

Bill 51

**An Act mainly to improve the flexibility
of the parental insurance plan in order
to promote family-work balance**

Section 1

AMENDMENT:

Add after paragraph 3:

(4) by adding the following paragraph at the end:

“(4) welcome and support benefits relating to an adoption.”

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Section 5

AMENDMENT:

Insert after proposed section 10.1:

“10.1.1. Where only one parent is mentioned in the act of birth, except in cases of death referred to in section 17, five weeks of exclusive parental benefits shall be granted to that parent or, in the case of an election pursuant to section 18, three weeks.

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Section 5

AMENDMENT:

Insert after proposed section 10.1.1:

“10.1.2. Where each of the parents has received eight weeks of shareable parental benefits or, in the case of an election pursuant to section 18, six weeks, the number of weeks of shareable parental benefits is increased by four weeks or, in the case of an election, three weeks.

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Section 5

AMENDMENT:

Withdraw proposed section 10.2.

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Section 6

AMENDMENT:

In proposed section 11:

1. Replace “may begin before the child’s arrival, in the cases and according to the terms and conditions prescribed by regulation of the Conseil de gestion” in the third paragraph by “may begin five weeks before the week of the child’s arrival into the care of one of the parents for the purpose of the adoption”.
2. Replace “fixed under section 11.3” in the fourth paragraph by “provided for in the third paragraph”.

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Section 6

AMENDMENT:

Insert after proposed section 11.1:

“11.1.1. Where an adoptive parent welcomes a child for the purpose of an adoption, and that parent will be the only one mentioned in the birth certificate or the equivalent, except in cases of death referred to in section 17, five weeks of exclusive adoption benefits shall be granted to that parent or, in the case of an election pursuant to section 18, three weeks.

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Section 6

AMENDMENT:

Insert after proposed section 11.1.1:

“11.1.2. Where each of the parents has received eight weeks of shareable adoption benefits or, in the case of an election pursuant to section 18, six weeks, the number of weeks of shareable adoption benefits is increased by four weeks or, in the case of an election, three weeks.

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Section 6

AMENDMENT:

Withdraw proposed sections 11.2 and 11.3.

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Section 6.1

AMENDMENT:

Insert after section 6:

6.1. The Act is amended by inserting the following subdivision after section 12:

“§4.1—*Welcome and support benefits relating to an adoption*

“**12.1.** The number of weeks of welcome and support benefits relating to an adoption to which adoptive parents may be entitled is 13 weeks of shareable benefits or, in the case of an election pursuant to section 18, 12 weeks.

Payment may begin, at the earliest, the week of the child’s arrival into the care of one of the parents for the purpose of the adoption. It may not exceed the benefit period.

In the case of an adoption outside Québec, the benefit period may begin five weeks before the week of the child’s arrival into the care of one of the parents for the purpose of the adoption.”

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Section 10

AMENDMENT:

Insert "and the weeks of welcome and support benefits relating to an adoption"
after "shareable parental or adoption benefits" in subparagraph *a* of paragraph 1.

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Section 11

AMENDMENT:

Insert “and of the welcome and support benefits relating to an adoption” after “shareable adoption benefits” in the paragraph proposed by paragraph 3.

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Section 13

AMENDMENT:

Replace subparagraphs 1 and 2 of the first paragraph of proposed section 18 by:

(1) 70% for the weeks of maternity and paternity benefits, the first seven weeks of shareable parental benefits provided for in section 10, the weeks of exclusive parental benefits for each parent provided for in section 10.1 and the weeks of shareable parental benefits added under the first paragraph of section 17;

(2) 70% for the weeks of exclusive adoption benefits for each parent, the first seven weeks of shareable adoption benefits provided for in section 11, the weeks of exclusive adoption benefits for each parent provided for in section 11.1 and the weeks of shareable adoption benefits added under the first paragraph of section 17;

(2.1) 70% for the weeks of exclusive parental or adoption benefits provided for in sections 10.1.1 and 11.1.1;

(2.2) 70% for the weeks of welcome and support benefits relating to an adoption provided for in section 12.1;

(2.3) 55% for the additional weeks of shareable parental or adoption benefits provided for in sections 10.1.2 and 11.1.2; and

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Section 15

AMENDMENT:

Replace by:

15. Section 21 of the Act is amended by inserting “, subject to exceptions for the benefit of recipients prescribed by regulation of the Conseil de gestion” at the end of the first sentence of the second paragraph.

