

1990, chapter 37
**AN ACT TO AMEND THE ACT RESPECTING
FAMILY ASSISTANCE ALLOWANCES**

Bill 22

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

Introduced 18 December 1989

Passage in principle 13 March 1990

Passage 23 October 1990

Assented to 25 October 1990

Coming into force: 25 October 1990

Act amended:

Act respecting family assistance allowances (R.S.Q., chapter A-17)





CHAPTER 37

An Act to amend the Act respecting family assistance allowances

[Assented to 25 October 1990]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

c. A-17,
s. 4, am.

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.

c. A-17,
s. 7, am.

2. 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.

c. A-17,
ss. 8.1 and
8.2, added

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

Allowance
for second
child

“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.

Payment

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

Restriction

“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."

c. A-17,
s. 9, am.

4. Section 9 of the said Act is amended

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

Quarterly
allowance

"**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:

Quarterly
amount

"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."

c. A-17,
s. 10, am.

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

c. A-17,
s. 11, am.

6. 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.

c. A-17,
s. 25, am.

7. 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 for the payment of family assistance allowances and, in the case of allowances other than the allowance for handicapped children, the cases and the circumstances in which the payment thereof may be made in advance or deferred;"

(3) by adding the following paragraph:

Payments
by direct
deposit

“Notwithstanding the power conferred by subparagraph 7 of the first paragraph, the allowances provided for in sections 4 and 7 must be paid monthly if the person who is entitled to receive them requests that they be paid to him by direct deposit in an account held by him in a financial institution with which the Government has made an agreement providing for direct depositing.”

c. A-17,
s. 27.1, am.

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

Other
mandates

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

c. A-17,
s. 31,
replaced
Sums
required

9. 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

Quarterly
payment

10. 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.

Payment

11. The allowances provided for in sections 4 and 7 of the Act respecting family assistance allowances shall continue to be paid in the month following the month for which they are payable until the coming into force of the first regulation made by the Government under subparagraph 7 of the first paragraph of section 25 of the said Act.

Applica-
tion of
regulations

12. Regulations made before 30 June 1991 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.

Effect

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.

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

(1) section 3, subject to paragraph 1 of section 13;

(2) section 4, subject to paragraph 2 of section 13;

(3) section 6.

Effect Section 9 has effect, subject to paragraph 4 of section 13, from 1 January 1989.

Coming into
force **15.** This Act comes into force on 25 October 1990.