



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 12

**An Act to again amend the Act
respecting financial assistance
for education expenses**

Introduction

**Introduced by
Mr François Legault
Minister of Education**

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EXPLANATORY NOTES

This bill amends the Act respecting financial assistance for education expenses to grant to the Government the power to prescribe that a person who has completed the number of trimesters and accumulated the number of credits determined by regulation, in the same university course of study, is not deemed to receive a contribution from his or her parents or sponsor.

The bill also grants the Government the power to extend the period of eligibility for a bursary according to a person's family situation. The bill establishes rules for the computation of the amount of the bursary that may be paid in that case.

Lastly, the bill provides that a person who, without being entitled to it, has received financial assistance in the form of a bursary, as a result of an administrative error of which the person could not reasonably have been aware, is not required to reimburse the amount to which he or she was not entitled.

Bill 12

AN ACT TO AGAIN AMEND THE ACT RESPECTING FINANCIAL ASSISTANCE FOR EDUCATION EXPENSES

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 4 of the Act respecting financial assistance for education expenses (R.S.Q., chapter A-13.3), amended by section 191 of chapter 54 of the statutes of 1993 and by section 73 of chapter 2 of the statutes of 1994, is again amended by inserting the following subparagraph after subparagraph 5 of the first paragraph :

“(5.1) he has completed the number of trimesters and accumulated the number of credits determined by regulation, in the cases and on the conditions provided for therein, in the same university course of study ;”.

2. Section 21 of the said Act is amended by inserting the following paragraph after the first paragraph :

“However, where the eligibility period is extended, the amount of the bursary shall be computed by adding the amounts allocated, for the categories of allowable expenses determined by regulation, up to the amount obtained under the first paragraph.”

3. Section 42 of the said Act is amended by inserting the following paragraph after the first paragraph :

“However, any person who, without being entitled to it, has received financial assistance in the form of a bursary as a result of an administrative error of which he could not reasonably have been aware, is not required to reimburse the amount to which he was not entitled.”

4. Section 44 of the said Act is amended

(1) by striking out the second sentence of the second paragraph ;

(2) by inserting the following paragraph after the second paragraph :

“In addition, where the Minister grants financial assistance under the first paragraph to a person who is no longer within the period of eligibility for a loan or a bursary, the financial assistance granted in the form of a bursary shall not exceed the amount established under the second paragraph of section 21.

Where such assistance is granted to a person who benefits from an extension of the period of eligibility for a bursary, the financial assistance shall be granted only in the form of a loan.”

5. Section 57 of the said Act is amended in the first paragraph

(1) by inserting the following subparagraph after subparagraph 3 of the first paragraph:

“(3.1) determine, for the purposes of subparagraph 5.1 of the first paragraph of section 4, the number of trimesters that a student must have completed and the number of credits that he must have accumulated in the same university course of study and determine in which cases and subject to what conditions he is not then deemed to receive a contribution from his parents or his sponsor;”;

(2) by adding the words “and provide for the duration of the extension of the period of eligibility for a bursary according to the family situation of the student” at the end of subparagraph 5 of the first paragraph;

(3) by inserting the following subparagraph after subparagraph 7 of the first paragraph:

“(7.1) determine the categories of allowable expenses that must be taken into account for the purpose of computing the amount of financial assistance which may be paid if the period of eligibility for a bursary is extended;”.

6. Section 3 applies only in respect of an amount received for the year of allocation 2001-2002 or for a subsequent year of allocation.

7. The first regulation made under the provisions of subparagraphs 3.1, 5 and 7.1 of the first paragraph of section 57 of the Act respecting financial assistance for education expenses enacted by section 5 of this Act may, if it so provides, have effect from 1 May 2001.

8. Sections 1, 2, 4 and 5 of this Act have effect from 1 May 2001.

9. This Act comes into force on (*insert here the date of assent to this Act*).