

36. A coordinating office that, on (*insert the date of coming into force of sections 16 to 19 of this Regulation*), has not yet ruled on an application for the suspension of recognition made by a home childcare provided must render its decision under sections 79 to 80 of the Educational Childcare Regulation (chapter S-4.1.1, r. 2), as amended by sections 16 to 19 of this Regulation.

37. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except section 10, which comes into force on 1 April 2023.

105675

Draft Regulation

Act respecting the determination of the causes and circumstances of death (chapter R-0.2)

Financial assistance that may be granted to members of a deceased person's family to cover expenses incurred for legal assistance and representation during certain inquests by a coroner

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the financial assistance that may be granted to members of a deceased person's family to cover expenses incurred for legal assistance and representation during certain inquests by a coroner, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation determines the eligibility requirements that a member of a deceased person's family must comply with to be granted financial assistance by the Chief Coroner to cover expenses incurred for legal assistance and representation during a coroner's inquest following an independent investigation conducted by the Bureau des enquêtes indépendantes in accordance with section 289.1 of the Police Act (chapter P-13.1).

The draft Regulation prescribes the time for making the application and specifies its content, as well as the documentary evidence that must accompany it.

Lastly, the draft Regulation determines the amounts and the terms and conditions of payment of the financial assistance that may be granted to an eligible member of a deceased person's family.

The measures proposed by the draft Regulation have no significant impact on citizens and enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Véronyck Fontaine, Secretary General, Ministère de la Sécurité publique, Tour des Laurentides, 5^e étage, 2525, boulevard Laurier, Québec (Québec) G1V 2L2; email: veronyck.fontaine@msp.gouv.qc.ca; fax: 418 643-3500.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Véronyck Fontaine at the above contact information.

GENEVIÈVE GUILBAULT
Minister of Public Security

Regulation respecting the financial assistance that may be granted to members of a deceased person's family to cover expenses incurred for legal assistance and representation during certain inquests by a coroner

Act respecting the determination of the causes and circumstances of death (chapter R-0.2, s. 168.1)

CHAPTER I ELIGIBILITY REQUIREMENTS

1. A member of the deceased person's family who has been recognized, under section 136 of the Act respecting the determination of the causes and circumstances of death (chapter R-0.2), as an interested person by the coroner conducting the inquest is eligible for financial assistance.

For the purposes of this Regulation, the spouse of the deceased person, the children of the deceased person or the deceased person's spouse, the parent of the deceased person or the persons acting in their stead, the brothers and sisters of the deceased person, and the person who had custody of the deceased person under a court judgment, except a foster family within the meaning of the Act respecting health services and social services (chapter S-4.2) or the Act respecting health services and social services for Cree Native persons (chapter S-5), are members of the deceased person's family.

2. A member of the family who is eligible for the legal aid system established under the Act respecting legal aid and the provision of certain other legal services (chapter A-14) is not eligible for the financial assistance provided for in this Regulation.

3. Only 1 member of the deceased person's family may obtain financial assistance for the inquest conducted by the coroner.

Another member of the family may be declared eligible if they establish to the coroner's satisfaction that their interests and those of the member of the family who has been declared eligible for financial assistance are divergent, opposed or irreconcilable.

CHAPTER II APPLICATION FOR FINANCIAL ASSISTANCE

4. A member of the family who wishes to obtain financial assistance must apply to the Chief Coroner, before the end of the inquest, using the form prescribed for that purpose. The application must contain in particular a brief description of the legal assistance and representation required, as well as relevant grounds in support of the application.

The application must be accompanied by proof that the applicant is a member of the deceased person's family and that the applicant meets the other eligibility requirements provided for in this Regulation. Where applicable, the application is accompanied by other supporting documents that is relevant or required by the Chief Coroner.

5. On receiving an application for financial assistance, the Chief Coroner informs the coroner conducting the inquest and provides the coroner with the relevant information to make a recommendation.

If the Chief Coroner has already declared another member of the deceased person's family eligible for financial assistance for the same inquest, the Chief Coroner informs the applicant, who may provide any information to demonstrate eligibility for financial assistance under the second paragraph of section 3. The recommendation of the coroner conducting the inquest must then cover the existence or absence of divergent, opposed or irreconcilable interests between the applicant and the member of the family who has been declared eligible for financial assistance.

6. After analysis of the application for financial assistance, on the recommendation of the coroner conducting the inquest, the Chief Coroner informs the applicant of

the decision in writing and, if the applicant is eligible, indicates the legal assistance and representation that may be reimbursed under Chapter III.