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Section 17

AMENDMENT:

Replace “sections 7, 8, 9, 10 and 11” in paragraph 2 by “sections 7 to 12.1”.

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Section 21

AMENDMENT:

In proposed section 88.0.1:

1. Replace “The Conseil de gestion may,” at the beginning of the first paragraph by “At the Minister’s request, the Conseil du gestion must,”.
2. Replace “conditions governing the application of the plan” in the introductory clause of the second paragraph by “of the plan’s conditions or eligibility requirements”.
3. Strike out “, excluding eligibility requirements” in the third paragraph.

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Section 27

AMENDMENT:

Insert after section 27:

27.1. Section 81.10 of the Act is amended by replacing “52” by “65”.

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Section 30

AMENDMENT:

Withdraw.

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Section 31

AMENDMENT:

Replace by:

31. Section 41 of the Regulation under the Act respecting parental insurance (chapter A-29.011, r. 2) is replaced by the following section:

“**41.** In respect of a week of benefits, the sum of the weekly benefits payable and of the earnings to which the recipient is entitled, once allocated as set out in section 43.1, must not exceed the recipient’s average weekly earnings. If that sum exceeds the recipient’s average weekly earnings, the excess amount is deducted from the weekly benefits payable.”

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Section 33.1

AMENDMENT:

Insert after section 33:

33.1. The Minister must, not later than 1 January 2026, report to the Government on the implementation of this Act.

The report must be tabled by the Minister in the National Assembly within the next 30 days or, if the Assembly is not sitting, within 30 days of resumption. The competent committee of the National Assembly examines the report.

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Section 32

AMENDMENT:

Replace by:

32. Paragraph 4 of section 1, section 6.1 and, to the extent that they concern welcome and support benefits relating to an adoption, subparagraph *a* of paragraph 1 of section 10, sections 11 and 13 and paragraph 2 of section 17 apply only with regard to the adoption of a child whose arrival into the care of one of the parents for the purpose of the adoption occurs on or after 1 December 2020.

Paragraphs 2 and 3 of section 1, sections 3 and 4, section 5, to the extent that it enacts sections 10, 10.1 and 10.1.2 of the Act respecting parental insurance, section 6, to the extent that it enacts sections 11, 11.1 and 11.1.2 of that Act, paragraph 2 of section 9, subparagraph *a* of paragraph 1 of section 10, except to the extent that it concerns welcome and support benefits relating to an adoption, section 11, except to extent that it concerns such benefits, section 13, except to the extent that it enacts subparagraphs 1 and 2, with regard to the weeks of shareable parental or adoption benefits added under the first paragraph of section 17 of that Act, and subparagraphs 2.1 and 2.2 of the first paragraph of section 18 of that Act, section 16, paragraph 2 of section 17, except to the extent that it concerns welcome and support benefits relating to an adoption, and sections 25 to 28 apply only with regard to a birth occurring on or after 1 January 2021 or to the adoption of a child whose arrival into the care of one of the parents for the purpose of the adoption occurs on or after that date.

Section 5, to the extent that it enacts section 10.1.1 of that Act, section 6, to the extent that it enacts section 11.1.1 of that Act, and section 13, to the extent that it enacts subparagraph 2.1 of the first paragraph of section 18 of that Act, apply only with regard to a birth occurring on or after 1 January 2022 or to the adoption of a child whose arrival into the care of one of the parents for the purpose of the adoption occurs on or after that date.

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