

FOURTH SESSION
THIRTY-FIRST LEGISLATURE

ASSEMBLÉE NATIONALE DU QUÉBEC

Bill 12

**An Act respecting income security for Cree hunters
and trappers who are beneficiaries under the Agreement
concerning James Bay and Northern Québec**

First reading
Second reading
Third reading

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Ministre des affaires sociales

L'ÉDITEUR OFFICIEL DU QUÉBEC

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EXPLANATORY NOTES

The object of this bill is to apply Section 30 of the James Bay and Northern Québec Agreement signed on 11 November 1975, which came into force, as a whole, on 31 October 1977.

This bill creates an income security programme providing Cree hunters and trappers with a guaranteed income and other measures to incite them to pursue harvesting activities as a way of life.

Benefits will be paid to eligible beneficiary units depending, among other conditions, on the time spent in traditional hunting, fishing and trapping and in related activities.

This bill also creates a body called the "Cree Hunters and Trappers Income Security Board".

The Board will be composed of six members; three of them will be appointed and remunerated by the Government and the three others by the Cree Regional Authority. The chairman and vice-chairman will be designated alternately by the Government and the Cree Regional Authority.

This body will be responsible for the management of the income security programme for Cree hunters and trappers.

Bill 12

An Act respecting income security for Cree hunters
and trappers who are beneficiaries under the Agreement
concerning James Bay and Northern Québec

HER MAJESTY, with the advice and consent of the Assemblée
nationale du Québec, enacts as follows:

CHAPTER I

INTERPRETATION

Inter-
pretation:
“harvest-
ing activi-
ties”;

1. In this act, unless the context indicates otherwise,

(a) “harvesting activities” or “harvesting” means the activities involved in the exercise of the right to harvest provided by the Act respecting hunting and fishing rights in the James Bay and New Québec territories (1978, chapter 92), excluding commercial fishing;

“related
activities”;

(b) “related activities” means men’s or women’s activities related to harvesting activities, including, in particular,

(i) the making or repairing of equipment used in hunting, fishing or trapping;

(ii) the preparation of food supplies, clothing, habitations, materials, equipment and land improvements necessary for harvesting activities;

(iii) the processing, transportation and marketing of the products of harvesting activities;

(iv) the domestic production of handicrafts from products of harvesting;

(v) remedial works and the protection and improvement of wildlife;

(vi) surveys or management of wildlife to assist harvesting activities;

(vii) transportation to and from bush camps and harvesting sites;

“activities for the development of the territory”; (c) “activities for the development of the territory” means activities attached to the traditional culture and way of life of the Natives which are connected with the management of the environment and the development of the resources of the territory, and with the maintenance of optimum biological productivity, or with training programmes within the activities referred to in the programme;

“local administrator”; (d) “local administrator” means the person appointed in accordance with section 30;

“local government”; (e) “local government” means any Cree village corporation incorporated by the Cree Villages Act (1978, chapter 88);

“Regional Authority”; (f) “Regional Authority” means the corporation incorporated as a public corporation by the Act respecting the Cree Regional Authority (1978, chapter 89);

“year”; (g) “year” means the period extending from 1 July to 30 June;

“beneficiary”; (h) “beneficiary” means a Cree beneficiary under the Act respecting Cree and Inuit Native persons (1978, chapter 97), as well as an Inuit beneficiary enrolled on the list of the Inuit beneficiaries of the Inuit community of Fort George, under the same act;

“head of a beneficiary unit”; (i) “head of a beneficiary unit” means the beneficiary who, taking into account established native customs, is considered to provide for the needs of his family, or who is an unattached individual, eighteen years old or over;

“consort”; (j) “consort” means a person who lives with another person, as husband and wife, taking into account established native customs;

“dependent child”; (k) “dependent child” means an unmarried beneficiary who is less than eighteen years of age and who, whatever his filiation and taking into account established native customs, is considered to be dependent, for the greater part of the year or while in the bush, upon the providing member of the family;

