

Regulations and other Acts

Gouvernement du Québec

O.C. 1411-2021, 3 November 2021

Act respecting financial assistance
for education expenses
(chapter A-13.3)

Financial assistance for education expenses — Amendment

Regulation to amend the Regulation respecting financial assistance for education expenses

WHEREAS, under subparagraphs 1, 2, 3.2, 4, 7, 8, 9, 16, 16.1 and 21 of the first paragraph of section 57 of the Act respecting financial assistance for education expenses (chapter A-13.3), the Government may, by regulation, on the recommendation of the Minister of Higher Education and after consultation with the Minister of Education for matters related to a level of education under the latter's jurisdiction, and for each financial assistance program, unless otherwise indicated,

— for the purpose of computing the amount of financial assistance which may be paid under a loans and bursaries program, determine the conditions and rules for establishing the contribution of the student and that of the student's parents, sponsor or spouse;

— for the purpose of establishing the contributions mentioned in subparagraph 1, define the student's income and the income of the student's parents, sponsor or spouse, determine the conditions of reduction and exemption which are applicable and prescribe the methods of computing these elements;

— determine, for the loans program, the amount of annual financial resources that may not be exceeded by a person in order to be eligible for a loan, and determine in which cases and on what conditions the amount is increased or reduced;

— determine the cases where a person has his or her residence or is deemed to reside in Québec;

— for the purpose of computing the amount of financial assistance which may be paid, establish the list of allowable expenses and determine, according to the classification of the educational institution attended, the maximum amounts allocated;

— for the purpose of computing the amount of financial assistance which may be paid, determine the cases where the student is deemed to reside at the place of residence of the student's parents or the student's sponsor and the resulting consequences on the level of certain allowable expenses;

— determine the maximum amounts of loans according to the level of education, the cycle and the classification of the educational institution attended, and determine in which cases and subject to what conditions such amounts are increased or reduced;

— define, for the purposes of sections 24 and 25, "precarious financial situation", determine the borrower's obligations that are to be assumed by the Minister in such a situation and, for the purposes of section 25, determine the time when repayment of a loan must begin and the terms and conditions applicable to such repayment;

— determine, for the purposes of section 25.1, the cases in which the borrower qualifies for a reimbursement, prescribe the time within which the borrower must complete a program of studies and determine the part of the loan to be so reimbursed by the Minister and the terms and conditions applicable to such reimbursement;

— for the purpose of computing the amount of financial assistance which may be paid, determine the number of months in a year of allocation for which the contributions and allowable expenses are considered;

WHEREAS, under the second paragraph of section 57 of the Act, the provisions of the regulations made under subparagraphs 1, 2, 7, 7.2 and 21 may vary in particular according to

— the situation of the student prior to the period covered by the application for financial assistance, as well as the situation of the student or the student's spouse, parents or sponsor during that period;

— the number of months during which the student is pursuing studies or is employed, the studies pursued and the place of residence of the student and, where applicable, that of the student's parents or sponsor, and depending on whether the student suffers from a major functional deficiency;

WHEREAS the Government made the Regulation respecting financial assistance for education expenses (chapter A-13.3, r. 1);

WHEREAS it is expedient to amend the Regulation;

WHEREAS the Minister of Education has been consulted in accordance with the first paragraph of section 57 of the Act;

WHEREAS, under the first paragraph of section 90 of the Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie (chapter M-15.1.0.1), the Minister of Higher Education, after consulting with the Minister of Education when the matter relates to a level of education within that Minister's jurisdiction, must seek the advice of the Comité consultatif sur l'accessibilité financière aux études on any draft regulation respecting the financial assistance programs referred to in paragraph 1 of section 88 of that Act;

WHEREAS the Comité consultatif sur l'accessibilité financière aux études has given its advice;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting financial assistance for education expenses was published in Part 2 of the *Gazette officielle du Québec* of 21 July 2021 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 Higher Education:

THAT the Regulation to amend the Regulation respecting financial assistance for education expenses, attached to this Order in Council, be made.

