



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 84
(1996, chapter 78)

**An Act to amend the Act respecting
income security**

**Introduced 10 December 1996
Passage in principle 18 December 1996
Passage 18 December 1996
Assented to 23 December 1996**

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EXPLANATORY NOTES

This bill amends the Act respecting income security to allow the determination by regulation of the cases in which and the conditions subject to which an adult having the care of a dependent child will qualify for the scale based on unavailability under the work and employment incentives program.

The bill also enables the Minister of Income Security, in the cases and subject to the terms and conditions determined by regulation, to claim interest on last resort assistance benefits he has paid to a person pending the realization of a right.

As concerns the recovery of last resort assistance benefits, the bill includes provisions relating to cost and interest charges, and authorizes the Minister to cancel or reduce the interest computed for a given period on a recoverable amount or to allow the debtor to repay a lesser monthly amount than that prescribed by regulation.

Consequential amendments are made to the provisions establishing regulatory powers.

Bill 84

AN ACT TO AMEND THE ACT RESPECTING INCOME SECURITY

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 16 of the Act respecting income security (R.S.Q., chapter S-3.1.1), amended by section 5 of chapter 69 of the statutes of 1995, is again amended by replacing the words “has the care of a dependent child who does not attend school because he has not reached the age of mandatory school attendance or” in subparagraph 3 of the first paragraph by the words “has the care of a dependent child in the cases and subject to the conditions determined by regulation, or of a dependent child who does not attend school”.

2. Section 35 of the said Act is amended

(1) by inserting, after the first paragraph, the following paragraph :

“Interest shall be added to the amount of the realized right, in the cases and subject to the terms and conditions prescribed by regulation, and shall form part of the amount of benefits to be reimbursed to the Minister.”;

(2) by inserting the words “and of the interest, if any,” after the word “right” in the second line of the last paragraph.

3. Section 39 of the said Act, amended by section 96 of chapter 18 of the statutes of 1995, is again amended by adding, at the end, the following paragraph :

“In the cases and subject to the conditions determined by regulation, the debtor of support is liable for the payment of costs in the amount fixed and according to the terms fixed by regulation.”

4. Section 42 of the said Act, amended by section 11 of chapter 69 of the statutes of 1995, is again amended

(1) by adding, at the end of the second paragraph, the following sentence :
“The interest is capitalized monthly where a person owes an amount after making a statement containing false information or transmitting a document containing false information so as to render himself or his family eligible for benefits under a last resort assistance program or so as to receive, or cause his family to receive, benefits greater than the benefits which would otherwise have been granted to him or to his family.”;

(2) by adding, at the end, the following paragraph :

“The Minister may, subject to the conditions he determines, cancel or reduce the interest computed for a given period on a recoverable amount or allow the debtor to reimburse a lesser monthly amount than the amount prescribed by regulation, if the Minister is of the opinion that the latter could endanger the health or safety of the debtor or lead to complete destitution.”

5. Section 76 of the said Act is amended by inserting the words “, the fourth paragraph of section 42” after the figure “25” in the second line of the first paragraph.

6. Section 91 of the said Act, amended by section 245 of chapter 1 of the statutes of 1995 and by section 20 of chapter 69 of the statutes of 1995, is again amended

(1) by inserting, after subparagraph 16 of the first paragraph, the following subparagraph :

“(16.0.1) determine, for the purposes of subparagraph 3 of the first paragraph of section 16, in which cases and subject to what conditions the scale based on unavailability applies;”;

(2) by inserting, after subparagraph 22 of the first paragraph, the following subparagraphs :

“(22.1) prescribe, for the purposes of the second paragraph of section 35, the cases in which and the terms and conditions subject to which interest is to be added;

“(22.2) determine, for the purposes of the fourth paragraph of section 39, in which cases and subject to what conditions a debtor of support is liable for the payment of costs and fix the amount of the costs and the terms of payment;”;

(3) by inserting, after the figure “13,” in the second paragraph, the figure “16.0.1,”;

(4) by replacing “23, 24,” in the second paragraph by “22.1 to”.

7. This Act comes into force on the date or dates to be fixed by the Government.