“settlement”; (l) “settlement” means a permanent collectivity of habitations continuously inhabited and used;

“family”; (m) “family” means the consorts, with or without dependent children, or a person, who is eighteen years old or over, with one or more dependent children, taking into account established native customs;

- “Minister”; (n) “Minister” means the Ministre des affaires sociales;
- “Board”; (o) “Board” means the Office de la sécurité du revenu des chasseurs et piégeurs cric constituted under section 15;
- “income security benefit”; (p) “income security benefit” means a benefit paid to a beneficiary under this act;
- “programme”; (q) “programme” means the Income Security Programme established under this act;
- “transfer payment programme”; (r) “transfer payment programme” means the programmes constituted by the Aged Persons Assistance Act (1965, 1st session, chapter 61), the Social Aid Act (1969, chapter 63), the Québec Family Allowances Act (1973, chapter 36) and by the following federal acts, namely: the Adult Occupational Training Act (Revised Statutes of Canada, 1970, chapter A-2), the Blind Persons Act (Revised Statutes of Canada, 1970, chapter B-7), the Disabled Persons Act (Revised Statutes of Canada, 1970, chapter D-6), the Vocational Rehabilitation of Disabled Persons Act (Revised Statutes of Canada, 1970, chapter V-7), the Canada Assistance Plan (Revised Statutes of Canada, 1970, chapter C-1), the Family Allowances Act, 1973, (Statutes of Canada, 1973-74, chapter 44), the Old Age Security Act (Revised Statutes of Canada, 1970, chapter O-6), the War Veterans Allowance Act (Revised Statutes of Canada, 1970, chapter W-5);
- “time spent in wage employment”; (s) “time spent in wage employment” means the number of days spent in work that is not a harvesting or related activity and for which a beneficiary receives wages;
- “territory”; (t) “territory” means the territory in which the beneficiaries may practise harvesting activities under the Act respecting hunting and fishing rights in the James Bay and New Québec territories (1978, chapter 92);
- “beneficiary unit”. (u) “beneficiary unit” means a beneficiary family or a beneficiary who is an unattached person eighteen years old or over.

CHAPTER II

INCOME SECURITY PROGRAMME

DIVISION I

GENERAL PROVISIONS

2. A programme is established. It is intended to provide a guaranteed income to beneficiaries, by way of payment of income security benefits. It includes measures intended to incite the beneficiaries to pursue harvesting activities as a way of life.

Entitle-
ment. **3.** Every beneficiary ordinarily resident in Québec is entitled to income security benefits provided he is eligible thereto in accordance with Division II.

Additional
benefits. **4.** Every beneficiary is entitled to receive, in addition to income security benefits, benefits paid under a transfer payment programme, under the Unemployment Insurance Act, 1971 (Statutes of Canada) or under the Act respecting work income supplement (1979, chapter *insert here the chapter number of Bill 1*), indemnities paid under the Workmen's Compensation Act (Revised Statutes, 1964, chapter 159), and pensions paid under the Québec Pension Plan (1965, 1st session, chapter 24) or any equivalent plan.

Exceptions. **5.** However, a beneficiary is not entitled to combine income security benefits with benefits paid under

(a) the Social Aid Act (1969, chapter 63);

(b) social assistance for Indians; or

(c) any other guaranteed annual income programme of general application in Québec.

Deductions. The benefits contemplated in subparagraphs *a* to *c* of the first paragraph shall therefore be deducted from any payment of income security benefits contemplated in this act and payable for the same period.

Election. However, a beneficiary may at any time elect to receive the benefits contemplated in the said subparagraphs *a* to *c*, rather than the income security benefits.

