of the carrying out of the labour market entry plan.

177.39. The participation allowance is paid every 2 weeks to participants entitled to it.

177.40. A participant may not simultaneously receive a participation allowance and financial assistance under Title I of the Act. A participant who meets the eligibility requirements for both amounts shall be granted the highest between the two.

CHAPTER V **FAILURE TO FULFIL COMMITMENTS**

177.41. Should the participant fail without valid reason to fulfil one of the commitments set out in the labour market entry plan, the Aim for Employment benefit of the participant or the participant's family is reduced for the month following the month in which the failure is noted or, if that is not possible, for the subsequent month, by

- (1) \$56, in the case of a first failure;
- (2) \$112, in the case of a second failure;
- (3) \$224, in the case of any subsequent failure.

The benefit of an independent adult or family may not be reduced more than once pursuant to the first paragraph during a single month.

177.42. Where a reduction would result in the Aim for Employment benefit being reduced below 50% of the amount to which the independent adult or family would have been entitled without the failure, the reduction imposed is fixed at 50%.”

25. The following heading is inserted before section 178:

“CHAPTER I **GENERAL”.**

26. Section 178 is amended by replacing “in section 164” in the first paragraph by “in sections 164 and 164.1”.

27. Section 187 is amended by replacing the second paragraph by the following:

“Despite the first paragraph,

(1) if the debtor is an independent adult who is sheltered, an independent adult referred to in the second paragraph of section 60, an adult taken in charge by an intermediary resource or a foster home, a woman who is a minor sheltered with her dependent child, an ineligible student's spouse or an independent adult required to reside in an institution, the amount withheld may not exceed \$22 per month;

(2) if the debtor is a participant in the Aim for Employment Program or his or her spouse, the Minister suspends the withholding at the beginning of each month until the end of participation.”

28. Section 189 is amended by adding the following paragraph at the end:

“Despite the first paragraph, if the debtor is a participant in the Aim for Employment Program or his or her spouse, the Minister suspends the withholding at the beginning of each week until the end of participation.”

29. Section 191 is amended by striking out paragraph 2.

30. Section 193 is amended by adding the following after paragraph 4:

“(5) the debtor is a participant in the Aim for Employment Program or the spouse of such participant.”

31. The following is added after section 194:

“CHAPTER II VOLUNTARY DECLARATION PROGRAM

194.1. Where a person is recognized as a voluntary declarant pursuant to section 106.1 of the Act, the following provisions do not apply to the claim made following the person’s declaration:

- (1) the second paragraph of section 114;
- (2) the second paragraph of section 162;
- (3) the third paragraph of section 185;
- (4) subparagraphs 1 and 2 of the first paragraph of section 187;
- (5) subparagraphs 1 and 2 of the first paragraph of section 189;
- (6) subparagraph 1 of the first paragraph of section 194.

For the purposes of section 193, the recoverable amount established following a person’s recognition as a voluntary declarant is not considered to be owed due to a false declaration.

The exceptions in subparagraphs 1 and 2 of the first paragraph do not apply to any period for which a voluntary declarant has already received a claim following a false declaration concerning work income.

194.2. As of the revocation of a person’s recognition as a voluntary declarant, the first and second paragraphs of section 194.1 cease to have effect. The recoverable amount is then established again.”

CHAPTER II TRANSITIONAL AND FINAL

32. Sections 3 and 53, paragraph 15 of 111, paragraph 6 of section 138, and sections 169, 172 and 191 of the Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1), as they read on 31 March 2018, continue to apply, as the case may be, to a person benefiting on that date from financial assistance under the Youth Alternative Program or in respect of the amounts paid under that program.

33. Sections 71 and 72, paragraphs 2, 9 and 27 of section 111 and sections 168 and 176 of the Regulation, as they read on 30 June 2018, continue to apply in respect of the amounts received as Canada child tax benefits, a national child benefit supplement or universal child care benefits as of 1 July 2018.

34. Paragraph 1 of section 3 and sections 11, 16, 17, 21 and 26 of this Regulation have effect as of 1 November 2015.

However, those provisions apply only as of 1 February 2018 to any person who, since 1 November 2015, is or has become a recipient under a last resort financial assistance program or a recipient of dental and pharmaceutical services pursuant to section 48 of the Individual and Family Assistance Regulation and who received income from assets referred to in subparagraph 4 of the first paragraph of section 164 of the Regulation, where such income was taken into consideration to calculate the person’s benefit.

In addition, the second paragraph of section 164.1 of the Individual and Family Assistance Regulation, introduced by section 16 of this Regulation, does not apply to a person who, on 31 October 2015, was a recipient under a last resort financial assistance program or received dental and pharmaceutical services pursuant to section 48 of the Individual and Family Assistance Regulation, as long as the person remains, without interruption, a recipient under such a program or a recipient of such services.

35. Sections 8 and 9, paragraph 2 of section 12 and sections 13, 25 and 31 come into force on 1 December 2017.

36. Sections 1 and 2, paragraph 2 of section 3, sections 4 and 5, paragraph 3 of section 10, paragraph 1 of section 12 and sections 19, 20, 24, 27 to 30 and 32 come into force on 1 April 2018.

37. Sections 6 and 7, paragraphs 1, 2 and 4 of section 10 and sections 14, 15, 18, 22, 23 and 33 come into force on 1 July 2018.