

Similarly, in order to correct any error it may have made in establishing a computation necessary for the purposes of this Regulation, the Commission may, of its own initiative or at the request of a party, redo the computation within 90 days of the error becoming known.

Before reconsidering a decision or a computation, under this section, the Commission so informs the home childcare provider and the Minister.

DIVISION II CONTESTATION OF THE COMMISSION'S DECISION BEFORE THE ADMINISTRATIVE LABOUR TRIBUNAL

37. A party who believes he or she has been wronged by a decision rendered by the Commission under section 34 may, within 45 days of notification, contest the decision before the Administrative Labour Tribunal, unless it is a decision pertaining to the home childcare provider's eligibility for preventive withdrawal, in which case the time limit is 10 days from notification.

Such cases are heard and decided by the occupational health and safety division, in accordance with the Act to establish the Administrative Labour Tribunal (chapter T-15.1).

CHAPTER VI FINAL AND TRANSITIONAL

38. The Minister of Families repays to the Commission des normes, de l'équité, de la santé et de la sécurité du travail the amount of indemnities paid under this Regulation. The Commission repays to the Minister any amount recovered under this Regulation. To that end, the Commission provides, according to terms defined by agreement, the information required for the reconciliation of the amounts paid or recovered as indemnities.

The costs relating to the administration of the home childcare provider's preventive withdrawal plan, including the costs relating to the recovery of indemnities and the adaptation of the Commission's technological infrastructures used exclusively for the execution of this Regulation, are determined by agreement between the Minister and the Commission and are repaid by the Minister.

39. In order to avail herself of preventive withdrawal, a home childcare provider whose home childcare service was closed before 19 September 2019 is subject to sections 40 to 48 of the Act respecting occupational health and safety until the end of her preventive withdrawal.

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

104068

Gouvernement du Québec

O.C. 867-2019, 21 August 2019

An Act respecting the Québec Pension Plan
(chapter R-9)

Benefits —Amendment

Regulation to amend the Regulation respecting benefits

WHEREAS, under paragraphs *a*, *g* and *t* of section 219 of the Act respecting the Québec Pension Plan (chapter R-9), *Retraite Québec* may make regulations:

—prescribing anything that is to be prescribed otherwise than under Title III and Division I of Title V of the Act;

—prescribing the time, manner and form of applications for benefits, applications for the partition of a retirement pension and applications for the partition of earnings, the information and evidence to be furnished in connection therewith;

—determining the manner of rounding off a fraction that is less than one resulting from the calculations made in the application of Title IV of the Act;

WHEREAS, on 21 September 2018, *Retraite Québec* made the Regulation to amend the Regulation respecting benefits;

WHEREAS under section 220 of the Act respecting the Québec Pension Plan, the regulations made by *Retraite Québec* do not come into force until approved by the Government and published in the *Gazette officielle du Québec*;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting benefits was published in Part 2 of the *Gazette officielle du Québec* of 10 April 2019 with a notice that it could be approved by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Finance:

THAT the Regulation to amend the Regulation respecting benefits be approved.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting benefits

An Act respecting the Québec Pension Plan
(chapter R-9, s. 219, pars. *a*, *g* and *t*)

1. The Regulation respecting benefits (chapter R-9, r. 5) is amended by inserting the following after section 6:

“6.1. Unless Retraite Québec requires the original, a reproduction of a document referred to in section 2 and in sections 15 and 21 may be provided in support of an application.”

2. Section 14.1 is amended by replacing “of subparagraph *a* or *b* of the first paragraph of section 101” by “of subparagraph *a* or *b* of the second paragraph of section 101”.

3. Section 17 is amended by replacing “the maximum disability pension payable” by “the maximum disability pension which, established without applying subparagraphs 2 and 3 of paragraph *b* of section 123 of the Act, would be payable”.

4. Section 19.1 is amended by replacing “the maximum disability pension payable” by “the maximum disability pension which, established without applying subparagraphs 2 and 3 of paragraph *b* of section 123 of the Act, would be payable”.

5. Section 23 is amended:

(1) by replacing “section 98” with “sections 98 and 98.1”;

(2) by replacing “clause 2 of subparagraph *b* of the first paragraph of that section” by “subparagraph 2 of subparagraph *b* of the first paragraph of each of those sections as well as subparagraph 2 of paragraph *b* of section 98.2 of the Act”;

6. The first paragraph of section 24 is amended:

(1) by replacing “the following sections” in the part preceding subparagraph 1 with “the following provisions”;

(2) by replacing “98” in subparagraph 1 with “98 to 98.2”;

(3) by replacing subparagraph 2 with the following:

“(2) under sections 99 and 116.1 to 116.1.2, sections 116.2, 116.2.1 and 116.2.2, except insofar as elements “G”, “G” and “G” in each of those sections are concerned respectively, sections 116.5, 116.6 and 119, the first and second paragraphs of section 120, the second paragraph of section 120.3, section 120.4, paragraph *b* of section 123, section 124, the first paragraph of section 133, section 134, the first paragraph of section 135, subparagraphs *a* and *b* of the first paragraph of section 136 and sections 137 to 138 and 179, only the first two digits after the decimal point are retained and, where the third digit is greater than 4, the second digit shall be rounded up”;

(4) by replacing “for the purpose of calculating factor “G” as defined in section 116.2 and after making the calculations referred to in sections 116.3 and 116.4,” in subparagraph 3 of the first paragraph by “for the purpose of calculating elements “G”, “G” and “G” referred to in sections 116.2, 116.2.1 and 116.2.2 respectively, and after making the calculations referred to in sections 116.3 and 116.4 with regard to element “G””.

7. This Regulation comes into force on 19 September 2019.

104069

Gouvernement du Québec

O.C. 868-2019, 21 August 2019

An Act respecting the Québec Pension Plan
(chapter R-9)

Pensionable employment — Amendment

Regulation to amend the Regulation respecting pensionable employment

WHEREAS, under paragraph *f* of section 4 of the Act respecting the Québec Pension Plan (chapter R-9), Retraite Québec may make regulations for including in pensionable employment any excepted employment;

WHEREAS, under paragraph *b* of section 5 of this act, Retraite Québec may make regulations excepting any employment by an employer resident outside Québec unless arrangements satisfactory to Retraite Québec have been made for the payment of contributions in respect of such employment;