DIVISION II

CONDITIONS OF ELIGIBILITY

Conditions. **6.** A beneficiary unit is eligible to receive income security benefits if, during the year preceding the submission of the application contemplated in section 32,

(a) its head spent at least 120 days conducting harvesting and related activities of which at least 90 days were spent away from a settlement, and spent more time, during the same period, conducting harvesting and related activities than time in wage employment, without taking into account, in either case, time spent in guiding, outfitting or commercial fishing or the period of time in which he was in receipt of unemployment insurance, workmen's compensation or manpower training allowances;

(b) it derived the greater part of its earnings from harvesting and related activities, excluding earnings from guiding, outfitting or commercial fishing;

(c) it was eligible under paragraph *a* or *b* and one of its members was the victim of an accident while pursuing a harvesting or related activity, or suffered a disability, which resulted in such unit's not being eligible under paragraph *a* or *b*;

(d) it was eligible under paragraph *a* or *b* and one of its members was the victim of an accident during seasonal employment, which resulted in his becoming eligible for workmen's compensation and which also resulted in such unit's not being eligible under paragraph *a* or *b*;

(e) it was eligible under paragraph *a* or *b* and its head was forced to abandon or diminish his harvesting and related activities in order to allow animal populations to increase to a harvestable level, which resulted in such unit's not being eligible under paragraph *a* or *b*;

(f) it was eligible under paragraph *a* or *b* and its head was engaged in a manpower or self-improvement programme, which resulted in such unit's not being eligible under paragraph *a* or *b*;

(g) it was eligible under paragraph *a* or *b* and its head was engaged in temporary employment on a community improvement programme the object of which was to improve living conditions in the Cree community, financed by governmental programmes or by the resources of the Cree community, which resulted in such unit's not being eligible under paragraph *a* or *b*.

Equivalent
activities.

Furthermore, harvesting or related activities may be replaced, for the purposes of the eligibility of a beneficiary unit, by land development activities, to the extent and on the conditions determined by the Board, after a specific activity has been the subject of a decision of the Minister to the effect that it is a land development activity.

Years of
benefits.

7. The beneficiary unit contemplated in paragraphs *c* to *g* of section 6 is eligible and entitled to income security benefits during the current year and the subsequent year, even if one or more of its members receive the benefits contemplated in subparagraph *a*, *b* or *c* of section 5.

DIVISION III

CALCULATION OF INCOME SECURITY BENEFITS

Calcula-
tion.

8. Every eligible beneficiary unit shall receive each year an amount of money equal to the sum of

(a) the amount fixed under section 9, less the total amount of the old age security benefits payable to each member of the unit and 40% of all other income received by each member of the unit, and

(b) the amount fixed under section 11.

Guaranteed
basic
amount.

9. The guaranteed basic amount is equal to the sum of

(a) \$1 293 for the head of the beneficiary unit and \$1 293 for his consort;

(b) \$517 for each beneficiary family;

(c) \$517 for each beneficiary not living with his parents, grandparents or child; and

(d) \$517 for each dependent child.

“other
income”.

10. For the purposes of section 8, the expression “other income” means an amount equal to the sum of

(a) the income of the beneficiary unit from the sale of furs in excess of \$324 per adult being a member of the unit;

(b) the amounts received under section 11;

(c) the net income from harvesting or related activities, excluding the income contemplated in paragraph *a* and the net income from guiding, outfitting or commercial fishing;

(d) the net revenue from land development activities which have been the subject of a decision of the Minister pursuant to the second paragraph of section 6; and

(e) all other net income or any wages from all other sources, received by the members of the unit, except family allowances, old age security pensions and guaranteed income supplements, and social aid and social assistance payments for Indians.

“days
spent in
harvesting
and
related
activities”.

For the purposes of subparagraph *a* of section 6 and of section 11, “days spent in harvesting and related activities” means

(a) any day most of the daylight period of which was spent in harvesting and related activities;

(b) the day of departure and the day of return, in the case of a series of days spent away from a settlement in harvesting and related activities.

Excep-
tions.

11. Every beneficiary unit is entitled to receive an amount of \$15.27 per adult for every day spent in the bush in harvesting or related activities, and for every day during which the adult carries out land development activities which have been the subject of a decision of the Minister pursuant to the second paragraph of section 6, except

(a) days for which the unit head or his consort receives wages for such activities;

(b) days for which the unit head or his consort receives workmen's compensation, unemployment insurance or manpower training allowances; and

(c) days for which the unit head receives wages for a task other than harvesting or a related activity.