YVES OUELLET
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting financial assistance for education expenses

Act respecting financial assistance for education expenses (chapter A-13.3, s. 57, 1st par., subpars. 1, 2, 3.2, 4, 7, 8, 9, 16, 16.1 and 21, and 2nd par.)

1. The Regulation respecting financial assistance for education expenses (chapter A-13.3, r. 1) is amended in section 1 by adding the following at the end:

“The computation does not take into account, for the 2021-2022 year of allocation, any amount paid to the student under the *Programme de bourses - Bourse d'incitation au travail et de suspension volontaire des études au baccalauréat en sciences infirmières en contexte d'urgence sanitaire* established by the Minister of Health and Social Services and the Minister of Higher Education in January 2021.”

2. Section 2 is amended by replacing “\$1,475” in the second paragraph by “\$1,494”.

3. Section 9 is amended by replacing “\$1,475” in subparagraph 2 of the second paragraph by “\$1,494”.

4. Section 17 is amended

(1) by replacing “\$3,119” in paragraph 1 by “\$3,158”;

(2) by replacing “\$2,648” in paragraph 2 by “\$2,681”.

5. Section 18 is amended by replacing “\$2,648” by “\$2,681”.

6. Section 26 is amended by replacing “\$285” in the second paragraph by “\$289”.

7. Section 29 is amended by replacing, respectively, the amounts provided for in subparagraphs 1 to 6 of the fourth paragraph by the following amounts:

(1) “\$196”;

(2) “\$196”;

(3) “\$223”;

(4) “\$424”;

(5) “\$485”;

(6) “\$223”.

8. Section 32 is amended

(1) by replacing “\$456” and “\$975” in the first paragraph by “\$462” and “\$987”, respectively;

(2) by replacing “\$240”, “\$739” and “\$240” in the second paragraph by “\$242”, “\$745” and “\$242”, respectively.

9. The following is inserted after section 32.1:

“**32.2.** For the 2021-2022 and 2022-2023 years of allocation, a student, including a student who is deemed to be enrolled within the meaning of section 27, who resides or is deemed to reside with his or her parents or sponsor is allocated an additional \$96 per month, as living expenses, for each month for which such expenses were allocated under the first or the second paragraph of section 32, as the case may be; a student who does not reside or is deemed not to reside with his or her parents or sponsor is allocated an additional \$205 for each such month.”

10. Section 33 is amended

(1) by replacing “\$176” in the first paragraph by “\$178”;

(2) by replacing “\$487” in the second paragraph “\$493”.

11. Section 34 is amended in the first paragraph

(1) by replacing in the French text “495 \$” and “2 304 \$” by “501 \$” and “2 333 \$”, respectively;

(2) by replacing “\$486” and “\$1,330” by “\$501” and “\$2,333”, respectively.

12. Section 35 is amended by replacing “\$99” in the second paragraph by “\$100”.

13. Section 37 is amended by replacing “\$260” in the fifth paragraph by “\$263”.

14. Section 40 is amended by replacing “\$76” and “\$608” in the first paragraph by “\$77” and “\$616”, respectively.

15. Section 41 is amended by replacing “\$193” by “\$195”.

16. Section 42 is amended by inserting “on the list of insured medications drawn up by the Minister of Health and Social Services under section 60 of the Act respecting prescription drug insurance (chapter A-29.01)” after “the payment of medications” in the first paragraph.

17. Section 50 is amended

(1) by replacing, respectively, the amounts provided for in subparagraphs 1 to 3 of the first paragraph by the following amounts:

(1) “\$15,284”;

(2) “\$15,284”;

(3) “\$18,665”;

(2) by replacing, respectively, the amounts provided for in subparagraphs 1 to 3 of the third paragraph by the following amounts:

(1) “\$4,118”;

(2) “\$5,213”;

(3) “\$6,313”.

