

The documentation confirming that the tender information has been transferred to an information technology medium in accordance with section 17 of the Act to establish a legal framework for information technology (chapter C-1.1) is transmitted through the electronic tendering system.”

5. The Regulation is amended by inserting the following after section 13:

“**13.0.1.** Where tender security is required and the tender is transmitted electronically, the tender security must be given in the form of a bond. The public body must so specify in the tender documents.”

6. The Regulation is amended by inserting the following Schedule after section 89:

“**SCHEDULE 0.1**
(s. 10.1)

STATEMENT OF INTEGRITY

1. This Statement of Integrity is provided by, _____
_____ in relation to
(Name of tenderer)
the call for tenders launched by _____
_____.
(Name of public body)

2. For the purposes of this Statement, “competitor” means any partnership or other person, other than the tenderer, whether or not associated with the tenderer,

(a) who has submitted a tender;

(b) who could potentially submit a tender in response to the call for tenders based on their qualifications, abilities or experience.

For the same purposes, “associate” means an associate within the meaning of the second paragraph of section 21.2 of the Act respecting contracting by public bodies.

3. The tenderer has arrived at this tender independently from and without agreement or arrangement with any competitor that is in contravention of the Competition Act (R.S.C. 1985, c. C-34), in particular as regards

—prices;

—methods, factors or formulas used to calculate prices;

—a decision to submit, or not to submit, or withdraw a tender; or

—the submitting of a tender that knowingly does not meet the specifications of the call for tenders.

4. Except as concerns a subcontract possibly being entered into, the terms of the tender have not been, and will not be, knowingly disclosed by the tenderer, directly or indirectly, to any competitor, prior to the date and time set for the tender opening, unless otherwise required by law.

5. Neither the tenderer, nor any associate of the tenderer, has had any discussion concerning the tender that would compromise the integrity of the contractual relationship with the State.

IN WITNESS WHEREOF, the tenderer, through the tenderer’s duly authorized representative, hereby declares that the information given in this Statement is true and accurate, and signs the Statement on _____
(Date)

(Signature of tenderer’s representative)

(Name of tenderer’s representative in block letters)”.

7. Sections 1 to 6 apply only to public calls for tenders appearing in notices published on or after (insert the date of coming into force of this Regulation).

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

103547

Draft Regulation

Youth Protection Act
(chapter P-34.1)

An Act respecting health services and social services
(chapter S-4.2)

An Act respecting health services and social services
for Cree Native persons
(chapter S-5)

**Financial assistance to facilitate the adoption and
Aboriginal customary adoption of a child**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting financial assistance to facilitate the adoption and Aboriginal customary adoption of a child, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation determines the cases and conditions according to which a person who adopts a child whose situation is taken in charge by the director of youth protection may benefit from financial assistance for the child's upkeep. It also provides for the amount of the financial assistance granted and the terms of payment of that assistance.

The draft Regulation also provides that, if an adopted child is, under an Act, placed, entrusted or provided with foster care outside the residence of the adoptive parent, no financial contribution may be required from the parent for the length of stay.

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

Further information may be obtained by contacting Pascale Lemay, Director of youth and family services, Ministère de la Santé et des Services sociaux, 1075, chemin Sainte-Foy, 8^e étage, Québec (Québec) G1S 2M1; telephone: 418 266-6840; email: pascale.lemay@msss.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister for Rehabilitation, Youth Protection, Public Health and Healthy Living, 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1.

LUCIE CHARLEBOIS,
*Minister for Rehabilitation, Youth
Protection, Public Health and
Healthy Living*

GAÉTAN BARRETTE,
*Minister of Health and
Social Services*

Regulation respecting financial assistance to facilitate the adoption and aboriginal customary adoption of a child

Youth Protection Act
(chapter P-34.1, ss. 71.3, 71.3.3 and 132)

An Act respecting health services and social services
(chapter S-4.2, s. 512)

An Act respecting health services and social services
for Cree Native persons
(chapter S-5, s. 159)

CHAPTER I ELIGIBILITY FOR FINANCIAL ASSISTANCE

1. Any person who provides for the upkeep of a child under 18 years of age whose situation has been taken in charge by the director of youth protection pursuant to the Youth Protection Act (chapter P-34.1) and who is in one of the following situations is entitled to the financial assistance provided for in this Regulation:

(1) the person obtained an order of placement for the child's adoption;

(2) the person is covered by a certificate, issued by a competent authority in accordance with article 543.1 of the Civil Code and section 71.3.2 of the Youth Protection Act, certifying that the person is the adopter of the child and the following conditions are met:

(a) the child was entrusted to that person pursuant to the Youth Protection Act under the taking in charge of the child's situation by the director;

(b) the adoption allowed for the director's intervention with the child to end once the director has received the new act of birth drawn up by the registrar of civil status;

(c) neither of the child's parents of origin provide for the child's upkeep.

Entitlement to financial assistance begins, as the case may be, as of the date of the order of placement or the date on which the director's intervention with the child ends, pursuant to the Youth Protection Act.

CHAPTER II APPLICATION FOR FINANCIAL ASSISTANCE

2. An adopter who wishes to benefit from the financial assistance provided for in this Regulation must apply therefor to the institution of his or her territory operating a child and youth protection centre, within 60 days, as the case may be, of the date of the order of placement or the date on which the director of youth protection ends the intervention with the child.

If an application is not submitted within the time prescribed in the first paragraph, financial assistance may, despite the delay, be granted to the adopter if the adopter shows that he or she was unable to act within the time prescribed for reasonable cause. Where applicable, financial assistance may be granted retroactively for not more than 6 months as of the date of receipt of the duly completed application.

The application must be made using the form provided by the institution. It must also contain the adopter's name, address, date of birth and social insurance number as well as the name of the child for whom financial assistance is applied for.

3. Every application for financial assistance must be accompanied by the child's certificate of birth and by affidavits from the adopter and a third person certifying that the adopter provides for the child's upkeep, resides in Canada or, as the case may be, is in a situation described in the first paragraph of section 19.

The third person referred to in the first paragraph may not be the adopter's spouse, an ascendant, a descendant or a relative in the collateral line to the third degree of the adopter. Nor may the third person be the spouse of that ascendant, descendant or relative.

4. The application for financial assistance for an Aboriginal customary adoption must be accompanied, in addition to the documents provided for in the first paragraph of section 3, by the following documents:

(1) a copy of the Aboriginal customary adoption certificate issued by the registrar of civil status;

(2) a written statement by the director of youth protection indicating that the conditions provided for in subparagraph 2 of the first paragraph of section 1 are met.

5. Where there are 2 adopters, the application for financial assistance may be submitted by one of them or jointly by both adopters.

If the application is submitted jointly, the affidavits provided for in the first paragraph of section 3 must be filed for each of the 2 adopters. Despite the foregoing, if, at the time of the joint application, both adopters have left Canada to establish their residence in another country, only one of them must file an affidavit certifying that the adopter is in a situation described in the first paragraph of section 19.

CHAPTER III TERM AND RENEWAL OF FINANCIAL ASSISTANCE

6. Financial assistance is granted, for the first time, for 1 year, as the case may be, from the date of the order of placement or from the date on which the director of youth protection's intervention ends. Despite the foregoing, where on that date, the adopter receives adoption benefits under the Act respecting parental insurance (chapter A-29.011), financial assistance may, on the adopter's request, be granted to the adopter as of the date on which payment of those benefits ends.

7. Financial assistance may be renewed for 2 consecutive years following the date of termination of the first year of financial assistance.

To that end, the adopter must submit to the institution, for each of those 2 years, a renewal application within 60 days preceding the date on which financial assistance must cease.

The renewal application must be made using the form provided by the institution, contain the information provided for in the third paragraph of section 2 and be accompanied by the affidavits provided for in the first paragraph of section 3.

8. Where a renewal application is submitted outside the time prescribed in the second paragraph of section 7, financial assistance may, despite the delay, be granted to the adopter if the adopter shows that he or she was unable to act within the time prescribed for reasonable cause. Where applicable, financial assistance may be granted retroactively for not more than 6 months as of the date of receipt of the duly completed application.

9. Where there are 2 adopters, the renewal application for financial assistance may be submitted by only one of them, although the initial application was submitted jointly, and vice versa.