Maximum amount. However, the total amount receivable per year shall not exceed \$3 664.80 per adult.

DIVISION IV

PAYMENT OF BENEFITS

Payments. **12.** The Board shall distribute the payments to the heads of beneficiary units through the office of the local administrator.

Dates. The first payment, equal to one quarter of the estimated total annual payment, shall be made on or about 1 September, the next payment on or about 2 January, the third payment on or about 1 April and the fourth payment on or about 30 June. The balance shall be paid after the submission of the application contemplated in section 32, on the date determined by the Board.

Partial payment. However, where the head of the beneficiary unit intends to stay away from his settlement until 2 January, the payment to be made on 1 September shall be equal to half of the estimated total annual payment.

Reimbursement of overpayment. **13.** Where the head of the beneficiary unit has received an amount exceeding that payable for the year, the amount of the overpayment shall be reimbursed on 1 September of the year during which the subsequent application for income security benefits is submitted.

Suspension of payment. Failure to reimburse such amount of overpayment entails the suspension of entitlement to income security benefits until such amount is reimbursed.

Advance. **14.** The head of a beneficiary unit who intends to be absent from the community for a period of ten consecutive days or more, for the purpose of conducting harvesting or related activities or land development activities having been the subject of a decision of the Minister pursuant to the second paragraph of section 6 and who has not benefited under the provisions of the third paragraph of section 12, is entitled to receive from the local administrator an advance upon his next regular payment in the amount of \$100 per eligible adult in the beneficiary unit.

Payment of
unpaid
benefit.

Where the head of a beneficiary unit has not received a payment he is entitled to receive under section 12, the local administrator may himself pay it to him out of the funds contemplated in section 37.

Demand
for pay-
ment.

The head of a beneficiary unit may himself take the initiative of requiring the payment of the advance contemplated in the first paragraph or the payment contemplated in the second paragraph.

CHAPTER III

CREE HUNTERS AND TRAPPERS INCOME SECURITY BOARD

DIVISION I

CONSTITUTION

Constitu-
tion.

15. A body is established under the name, in French, of "Office de la sécurité du revenu des chasseurs et piégeurs cris"; it may also be designated under the name, in Cree, of "NDOO-WHO SHOO-YAN OU JEMAOCH" and under the name, in English, of "Cree Hunters and Trappers Income Security Board".

Powers of
a corpora-
tion.

16. The Board is a corporation within the meaning of the Civil Code; it has the general powers of such a corporation and such special powers as are assigned to it by this act.

Head
office.

17. The head office of the Board is in the city of Sainte-Foy. However, the Board may transfer it to any other place in Québec with the approval of the Government and of the Regional Authority; such a change comes into force upon publication of a notice to that effect in the *Gazette officielle du Québec*.

Sittings.

The office may hold its sittings at any place in Québec.

Immunity.

18. No member to the Board or other person in its employ may be prosecuted for an official act done in good faith in the performance of his duties.

Power of
investiga-
tion.

19. In the performance of its duties, the Board or any person it designates may investigate any matter within its jurisdiction.

Powers of
commis-
sioners.

For such purpose, the Board and the said person have the powers of commissioners appointed under the Public Inquiry Commission Act (Revised Statutes, 1964, chapter 11), except to impose imprisonment.

Offence. **20.** Every person who hinders an investigator contemplated in section 19 in the performance of his duties, misleads him or attempts to do so by means of concealment or false or untrue declarations, or refuses to comply with an order he may give, is guilty of an offence.

Certificate. Such investigator shall, if requested to do so, produce a certificate attesting his quality, signed by the chairman of the Board or a person authorized by the chairman for that purpose.

Composition. **21.** The Board is composed of six members.

Appointment of members. The Regional Authority shall appoint three members by a resolution filed at the head office of the Board.

