

1981, chapter 25

## AN ACT TO AMEND THE SOCIAL AID ACT AND OTHER LEGISLATION

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**Bill No. 30**

Introduced by Mr Pierre Marois

First reading: 30 November 1981

Second reading: 16 December 1981

Third reading: 19 December 1981

**Assented to: 19 December 1981**

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**Coming into force: 1 January 1982**

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**Acts amended:**

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

Family Allowances Act (R.S.Q., chapter A-17)

Automobile Insurance Act (R.S.Q., chapter A-25)





## CHAPTER 25

### An Act to amend the Social Aid Act and other legislation

[Assented to 19 December 1981]

HER MAJESTY, with the advice and consent of the National Assembly of Québec, enacts as follows:

R.S.Q.,  
c. A-16,  
s. 13.0.1,  
added.

**1.** The Social Aid Act (R.S.Q., chapter A-16) is amended by inserting, after section 13, the following section:

Repay-  
ment of so-  
cial aid.

**“13.0.1** A person who receives social aid when he has been declared ineligible for allowances or benefits payable under an Act in force in Québec or elsewhere, for a reason that, under this Act, would allow the application of subparagraph *a* of section 12, or whose allowances or benefits so payable have been withheld to repay an overpayment or as a penalty, must repay such aid up to the amount of the allowances or benefits that have been denied to him.”

R.S.Q.,  
c. A-16,  
s. 25, am.

**2.** Section 25 of the said Act, amended by section 42 of chapter 12 of the statutes of 1981, is again amended by inserting, after subparagraph *c*, the following subparagraph:

“(d) the aid was granted while benefits or allowances referred to in section 13.0.1 were withheld from him.”

R.S.Q.,  
c. A-16,  
s. 31, am.

**3.** Section 31 of the said Act, amended by section 43 of chapter 12 of the statutes of 1981, is again amended by replacing subparagraph *f* by the following subparagraph:

“(f) the special needs that may be met by social aid, the extent to which they may be met, the methods whereby they are to be proven and appraised, and the conditions of eligibility for social aid with respect to special needs;”;

R.S.Q.,  
c. A-16,  
s. 36.1,  
added.

**4.** The said Act is amended by inserting, after section 36, the following section:

Inquiry.

**"36.1** The Government may generally or specially authorize an officer of the Ministère du Travail, de la Main-d'oeuvre et de la Sécurité du revenu to conduct an inquiry on any matter respecting the application of this Act or a regulation.

Powers and immunity.

That person is vested, for the purposes of his inquiry, with the powers and immunity granted to commissioners appointed pursuant to the Act respecting Public Inquiry Commissions (R.S.Q., chapter C-37), except the power to impose imprisonment."

R.S.Q.,  
c. A-16,  
s. 37.1,  
added.

**5.** The said Act is amended by inserting, after section 37, the following section:

Confidential information.

**"37.1** All information relating to an applicant, a recipient, or a member of his family obtained for the administration of this Act or a regulation is confidential.

Communication of information.

However, the Minister may, with the authorization of the Government and on such conditions as it may determine, furnish upon written request information respecting the surname, given name, date of birth and social insurance number of an applicant, a recipient or a member of his family and the amount and nature of the benefits granted to him, to any department or body under the jurisdiction of the Gouvernement du Québec or another government."

R.S.Q.,  
c. A-17,  
s. 3, re-  
pealed.

**6.** Section 3 of the Family Allowances Act (R.S.Q., chapter A-17) is repealed.

R.S.Q.,  
c. A-17,  
s. 4, re-  
placed.

**7.** Section 4 of the said Act, amended by section 1 of chapter 60 of the statutes of 1979, is replaced by the following section:

Amount of allowance.

**"4.** The Government shall fix by regulation the amount of the monthly allowance paid by Québec. That amount may vary for each child according to the number of children, their rank in the family and their age.

Handicapped children.

In the case of a handicapped child, the allowance contemplated in the first paragraph is increased by the amount fixed by regulation. That amount is payable in respect of that child to the person who receives the allowance provided for in the first paragraph for the same month and who keeps the child at home or wholly maintains the child."

R.S.Q.,  
c. A-17,  
s. 5, re-  
pealed.

**8.** Section 5 of the said Act is repealed.

R.S.Q.,  
c. A-17,  
s. 9, re-  
placed.

**9.** Section 9 of the said Act is replaced by the following section:

When payable.

**"9.** The allowance contemplated in the first paragraph of section 4 shall be payable or cease to be payable from the month

following the date on which the fact giving rise to the right to receive it or terminating it occurs.

Retro-  
active pay-  
ment.

However, no allowance shall be payable with respect to a month preceding by more than eleven months the date of the application.

Handi-  
capped  
children.

The amount contemplated in the second paragraph of section 4 is payable from the month of the application and ceases to be payable from the month following the date on which the fact terminating the right to receive it occurs."

R.S.Q.,  
c. A-17,  
s. 25, am.

**10.** Section 25 of the said Act, amended by section 2 of chapter 60 of the statutes of 1979, is again amended by inserting, after subparagraph *b*, the following subparagraph:

"(b.1) fix the amounts or a method of fixing the amounts contemplated in section 4, which may vary for each child according to the number of children, their rank in the family or their age."

R.S.Q.,  
c. A-17,  
s. 26, am.

**11.** Section 26 of the said Act is amended by replacing the first paragraph by the following paragraph:

Allowance  
under fed-  
eral Act.

**"26.** The monthly allowance provided for in the Family Allowances Act, 1973 (Statutes of Canada, 1973-1974, chapter 44) is payable in the manner provided therein and in accordance with the following rates:

(a) in the case of children under twelve years of age, \$16.15 for the first child, \$25.65 for the second and \$62.43 for every additional child;

(b) in the case of children twelve to seventeen years of age, \$22.88 for the first child, \$32.38 for the second and \$69.16 for every additional child."

R.S.Q.,  
c. A-25,  
s. 70, am.

**12.** Section 70 of the Automobile Insurance Act (R.S.Q., chapter A-25) is amended by adding, at the end, the following paragraph:

Communi-  
cation of  
infor-  
mation.

"The Régie must also, with the authorization of the Government and on such conditions as it may determine, put the surname, given name, address, date of birth and social insurance number of any claimant, and the nature and amount of the indemnity paid to him, at the disposal of the Ministère du Travail, de la Main-d'oeuvre et de la Sécurité du revenu whenever necessary for the administration of the Social Aid Act (R.S.Q., chapter A-16)."

Coming  
into force.

**13.** This Act will come into force on 1 January 1982.