CHAPTER III AMOUNTS AND TERMS AND CONDITIONS OF PAYMENT OF THE FINANCIAL ASSISTANCE

7. An eligible member of the family is entitled, up to an amount of \$20,000 per inquest, to the reimbursement of the following expenses incurred for legal assistance and representation:

(1) to the extent provided for in section 9, advocate fees related to the preparation of the inquest, including the interviews with witnesses and the visit to the place of death, and the advocate's participation in the inquest or a meeting requested by the coroner conducting the inquest or the Chief Coroner;

(2) the expenses for service by bailiff and notification by registered mail;

(3) expert fees;

(4) the reasonable expenses of an advocate, including the cost of reproducing documents, travel, meals, and other expenses for participating in a coroner's inquest.

An advocate referred to in subparagraphs 1 and 4 of the first paragraph must be a member of the Barreau du Québec or be legally authorized to practise in Québec.

8. No financial assistance may be granted for fees, costs and other expenses that are, as the case may be,

(1) related to the negotiation of the service contract between the advocate and the member of the family;

(2) related to secretarial work or time spent on travel and meals;

(3) related to representations for obtaining the status of interested person;

(4) incurred as part of judicial proceedings that may result from the direction and decisions of the coroner conducting the inquest; or

(5) incurred to contest the decision of the Chief Coroner on an application for financial assistance filed under this Regulation.

9. An eligible member of the family may obtain the amount provided for in subparagraph 1 of the second paragraph of section 3 of the Agreement dated 4 December 2020 between the Minister of Justice and the Barreau du Québec respecting the tariff of fees and expenses of advocates under the legal aid plan and the dispute settlement procedure (chapter A-14, r. 5.1.1) to reimburse advocate fees for each period of work carried out, the number of periods of preparation being limited to 1 per day of hearing during the inquest.

A work period is a period of preparation, a period of participation in a meeting called by the coroner conducting the inquest or by the Chief Coroner, or a hearing period. A day comprises a maximum of 3 work periods, 1 in the morning, 1 in the afternoon and 1 in the evening; morning ends at 1:00 p.m. and evening starts at 6:00 p.m.

10. The eligible member of the family sends to the Chief Coroner an application for reimbursement accompanied by the supporting documents detailing the fees paid and establishing their payment where the fees are at least \$2,000 and, subsequently, for each additional \$2,000, except the last application for reimbursement, which may be for a lesser amount.

11. After analysis of the application for reimbursement, the Chief Coroner determines the amount that may be reimbursed to the member of the family and makes the payment within 30 days.

CHAPTER IV TRANSITIONAL AND FINAL

12. Despite section 4, a member of the family who wishes to obtain financial assistance for the reimbursement of expenses incurred during a coroner's inquest that has ended may, if the inquest was held after 1 January 2020 and before (*insert the date of coming into force of this Regulation*), apply to the Chief Coroner in accordance with this Regulation within 2 years following the end of the inquest.

In addition, the application must specify any amount paid as part of the inquest, to the benefit of a member of the deceased person's family, for the payment or reimbursement of expenses incurred for legal assistance and representation. The maximum amount that may be granted under this Regulation must be reduced by that amount.

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

105672

Draft Regulation

Individual and Family Assistance Act
(chapter A-13.1.1)

Individual and family assistance — 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 Individual and Family Assistance Regulation, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation makes various amendments to last resort financial assistance programs and to the Aim for Employment Program. In that regard, the draft Regulation increases the exclusion of child support income, the reimbursement rate for transportation provided by a volunteer driver for medical purposes, and the amount of the participation allowance under the Aim for Employment Program. It also adjusts the amounts of the special benefits granted to cover the cost of liquid concentrate infant formulas. Lastly, it modifies the periods for the calculation of support arrears.

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

Further information on the draft Regulation may be obtained by contacting France Edma, Direction des politiques d'assistance sociale, Ministère du Travail, de l'Emploi et de la Solidarité sociale, 425, rue Jacques-Parizeau, 4^e étage, Québec (Québec) G1R 4Z1; telephone: 418 809-7259; email: france.edma@mtess.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 of Labour, Employment and Social Solidarity, 425, rue Jacques-Parizeau, 4^e étage, Québec (Québec) G1R 4Z1; email: ministre@mtess.gouv.qc.ca.

JEAN BOULET

Minister of Labour, Employment and Social Solidarity

Regulation to amend the Individual and Family Assistance Regulation

Individual and Family Assistance Act
(chapter A-13.1.1, s. 132, pars. 8, 10 and 11,
and s. 133.1, pars. 6 and 7)

1. The Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1) is amended in section 89 by replacing "\$0.465" in the third paragraph by "\$0.54".