Appointment of members. The Government shall appoint the three other members.

Notice. Notice of the appointments of the six members shall be published by the Minister in the *Gazette officielle du Québec* within thirty days following such appointments.

Appointing authority to fix salaries. The salary, additional salary, allowances and expenses of each member shall be fixed and paid by the authority that appointed him.

Members of the civil service. The members appointed by the Government among civil servants continue to be members of the civil service staff.

Chairman and vice-chairman. **22.** The Government and the Regional Authority shall designate, each year and alternately, a chairman and a vice-chairman among the members of the Board.

Notice. The Minister shall publish a notice of the appointments of the chairman and vice-chairman, within thirty days after their appointment, in the *Gazette officielle du Québec*.

Replacement. The vice-chairman shall replace the president if the latter is absent or unable to act.

Vacancies. **23.** Every vacancy shall be filled in the manner provided for the appointment of the member to be replaced. In the case of the chairman or vice-chairman, such new appointment is valid only for the remainder of the term.

Quorum. **24.** Four members, including two appointed by the Regional Authority and two by the Government, are a quorum of a meeting.

Decisions. The decisions of the Board are taken by the majority of votes. In case of a tie-vote, the chairman has a casting vote.

Disclosure. Every member of the Board who is an officer of a public or community body having a direct economic interest in the decision of the Board, shall declare such interest before voting.

Conflict of interest. **25.** No member of the Board may, on pain of forfeiture of office, have a direct or indirect interest in any undertaking putting his personal interest in conflict with that of the Board.

Exception. However, such forfeiture is not incurred if such interest devolves to him by succession or gift, provided that he renounces or disposes of it with all possible dispatch; nor is it incurred where the member or one of his relatives receives income security benefits.

Remuneration of the staff. **26.** The members of the staff of the Board shall be appointed and remunerated according to the Civil Service Act (1978, chapter 15).

Members not members of the civil service. Notwithstanding the first paragraph, the Board may appoint members to its staff who are not members of the civil service staff. The members of its staff shall be appointed and remunerated pursuant to the staff requirements, standards and scales fixed by regulation of the Board; such regulation shall be submitted to the approval of the Government.

DIVISION II

DUTIES OF THE BOARD

Duties. **27.** It is the duty of the Board to administer the Income Security Programme. For such purpose, it may, in particular,

(a) examine the complaints and demands resulting from the operations and the procedures of application of the programme or any other matter contemplated in this act;

(b) review the operation of the programme and the procedures established therefor, and participate, at the request of the Minister, in the evaluation of the results of the programme;

(c) consult the local administrators concerned in all matters respecting the operation of the programme with regard to the beneficiaries;

(d) prepare an estimate of the annual costs of the programme for each native settlement concerned, including an amount for each eligible beneficiary unit;

(e) prepare a budget for its own operation;

(f) recommend when and how revisions to the programme should be made;

(g) fulfil, in a native settlement, the duties contemplated in section 31, if there is no local administrator in such settlement;

(h) perform the other duties provided by this act.

By-laws.

28. The Board may make by-laws

(a) establishing the administrative procedures and the criteria necessary for the implementation of the programme;

(b) fixing the staff requirements, remuneration standards and scales and other conditions of employment of the employees of the Board who are not members of the civil service staff;

(c) determining the terms and conditions under which an application for benefits contemplated in section 32 may be accepted where it is submitted after 31 July;

(d) fixing, where necessary, the date of the indexation provided for in the first paragraph of section 46; or

(e) determining the rules of its internal management.

Coming into force.

The by-laws made under the first paragraph come into force on the day of their adoption.

Necessary information.

29. Notwithstanding any other act, the Board may obtain from a department or governmental body the necessary information concerning the sums of money that such department or governmental body pays, has paid or is authorized to pay to a person receiving income security benefits or to any other person who has applied to receive such benefits.

CHAPTER IV

LOCAL ADMINISTRATOR

Local administrator.