If the renewal application is submitted jointly, the affidavits provided for in the first paragraph of section 3 must be filed for each of the 2 adopters. Despite the foregoing, if at the time of the joint renewal application, both adopters have left Canada to establish their residence in another country, only one of them must file an affidavit certifying that the adopter is in a situation described in the first paragraph of section 19.

CHAPTER IV AMOUNT AND PAYMENT OF FINANCIAL ASSISTANCE

10. Except in the case provided for in section 11, the adopter is entitled, as financial assistance for the child's upkeep, to the amount of financial assistance to which a tutor is entitled in accordance with section 11 of the Regulation respecting financial assistance to facilitate tutorship and Aboriginal customary tutorship to a child made by Order in Council (insert the number and date of the Order in Council), less the amounts, that are reasonably attributable to the child, to which the adopter and the adopter's spouse are entitled, on a daily basis, as a child assistance payment provided for in section 1029.8.61.18 of the Taxation Act (chapter I-3) and the Canada child benefit provided for in section 122.61 of the Income Tax Act (R.S.C. 1985, c. 1 (5th Suppl.)).

For the purposes of the first paragraph, the adopter's spouse is his or her "cohabiting spouse" according to the definition of that expression provided for in section 1029.8.61.8 of the Taxation Act, or his or her "cohabiting spouse or common-law partner" according to the definition provided for in section 122.6 of the Income Tax Act.

The level of services required to determine the amount of compensation provided for in the first paragraph is established by the institution at the time of the initial application for financial assistance. To that end, the institution uses the Form for the determination and classification of support and assistance services provided for as a schedule to the Regulation respecting the classification of services offered by an intermediate resource and a family-resource (chapter S-4.2, r. 3.1).

11. An adopter covered by an Aboriginal customary adoption certificate who, before becoming an adopter, was not receiving the child as a foster family within the meaning of the Act respecting health services and social services (chapter S-4.2) is entitled, as financial assistance for the child's upkeep, to the amount of financial assistance to which a tutor is entitled in accordance with section 13 of the Regulation respecting financial assistance to facilitate tutorship and Aboriginal customary tutorship to a child made by Order in Council (insert the number and date of the Order in Council), less the amounts, that are reasonably attributable to the child, to which the adopter and the adopter's spouse are entitled, on a daily basis, as a child assistance payment provided for in section 1029.8.61.18 of the Taxation Act (chapter I-3) and the Canada child benefit provided for in section 122.61 of the Income Tax Act (R.S.C. 1985, c. 1 (5th Suppl.)).

For the purposes of the first paragraph, the adopter's spouse is his or her "cohabiting spouse" according to the definition of that expression provided for in section 1029.8.61.8 of the Taxation Act, or his or her "cohabiting spouse or common-law partner" according to the definition provided for in section 122.6 of the Income Tax Act.

12. The adopter must, for the purposes of sections 10 and 11, provide the institution with the documents issued by the authorities concerned that set out the amounts, referred to in those sections, to which the adopter and his or her spouse are entitled.

13. In the first year of financial assistance, the adopter is entitled to 100% of the amount calculated, as the case may be, in accordance with section 10 or 11. The adopter is entitled to only 75% of that amount in the second year and to only 50% of that amount in the third year.

14. Financial assistance is paid to the adopter in a single monthly payment.

CHAPTER V REDUCTION AND CESSATION OF FINANCIAL ASSISTANCE

15. The amount of financial assistance granted to an adopter under this Regulation is reduced if the child is, under an Act, placed, entrusted or provided with foster care outside the residence of the adopter for a period exceeding 30 consecutive days.

In such a case, the adopter is only entitled, as of the 31st day of the child's stay outside the adopter's residence, to a daily amount of \$16.07, adjusted on 1 January of each year in accordance with the Pension Index established

in accordance with section 117 of the Act respecting the Québec Pension Plan (chapter R-9), less the amounts, that are reasonably attributable to the child, to which the adopter and the adopter's spouse are entitled, on a daily basis, as a child assistance payment provided for in section 1029.8.61.18 of the Taxation Act (chapter I-3) and the Canada child benefit provided for in section 122.61 of the Income Tax Act (R.S.C. 1985, c. 1 (5th Suppl.)).

