

27. the Superior Court judgment rendered on 4 July 2016 approving the transaction following a class action brought in particular against Zimmer inc. concerning persons who had problems with the Durom Cup hip prosthesis;

28. the implementation on 9 March 2017 of the 1974 Valcartier Grenade Incident Program for health care support and financial recognition for the victims of the 1974 accidental grenade explosion at the Canadian Forces Base Valcartier cadet camp;

29. the Federal Court judgment rendered on 28 March 2018 approving the final settlement agreement following a class action brought against the Attorney General of Canada concerning the current and former members and employees of the Canadian Armed Forces, the Royal Canadian Mounted Police and the federal public service targeted by policies between 1 December 1955 and 20 June 1996 because of their sexual orientation, their gender identity or their gender expression;

30. the judgments rendered by the Federal Court on 11 May 2018 and the Ontario Superior Court of Justice on 20 June 2018 approving the national settlement following various class actions brought against the Attorney General of Canada for compensating survivors for wrongs suffered during the “Sixties Scoop”;

31. the Superior Court judgment rendered on 22 May 2018 approving the settlement agreement following a class action brought against Johnson & Johnson inc. and Depuy Orthopaedics inc. concerning persons who received a defective hip prosthesis between July 2003 and August 2010;

32. the Superior Court judgment rendered on 11 December 2018 approving a transaction following a class action brought against, in particular, the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale and the Attorney General of Québec concerning an outbreak of legionellosis in Ville de Québec;

33. the settlement agreement in January 2019 following a class action brought against the Government of Canada concerning failures respecting Canada’s fiduciary obligations and its obligations of disposition of land of the Kitigan Zibi Anishinabeg Reserve to develop Ville de Maniwaki;

34. the Federal Court judgment rendered on 30 January 2019 approving the settlement agreement following a class action concerning the reduction of an allowance paid to the members and veterans of the Canadian Armed Forces between 1 April 2006 and 29 May 2012, owing to the deduction of the disability benefits under the Pension Act (Revised Statutes of Canada (1985), chapter P-6);

35. the Federal Court judgment rendered on 19 August 2019 approving the settlement agreement following a class action brought against the Attorney General of Canada concerning the wrongs suffered by persons attending federal Indian day schools;

36. the Superior Court judgment rendered on 13 December 2019 approving a transaction following a class action brought against Canadian Malartic GP to compensate the persons who suffered damages owing the enterprises activities between 16 June 2014 and 31 December 2018;

37. the individual agreements in 2020 with Bard Canada inc., concerning the problems caused by IVC filters (inferior vena cava filters);

38. the Ontario Superior Court of Justice judgment rendered on 2 March 2020 approving the settlement agreement following a national class action brought against Medtronic inc. and Medtronic of Canada Ltd concerning persons who received certain models of Sprint Fidelis leads;

39. the Superior Court judgment rendered on 19 April 2021 approving the transaction following a class action brought against the Attorney General of Québec concerning the compensation of inmates who were strip searched following a release order.

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## Draft Regulation

Act respecting parental insurance  
(chapter A-29.011)

### Under the Act — 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 Regulation under the Act respecting parental insurance, made by the Conseil de gestion de l’assurance parentale and appearing below, may be approved by the Government on the expiry of 45 days following this publication.

The draft Regulation replaces the method for calculating the increase of benefits by a method that takes into account, in particular, the individual income of a recipient rather than the family income. It determines that the eligibility threshold for the increased weekly benefits is the threshold that corresponds to the minimum wage for a regular workweek.

The proposed measure does not involve any net cost for enterprises and has no impact on the competitiveness of enterprises.

Further information regarding this draft Regulation may be obtained by contacting Ghislaine Gagnon, advocate, Secrétariat général, Conseil de gestion de l'assurance parentale, 1122, Grande Allée Ouest, 1<sup>er</sup> étage, bureau 104, Québec (Québec) G1S 1E5; telephone: 418 643-1052; email: ghislaine.gagnon@cgap.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period mentioned above to Marie Gendron, President and Director General, Conseil de gestion de l'assurance parentale, 1122, Grande Allée Ouest, 1<sup>er</sup> étage, bureau 104, Québec (Québec) G1S 1E5; email: marie.gendron@cgap.gouv.qc.ca.

JEAN BOULET

*Minister of Labour, Employment  
and Social Solidarity*

## Regulation to amend the Regulation under the Act respecting parental insurance

Act respecting parental insurance  
(chapter A-29.011, ss. 19 and 20)

**1.** The Regulation under the Act respecting parental insurance (chapter A-29.011, r. 2) is amended by replacing sections 44 to 49 by the following:

“**44.** An increase is granted to a recipient whose average weekly earnings are lower than the threshold corresponding to the minimum wage payable under section 3 of the Regulation respecting labour standards (chapter N-1.1, r. 3) for a regular workweek under section 52 of the Act respecting labour standards (chapter N-1.1). The threshold is established on the date on which the benefit period begins.

The increased weekly benefits are calculated using the method provided for in Schedule A.

The weekly benefits increased in accordance with the second paragraph may not exceed an amount corresponding to 85% of the recipient's average weekly earnings or, in the case of an election in accordance with section 18 of the Act, 100% of the recipient's average weekly income.”

**2.** The following is added after section 56:

“**57.** Section 44 applies to a recipient whose benefit period begins as of 26 September 2021.

**58.** Sections 44 to 49, as they read on 25 September 2021, continue to apply to a recipient whose benefit period begins not later than that date, whether or not the recipient is eligible for an increase.

Where the benefit period of one of the parents begins as of 26 September 2021, section 48 of the Regulation does not apply to the other parent whose benefit period began before that date.

**59.** An increase granted to a parent in accordance with sections 44 to 49, as they read on 25 September 2021, does not limit entitlement of the other parent to receive the increase provided for in section 44, if the parent's benefit period begins as of 26 September 2021, despite section 48, as it read on 25 September 2021.”

**3.** The following is added at the end of the Regulation:

### “**SCHEDULE A** METHOD FOR CALCULATING THE INCREASED WEEKLY BENEFITS

The increased weekly benefits allows the increase of the income replacement rate of the eligible recipient and varies based on the average weekly earnings of each recipient. It ensures a decreasing increase of the income replacement rate so that the increase becomes nil when the average weekly earnings reach the level of eligibility under the measure. The increased weekly benefits is calculated using the following method:

If the average weekly earnings are lower than the threshold determined in the first paragraph of section 44,

(a) the increased weekly benefits is equal to the lesser of the following amounts:

(85% x AWE) and (Rate x Threshold);

(b) in the case of an election in accordance with section 18 of the Act, the increased weekly benefits is equal to the lesser of the following amounts:

(100% x AWE) and (Rate x Threshold).

In the method provided for above,

(a) “AWE” is the average weekly earnings established in accordance with section 21 of the Act;

(b) “Threshold” is the hourly rate of the minimum wage multiplied by the number of hours for a regular workweek, as determined in the first paragraph of section 44;

(c) “Rate” is the income replacement rate applicable under section 18 of the Act.

If the average weekly earnings are equal to or higher than the threshold determined in the first paragraph of section 44, no increase is granted.”

**4.** This Regulation comes into force on 26 September 2021.

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