30. If a local government deems it appropriate, it shall ask the Board to appoint a local administrator. It shall then transmit to the Board the name of at least three persons it deems suitable for filling such office.

Appointment.

The Board shall then appoint a local administrator among such persons. The administrator shall be an employee of the Board. He shall perform his duties in the native settlement concerned and, for such purpose, the Board may establish an office in such settlement.

Duty.

31. It is the duty of the local administrator, under the authority and pursuant to the directions of the Board, to see to the proper operation of the programme and of the procedures provided by this act.

Duties.

For such purpose, he shall, in particular,

(a) prepare with the assistance of the local authority, the annual list of the beneficiaries eligible for the programme in the native settlement where he carries on his duties;

(b) keep records of all payments made to heads of beneficiary units and of the costs incurred in the administration of the programme;

(c) assist members of beneficiary units to prepare all the necessary documents to consider their eligibility and to apply for income security benefits, and provide them with all the information relevant to the programme;

(d) collect and preserve the documents respecting eligibility and income security benefits; and

(e) see to the distribution of payments to beneficiaries.

CHAPTER V

APPLICATION FOR BENEFITS

Applica-
tion for
benefits.

32. Notwithstanding section 7, every beneficiary wishing to receive income security benefits shall submit an application for income security benefits to the local administrator, if there is one in the settlement where he resides, or, if not, to the Board, between 1 and 31 July of each year, unless prevented from doing so by harvesting or related activities or land development activities having been the subject of a decision of the Minister pursuant to the second paragraph of section 6, training programmes, employment away from the settlement, sickness, accident or other similar circumstances.

Informa-
tion.

33. The application for benefits provided for in section 32 shall contain information concerning the year just ended and estimates for the year just commencing, and all other information considered necessary by the Board for the proper operation of the programme.

Form.

Such information and documents may be provided in the form appropriate to the circumstances, including diaries or affidavits.

List of
benefi-
ciaries.

34. Not later than 1 August, the local administrator shall transmit to the Board the list of the beneficiaries who have applied for income security benefits, together with the applications contemplated in section 32.

Estimated costs.

35. The Board shall examine the lists and applications and calculate the funds required by each local administrator for the application of the programme and his administrative costs for the current year. Futhermore, the Board shall take into account, in the estimated total costs, any surplus or deficit resulting from the operation of the programme and its administration during the preceding year.

Sums transmitted by the Minister.

36. The Board shall submit a request to the Minister for the sums necessary for the application of the programme and its administration, for the period determined by the Board. Within thirty days following the receipt of such request, the Minister shall transmit to the Board the sums necessary for the application of the programme and its administration.

Sums transmitted to the local administrator. Computation.

37. Not later than 31 August each year, the Board shall transmit to the local administrator the sums of money it deems necessary for the payments contemplated in section 14.

Such amounts shall be equal to at least one-quarter of the total amount paid to the beneficiary units of the settlement during the preceding year.

Money held in trust.

38. The money transferred by the Board to a local administrator shall be held in trust by the latter. The local administrator shall use it only to pay, in accordance with this act, the income security benefits to the heads of the beneficiary units and the administrative costs incurred for such purpose.

CHAPTER VI

REVIEW

Review.

39. If, for any reason not provided in section 6, a person considers that, having regard to the nature and objectives of the programme, he should be considered eligible and receive income security benefits, the Board may, at the request of such person, review the record and determine if the reason put forward by such person is consistent with the nature and objectives of the programme and decide that such person is to be considered eligible for the programme and may receive such benefits.

Application for review.

If the head of a beneficiary unit believes himself aggrieved because his beneficiary unit has been refused income security benefits, because he considers his beneficiary unit entitled to higher income security benefits or because the income security benefits of his beneficiary unit have been reduced, suspended or discontinued, he may appeal to the Board to review its decision.

Delay. An appeal for review is brought by an application in writing within sixty days after the complainant is notified of the decision he applies to have reviewed.

Content. The application for review must contain a brief account of the grounds invoked and must be sent to the Board.