Financial assistance is entirely granted again as of the date on which the child returns living with the adopter.

For the purposes of the second paragraph, the adopter's spouse is his or her "cohabiting spouse" according to the definition of that expression provided for in section 1029.8.61.8 of the Taxation Act, or his or her "cohabiting spouse or common-law partner" according to the definition provided for in section 122.6 of the Income Tax Act. In addition, the adopter is subject to the requirement provided for in section 12 of this Regulation.

16. An institution that takes charge of a child who is in the situation described in section 15 must so inform the institution that pays financial assistance under this Regulation. It must also inform it of the date on which the child returns living with the adopter.

17. If a child is in the situation referred to in section 15, no contribution provided for in section 512 of the Act respecting health services and social services (chapter S-4.2) or in section 159 of the Act respecting health services and social services for Cree Native persons (chapter S5) may be required from the adopter or adopters.

18. Entitlement to financial assistance ends as soon as

- (1) the child reaches 18 years of age;
- (2) the child dies;
- (3) the adopter dies;
- (4) the bond of filiation between the child and the adopter is dissolved;
- (5) the adopter leaves Canada to establish his or her residence in another country, unless the adopter is in one of the situations described in the first paragraph of section 19.

The adopter is required to notify the institution in writing as soon as one of the situations referred to in the first paragraph occurs and, if leaving Canada, the adopter must do so before leaving.

Despite the first paragraph, if the application for financial assistance was made jointly by both adopters, financial assistance ends, in the cases provided for in subparagraphs 3 to 5 of the first paragraph, only if both adopters are in one of the situations described therein.

19. Financial assistance granted to an adopter who leaves Canada to establish his or her residence in another country is maintained if the adopter

(1) is registered as a student in an educational institution in Québec or Canada while pursuing a program of study outside Canada;

(2) is a trainee outside Canada at a university, an institution affiliated with a university, a research institute, a government or international body or an enterprise or agency affiliated with such an institute or body;

(3) is employed by the government of Québec, the government of another province in Canada or the government of Canada and is posted outside Canada;

(4) holds employment outside Canada on behalf of a legal person, a partnership or an organization having its head office or a place of business in Québec or Canada to which the adopter is directly accountable;

(5) works abroad as an employee of a non-profit organization having its head office in Canada, under an international aid or cooperation program; or

(6) is a member of the Royal Canadian Mounted Police or the Canadian Forces and is posted outside Canada.

An adopter who is in one of the situations referred to in the first paragraph must, to take advantage of the right to maintain financial assistance, provide the institution with a supporting document.

If the application for financial assistance was made jointly by both adopters and both adopters left Canada to establish their residence in another country, only one of the adopters must be in one of the situations described in the first paragraph to maintain financial assistance.

20. An adopter who ceased receiving financial assistance because the adopter established his or her residence elsewhere than in Canada and returns to Canada to establish his or her residence may, if the 3-year period following the date on which the first year of financial assistance began has not expired, file a new application for financial assistance in accordance with Chapter II.

In such a case, entitlement to financial assistance begins as of the date of receipt of the duly completed application.

CHAPTER VI INSTITUTION'S RESPONSIBILITIES

21. Any institution operating a child and youth protection centre must ensure that assistance is provided to any person wishing to apply for financial assistance and inform that person of the rights and obligations under this Regulation.

22. An institution that receives an application for financial assistance ascertains its admissibility, determines the amount to which the adopter is entitled and pays the financial assistance.

The institution informs the adopter in writing of any decision made pursuant to this Regulation.

CHAPTER VII FINAL

23. The Regulation respecting financial assistance to facilitate the adoption of a child (chapter P-34.1, r. 4) is revoked.

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

103553

Draft Regulation

Youth Protection Act
(chapter P-34.1)

An Act respecting health services and social services
(chapter S-4.2)

An Act respecting health services and social services
for Cree Native persons
(chapter S-5)

Financial assistance to facilitate tutorship and Aboriginal customary tutorship to a child

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting financial assistance to facilitate tutorship and Aboriginal customary tutorship to a child, appearing below, may be made by the Government on the expiry of 45 days following this publication.