

Regulations and other Acts

Gouvernement du Québec

O.C. 722-2019, 3 July 2019

Education Act
(chapter I-13.3)

Situations that give certain persons the right of free access to educational or learning services

Regulation respecting situations that give certain persons the right of free access to educational or learning services

WHEREAS, under section 455.0.1 of the Education Act (chapter I-13.3), the Government may, by regulation, determine the situations in which, for the purposes of subparagraph 3 of the first paragraph of section 3.1 of the Act, a person who is not resident in Québec may avail himself of the right of free access to educational or learning services in accordance with that section;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting situations that give certain persons the right of free access to educational or learning services was published in Part 2 of the *Gazette officielle du Québec* of 18 April 2018 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation respecting situations that give certain persons the right of free access to educational or learning services, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation respecting situations that give certain persons the right of free access to educational or learning services

Education Act
(chapter I-13.3, ss. 3.1, 1st par., subpar. 3, and s. 455.0.1)

1. The services referred to in section 3 of the Education Act (chapter I-13.3) are to be provided free to every person who is not resident in Québec where the person having parental authority over that person does not ordinarily reside in Québec, if the person

(1) takes part in a school exchange program that meets the following criteria:

- (a) the maximum duration of the program is 1 year;
- (b) the program is recognized by the receiving school board;
- (c) the program provides, during the school year of the exchange, the participation of the same number of students of the school board and foreign students;
- (d) the program guarantees reciprocity of the conditions for participation;

(2) is a national of a State with which the Gouvernement du Québec has entered into an agreement for the exemption from the financial contribution due under section 216 of the Act;

(3) is not of full age and is placed in the territory of a school board under an Act listed in the first paragraph of section 204 of the Act;

(4) is a Canadian citizen or a permanent resident of Canada and the person having custody *de facto* of that person ordinarily resides in Québec; or

(5) the person having parental authority is a Canadian citizen or a permanent resident of Canada and the person having custody *de facto* of that person ordinarily resides in Québec.

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