Decision and notice. On receiving the application for review, the Board shall verify the facts and circumstances of the case, examine the grounds invoked and render its decision within thirty days of receiving the application for review. It shall immediately give notice in writing to the complainant of the decision rendered, the reasons on which it is based and his right to appeal in accordance with this act.

Appeal. **40.** Every person who is aggrieved owing to a decision rendered by the Board under section 39 may appeal to the Commission des affaires sociales in accordance with the Social Affairs Commission Act (1974, chapter 39).

CHAPTER VII

FINANCIAL PROVISIONS

Fiscal year. **41.** The fiscal year of the Board ends on 30 June each year.

Budget. **42.** The Board shall, within the three months preceding the end of its fiscal year, submit a budget for the following year to the Minister for approval.

Report. **43.** Not later than 30 November each year, the Board shall remit to the Minister and the Regional Authority a report of its activities for the preceding fiscal year.

Information. Such report shall also contain all the information regarding the programme that may be required by the Minister and the Regional Authority.

Tabling. The Minister shall table such report of the Board before the Assemblée nationale within 30 days after receiving it, if he receives it during a session; otherwise, he shall table it within 30 days after the opening of the next session or after resumption, as the case may be.

Additional information. **44.** The Board shall furnish the Minister with any other information he may require regarding its activities.

Audit.

45. The books and accounts of the Board shall be audited each year by the Auditor General and whenever ordered by the Government. The audit reports shall be attached to the annual report of the Board.

CHAPTER VIII

INDEXATION

Indexation.

46. The amounts mentioned in sections 9 and 11, and in paragraph *a* of section 10 shall be indexed annually, according to the increase in the cost of living in Québec, using the pension index provided in the Québec Pension Plan (1965, 1st session, chapter 24).

Date.

With regard to each year for which the amounts granted under the Social Aid Act (1969, chapter 63) are indexed, the indexation provided for by the first paragraph is made at the same time.

Choice of index.

If a separate index is established for the territory contemplated in section 2 of the Act respecting Cree and Inuit Native persons (1978, chapter 97), on a basis similar to that used in Québec on 11 November 1975, the Board may, by unanimous decision, choose such index for the future years.

CHAPTER IX

MISCELLANEOUS PROVISIONS

Offences and penalties.

47. Every person who

(*a*) contravenes any provision of this act or of the regulations,

(*b*) obtains or receives, in bad faith or fraudulently, income security benefits he is not entitled to, or

(*c*) knowingly helps or encourages another person to obtain or receive income security benefits he is not entitled to,

is liable, on summary proceedings, in addition to the costs, to a fine of not more than \$200 or to imprisonment not exceeding six months, or to both penalties at once.

Additional penalty.

Every person found guilty of an offence contemplated in subparagraph *b* or *c* is also liable to a fine not exceeding the amount obtained fraudulently or unlawfully.

Maximum
number of
days.

48. Notwithstanding any other provision of this act, the maximum total annual number of days for which all the beneficiaries are entitled to receive the amounts contemplated in section 11, is 286 000.

Computa-
tion.

Such days, up to 150 000, must be spent in harvesting or related activities. The other days may be spent in the same activities or in land development activities having been the subject of a decision of the Minister pursuant to the second paragraph of section 6.

1974, c. 39,
s. 20, am.

49. Section 20 of the Social Affairs Commission Act (1974, chapter 39), amended by section 44 of chapter 48, by section 4 of chapter 49, by section 17 of chapter 42, by section 53 of chapter 22 and by section 228 of chapter 68 of the statutes of 1977 and by section 106 of chapter 7 and by section 32 of chapter 16 of the statutes of 1978, is again amended by replacing paragraph *a* by the following paragraph:

“(a) the appeals brought under section 42 of the Social Aid Act (1969, chapter 63) and section 40 of the Act respecting income security for Cree hunters and trappers who are beneficiaries under the James Bay and Northern Québec Agreement (1979, chapter *insert here the chapter number of Bill 12*);”.

