



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-THIRD LEGISLATURE

Bill 144

An Act to amend the Act respecting income security

Introduction

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



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EXPLANATORY NOTES

This bill makes a certain number of amendments to the Act respecting income security.

First, the bill provides that any person who refuses or abandons an employment is to be regarded as a person to whom the scale applicable to persons who refuse or abandon measures designed to develop employability applies.

In addition, the bill specifies the time from which the Minister may make deductions from the benefits paid to a person who has received overpayments and provides certain measures concerning the application of the Act respecting income security with respect to overpayments under the Social Aid Act.

Moreover, the bill adds a provision to permit the making of an agreement on the exchange of information between the Commission de la santé et de la sécurité du travail and the Ministère de la Main-d'oeuvre et de la Sécurité du revenu.

Finally, the bill provides for a penal provision concerning the transmission or production of false information.

The bill also contains certain concordance amendments.

ACT AMENDED BY THIS BILL:

- Act respecting income security (1988, chapter 51).

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THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 17 of the Act respecting income security (1988, chapter 51) is amended by adding the words “or if, within the last twelve months, he has failed to comply with any of the obligations provided for in sections 28 and 29” at the end of the second paragraph.

2. Section 44 of the said Act is amended by replacing the words “such a certificate” in the first line of the first paragraph by the words “the notice provided for in section 41”.

3. Section 49 of the said Act is amended

(1) by replacing the words “*d* of the first paragraph of section 776.21 of the Taxation Act (R.S.Q., chapter I-3), as they read for the purposes of the taxation year 1986” in the fourth, fifth and sixth lines of the first paragraph by the words “*c* of the first paragraph of section 776.29 of the Taxation Act (R.S.Q., chapter I-3)”;

(2) by replacing the words “*d* of the first paragraph of section 776.21 of the Taxation Act, as it read for the purposes of the taxation year 1986” in the third, fourth and fifth lines of the fourth paragraph by the words “*c* of the first paragraph of section 776.29 of the Taxation Act”.

4. The said Act is amended by inserting, after section 68, the following section:

“68.1 The Commission de la santé et de la sécurité du travail may, notwithstanding section 174 of the Act respecting occupational

health and safety (R.S.Q., chapter S-2.1), communicate to the Minister any data or information necessary for the purposes of this Act.”

5. Section 85 of the said Act is replaced by the following section :

“85. Every person who produces or transmits a document susceptible of being used as a voucher for the purposes of a program established by this Act, in particular, a document evidencing a lease or a loan contract, a document relating to the civil status or the physical or mental condition of a person, a receipt, a statement of employment or income, where the person knows or should have known that the document contains false or misleading information or that it is false or misleading owing to the omission of information, is liable, in addition to costs, to a fine of not less than \$250 and not more than \$1 500.”

6. Section 137 of the said Act is amended by adding, at the end, the following paragraphs :

“Every notice of claim concerning an amount recoverable under section 25 of the Social Aid Act (R.S.Q., chapter A-16) is equivalent to a formal notice within the meaning of section 41 of this Act where the person to whom the notice was addressed has made at least one payment or has entered into an agreement with the Minister for the repayment of the amount claimed.

The Minister may, without any other formality, effect compensation, in accordance with section 44, out of the benefits of the debtor or his family if the aid granted to him or his family pursuant to the Social Aid Act has, in the past, been the subject of a reduction under the third paragraph of section 25 of the said Act.”

7. Section 140 of the said Act is replaced by the following sections :

“140. The benefits payable under the program provided for in Chapter III of this Act shall be computed

(1) for the year 1988, without reference to paragraph 4 of section 48;

(2) for the years 1988 and 1989, without reference to paragraph 5 of the same section.

“140.1 In any regulation, order in council, order, contract, agreement or other document, any reference to the Social Aid Act or

to any of its provisions is deemed to be a reference to the Act respecting income security or to the equivalent provision of that Act.”

8. The provisions of this Act come into force on the date of coming into force of Chapter II of the Act respecting income security, except sections 3 and 5 and section 7 to the extent that it enacts section 140 of the said Act, which come into force on *(insert here the date of assent to this Act)* and have effect from 1 January 1988.