



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-FOURTH LEGISLATURE

Bill 22

An Act to amend the Act respecting family assistance allowances

Introduction

**Introduced by
Mr André Bourbeau
Minister of Manpower, Income Security and Skills Development**

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EXPLANATORY NOTES

The principal object of this bill amending the Act respecting family assistance allowances is to give effect to the Budget Speech delivered by the Minister of Finance on 16 May 1989. It provides, among other things, for a payment of the allowance for newborn children in respect of a child who is the second child of his family upon reaching his first birthday; it also extends from two to three years the period during which an allowance for newborn children is payable in respect of a third or subsequent child.

In addition, this bill empowers the Régie des rentes du Québec to carry out any mandate entrusted to it by the Government. It confers upon the Government the power to prescribe the cases in which the payment of family assistance allowances may be made in advance or deferred.

The bill provides further that the sums required for payment of family assistance allowances are to be taken out of the tax revenue received from individuals pursuant to the Taxation Act.

Finally, the bill contains the necessary concordance and transitional provisions.

Bill 22

An Act to amend the Act respecting family assistance allowances

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 4 of the Act respecting family assistance allowances, enacted by section 2 of chapter 4 of the statutes of 1989 which amends the Family Allowances Act (R.S.Q., chapter A-17), is amended by striking out the words “, and the allowance shall be paid in the following month” in the third and fourth lines of the third paragraph.

2. Section 6 of the said Act is repealed.

3. Section 7 of the said Act is amended by striking out the words “, and the allowance shall be paid in the following month” in the third and fourth lines of the third paragraph.

4. The said Act is amended by inserting, after section 8, the following sections:

“8.1 Every family including two or more children giving entitlement to a family allowance is entitled to an allowance in the amount prescribed by regulation in respect of the child ranking second in the family on his first birthday or, if he has been placed for adoption in the family before the age of two, on the first anniversary of the adoption judgment. To become entitled to an allowance under this section, a family must first be entitled to a family allowance in respect of that child for the month of the birthday or anniversary or for the preceding month.

An allowance under this section is payable in a lump sum in the month following the month of the birthday or anniversary.

“8.2 The allowance provided for in section 8 and that provided for in section 8.1 shall not again be granted in respect of a child who becomes, by adoption, the first or second child in a family if one of the spouses has at any time been a member of a family having been entitled to such an allowance in respect of that child.”

5. Section 9 of the said Act is amended

(1) by replacing the first paragraph by the following paragraph:

“9. Every family including three or more children giving entitlement to a family allowance is entitled, in respect of the third and each subsequent child under three years of age giving entitlement to a family allowance, to a quarterly allowance in the amount prescribed by regulation.”;

(2) by replacing the words “a member of the family” in the fourth line of the third paragraph by the words “the third or a subsequent child in the family”;

(3) by replacing the word “two” in the sixth line of the fourth paragraph by the word “three”;

(4) by replacing the fifth paragraph by the following paragraph:

“However, if a child becomes the third or a subsequent child in another family during the quarter during which he reaches three years of age, his new family is entitled to a single quarterly amount which shall be paid in the month following the month during which he reaches three years of age.”

6. Section 10 of the said Act is amended by striking out the first paragraph.

7. Section 11 of the said Act is amended by striking out the words “for a first or second child” in the fifth line of the first paragraph.

8. Section 25 of the said Act is amended

(1) by striking out the words “of the second paragraph” in paragraph 6;

(2) by replacing paragraph 7 by the following paragraph:

“(7) prescribe the rules or the terms and conditions of payment of family assistance allowances and the cases and the circumstances

in which the payment of an allowance may be made in advance or deferred;”.

9. Section 27.1 of the said Act is amended by adding, at the end, the following paragraph:

“Moreover, the Régie des rentes du Québec shall carry out any other mandate given to it by the Government.”

10. Section 31 of the said Act is replaced by the following section:

“31. The sums required to pay the allowances provided for in this Act are taken out of the tax revenue received from individuals pursuant to the Taxation Act (R.S.Q., chapter I-3).”

TRANSITIONAL AND FINAL PROVISIONS

11. Every family in which the third or a subsequent child reached three years of age during the month of May or June 1989 is entitled to a single quarterly payment of the allowance for newborn children provided for in section 9 of the Act respecting family assistance allowances.

12. Regulations made before 31 December 1990 under paragraph 3 of section 25 of the Act respecting family assistance allowances may prescribe that they apply, to the extent that they establish the amount of the allowance provided for in section 8.1 of the said Act, from any date not prior to 1 May 1989.

13. The following sections of the Act respecting family assistance allowances, as amended by this Act, have effect from 1 May 1988:

(1) section 8.2, except as to the reference to section 8.1 of the Act respecting family assistance allowances;

(2) section 9, except as to the replacement, by this Act, of the age of two years by the age of three years;

(3) section 10;

(4) section 31, to the extent that it applies to the allowances for newborn children provided for in subdivision 4 of Division II of the Act respecting family assistance allowances.

14. The following sections of this Act have effect from 1 May 1989:

- (1) section 4, subject to paragraph 1 of section 13;
- (2) section 5, subject to paragraph 2 of section 13;
- (3) section 7.

Section 10 has effect, subject to paragraph 4 of section 13, from 1 January 1989.

15. This Act comes into force on (*insert here the date of assent to this Act*).