

THIRD SESSION

THIRTY-SECOND LEGISLATURE

NATIONAL ASSEMBLY OF QUÉBEC

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**Bill 30**

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

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First reading .....  
Second reading .....  
Third reading .....

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M. PIERRE MAROIS

Minister of Labour, Manpower and Income Security

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## EXPLANATORY NOTES

*The object of this bill is, first, to amend the Social Aid Act in order to enable the Minister of Labour, Manpower and Income Security to recuperate that part of social aid that is paid to compensate for amounts withheld under other social security programs. It also empowers the Government to fix the conditions of eligibility for social aid in case of special need.*

*In addition, it authorizes the Minister to appoint investigators to enforce the Act.*

*It protects the confidentiality of personal information obtained in administering the Act, but allows the Minister to give certain information to other departments or bodies, with the authorization of the Government and on certain specified conditions.*

*The second main object of this bill is to amend the Family allowances Act in order to replace the method of determining family allowances now in the Act by regulation-making power, and to amend the rules on the payment of allowances to handicapped children.*

*Lastly, this bill introduces a new provision into the Automobile Insurance Act authorizing the handing on of certain information to the Minister of Labour, Manpower and Income Security, who is the Minister responsible for the administration of the Social Aid Act.*

## ACTS AMENDED BY THIS BILL

- (1) the Social Aid Act ((R.S.Q., chapter A-16);
- (2) the Family Allowances Act (R.S.Q., chapter A-17);
- (3) the Automobile Insurance Act (R.S.Q., chapter A-25).

## Bill 30

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

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

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

**“13.0.1** A recipient of social aid must repay an amount equal to the benefits or allowances that he should have received under an Act in force in Québec or under any other Act and that were withheld from him to repay an overpayment or as a penalty, up to the amount of the aid received during the period in which the benefits or allowances were so withheld.”

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

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

**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;”;

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

**“36.1** The Minister 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.

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.”

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

**“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.

However, the Minister may, with the authorization of the Government and on such conditions as it may determine, furnish information obtained under this Act to any department or body under the jurisdiction of the Gouvernement du Québec or another government.”

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

**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:

**“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.

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.”

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

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

**“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.

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

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

**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.”

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

“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).”

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