18. Section 51 is amended

(1) by replacing, respectively, the amounts provided for in subparagraphs 1 to 5 of the first paragraph by the following amounts:

(1) “\$215”;

(2) “\$235”;

(3) “\$325”;

(4) “\$431”;

(5) “\$431”;

(2) by replacing “\$332” in the third paragraph by “\$336”.

19. Section 52 is amended by replacing “\$1,002” by “\$1,015”.

20. Section 63 is replaced by the following:

“**63.** A borrower who receives financial assistance in the form of a bursary for each year of allocation during which he or she pursues a course of technical studies at the college level leading to a diploma of college studies, completes the studies within the number of sessions and years of study stipulated by the educational institution for completing the program as structured by the educational institution, and obtains official certification thereof is entitled, on application to the Minister and up to the amount established pursuant to sections 54 and 55, to a 15% reduction on the value of the guaranteed loans contracted to complete the program.”

21. Section 64 is replaced by the following:

“64. A borrower who receives financial assistance in the form of a bursary for each year of allocation during which he or she pursues a course of undergraduate studies at the university level leading to a degree, completes the studies within the number of sessions and years of study stipulated by the educational institution for completing the program as structured by the educational institution, and obtains official certification thereof is entitled, on application to the Minister and up to the amount established pursuant to sections 54 and 55, to a 15% reduction on the value of the guaranteed loans contracted to complete the program and, if applicable, on the value of the following guaranteed loans:

(1) loans contracted during his or her college studies in a course of studies leading to a diploma of college studies if he or she receives financial assistance in the form of a bursary for each year of allocation, completes the studies within the number of sessions and years of study stipulated by the educational institution for completing the program as structured by the educational institution, and obtains official certification thereof;

(2) loans contracted during his or her master’s or doctoral studies if he or she receives financial assistance in the form of a bursary, completes the studies within the number of sessions and years of study stipulated by the educational institution for completing the program as structured by the educational institution, and obtains official certification thereof.”

22. Section 74 is amended by replacing “\$260” and “\$129” in the second paragraph by “\$263” and “\$131”, respectively.

23. Section 74.2 is amended by inserting the following at the end:

“, and, for the 2021-2022 year of allocation, any income earned by the student through employment with an organization mentioned in the third paragraph of Schedule I.”.

24. Section 82 is amended by replacing “\$3,119” and “\$2,336” in the third paragraph by “\$3,158” and “\$2,365”, respectively.

25. Section 86 is amended

(1) by replacing, respectively, the amounts provided for in subparagraphs 1 to 3 of the first paragraph by the following amounts:

(1) “\$2.34”;

(2) “\$3.49”;

(3) “\$130.60”;

(2) by replacing “\$11.54” in the second paragraph by “\$11.69”.

26. Section 87.1 is amended by replacing “\$395” by “\$400”.

27. Section 94 is amended by replacing “less than 3 years” in the first paragraph by “5 years or less”.

28. Schedule I is amended by replacing the portion before subparagraph 1 of the third paragraph by the following:

“For the purposes of subparagraph 1 of the first paragraph, for the 2020-2021 year of allocation, employment income earned by the student during the period beginning on 13 March 2020 and ending on 31 August 2020 and, for the 2021-2022 year of allocation, employment income earned by the student during the period beginning on 1 January 2021 and ending on 31 May 2021, while employed with any of the following bodies is not taken into account:”.

29. This Regulation applies from the 2021-2022 year of allocation.

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

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Gouvernement du Québec

O.C. 1412-2021, 3 November 2021

Act respecting the Ministère du Développement durable, de l’Environnement et des Parcs (chapter M-30.001)

Environment Quality Act (chapter Q-2)

Oil-fired heating appliances

Regulation respecting oil-fired heating appliances

WHEREAS, under subparagraph 1 of the first paragraph of section 95.1 of the Environment Quality Act (chapter Q-2), the Government may make regulations to classify contaminants and sources of contamination;