

1984, chapter 5

AN ACT TO AMEND THE SOCIAL AID ACT

Bill 65

Introduced by Madam Pauline Marois, Minister of Manpower and Income Security

Introduced 15 March 1984

Passage in principle 29 March 1984

Passage 4 April 1984

Assented to 4 April 1984

Coming into force: 4 April 1984

Act amended:

Social Aid Act (R.S.Q., chapter A-16)



CHAPTER 5

An Act to amend the Social Aid Act

[Assented to 4 April 1984]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The Social Aid Act (R.S.Q., chapter A-16) is amended by adding, after the first paragraph of section 11, the following:

“The recovery plan may include, in particular, the participation of an individual or a member of a family in a program of work activities or a training program established by the Minister in view of developing the recipient’s qualifications for an employment.”

The criteria of eligibility to a program established under the second paragraph may take the recipient’s age into account.”

2. The said Act is amended by adding, after section 11, the following sections:

“**11.1** The Government, by regulation, shall designate to which work activities programs or training programs sections 11.2 to 11.4 apply.

“**11.2** In the case of an individual or a family having no dependent child, needs relating to a recipient’s participation in a designated program are special needs to the extent determined by regulation for each program.

In all other cases, needs described in the first paragraph are special needs to the extent determined by the Minister for each recipient, but not in excess of the amount determined by regulation.

“**11.3** The Labour Code (R.S.Q., chapter C-27), the Act respecting collective agreement decrees (R.S.Q., chapter D-2), the Civil Service

Act (R.S.Q., chapter F-3.1), the Public Service Act (1983, chapter 55) and the provisions in respect of wages in the Act respecting Labour Standards (R.S.Q., chapter N-1.1) do not apply to a recipient doing work under a designated program.

Provisions applicable **11.4** The Workmen's Compensation Act (R.S.Q., chapter A-3) applies to a recipient or beneficiary doing work under a designated program.

Presumptions For the application of the said Act,

(1) the recipient or beneficiary is deemed to be a remunerated worker;

(2) the indemnities owing to the deemed remunerated worker are computed on the basis of his estimated weekly income, taking into account the income he would have earned at the time of the accident had he then held the employment he had before becoming a recipient of social aid, but if it is impossible to determine his weekly income in this way, the Commission de la santé et de la sécurité du travail shall determine it by whatever method it believes most suitable in the circumstances;

(3) the Government is deemed to be the deemed remunerated worker's employer for the purposes of payment of the assessments."

c. A-16, s. 12, am. **3.** Section 12 of the said Act is amended by adding, at the end, the following paragraph:

Provision not applicable "The first paragraph does not apply to a recipient who refuses or ceases to participate in a program designated pursuant to section 11.1."

Exception **4.** This Act shall operate notwithstanding the provisions of sections 2 and 7 to 15 of the Constitution Act, 1982 (Schedule B of the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom).

Coming into force **5.** This Act comes into force on 4 April 1984.