1969, c. 63,
ss. 48a,
48b, 48c,
replaced.

50. This act replaces sections 48a, 48b and 48c of the Social Aid Act (1969, chapter 63).

Succession.

51. The Cree Hunters and Trappers Income Security Board replaces the Cree Hunters, Fishermen and Trappers Income Security Board established by section 2 of the Regulation respecting the Cree Hunters, Fishermen and Trappers Income Security Board made under section 48a of the Social Aid Act by Order-in-council 2930, 1976, and, for such purpose, it acquires the rights of such body and assumes the obligations thereof.

Members
trans-
ferred to
new body.

52. The chairman, vice-chairman and the members of the Cree Hunters, Fishermen and Trappers Income Security Board established by section 2 of the Regulation contemplated in section 51 in office on (*insert here the date of the coming into force of Bill 12*), become respectively the chairman, vice-chairman and members of the Cree Hunters and Trappers Income Security Board.

Means of
identifica-
tion.

53. The Cree Hunters and Trappers Income Security Board is authorized to use, after (*insert here the date of the coming into force of Bill 12*) any document or means of identification already prepared in the name of the Cree Hunters, Fishermen and Trappers Income Security Board established by section

2 of the Regulation contemplated in section 51 until it is able to replace them by documents or means of identification prepared in the name of the Cree Hunters and Trappers Income Security Board.

Transfer
of appro-
priations.

54. The appropriations allocated to the Cree Hunters, Fishermen and Trappers Income Security Board established by section 2 of the Regulation contemplated in section 51 are transferred to the Cree Hunters and Trappers Income Security Board.

Pro-
gramme
replaced.

55. This programme replaces the programme established by the Regulation respecting social aid granted to Cree hunters, fishermen and trappers, beneficiaries of the Agreement concerning James Bay and Northern Québec made, under subparagraphs *a*, *b*, *e*, *o*, *r* and *v* of section 48 of the Social Aid Act, by Order-in-council 2934, 1976.

Transfer
of appro-
priations.

56. The appropriations allocated to the application of the Regulation contemplated in section 55 are transferred to the Cree Hunters and Trappers Income Security Board to permit the application of this act.

Reviews
continued.

57. The review of the records which is contemplated in subsection 1 of section 15 of the Regulation contemplated in section 55 is continued pursuant to the said Regulation.

Appeals.

58. Appeals brought before the Commission des affaires sociales under subsection 2 of section 15 of the Regulation contemplated in section 55 are continued pursuant to the said Regulation.

Sums
required.

||**59.** The sums required for the application of this act shall be paid out of the moneys granted each year for such purpose by the Legislature.||

Minister
responsible.

60. The Ministre des affaires sociales is responsible for the application of this act.

Coming
into force.

61. This act will come into force on the day to be fixed by proclamation of the Government.

graphes *a*, *b*, *e*, *o*, *r* et *v* de l'article 48 de la Loi de l'aide sociale, par l'arrêté en conseil 2934 de 1976.

Transfert
de crédits.

56. Les crédits affectés à l'application du Règlement visé dans l'article 55 sont transférés à l'Office de la sécurité du revenu des chasseurs et piégeurs criss pour permettre l'application de la présente loi.

Révisions
de
dossiers.

57. Les révisions de dossiers prévues par le paragraphe 1 de l'article 15 du Règlement visé dans l'article 55 se continuent suivant ledit Règlement.

Appels.

58. Les appels interjetés à la Commission des affaires sociales en vertu du paragraphe 2 de l'article 15 du Règlement visé dans l'article 55 se continuent suivant ledit Règlement.

Sommes
requises.

[[**59.** Les sommes requises pour l'application de la présente loi sont payées à même les deniers accordés annuellement à cette fin par la Législature.]]

Ministre
responsa-
ble.

60. Le ministre des affaires sociales est chargé de l'application de la présente loi.

Entrée en
vigueur.

61. La présente loi entrera en vigueur à la date qui sera fixée par proclamation du gouvernement.