



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-EIGHTH LEGISLATURE

Bill 394

**An Act to exclude child support payments
from income calculation under various
social laws**

Introduction

**Introduced by
Madam Lisette Lapointe
Member for Crémazie**

**Québec Official Publisher
2008**

EXPLANATORY NOTES

The purpose of this bill is to provide that, for the purposes of various social laws, namely the Individual and Family Assistance Act, the Act respecting financial assistance for education expenses, the Legal Aid Act and the Act respecting the Société d'habitation du Québec, child support payments are not part of the income of the individuals who receive them.

LEGISLATION AMENDED BY THIS BILL:

- Individual and Family Assistance Act (R.S.Q., chapter A-13.1.1);
- Act respecting financial assistance for education expenses (R.S.Q., chapter A-13.3);
- Legal Aid Act (R.S.Q., chapter A-14);
- Act respecting the Société d'habitation du Québec (R.S.Q., chapter S-8).

Bill 394

AN ACT TO EXCLUDE CHILD SUPPORT PAYMENTS FROM INCOME CALCULATION UNDER VARIOUS SOCIAL LAWS

AS under the Taxation Act (R.S.Q., chapter I-3), child support payments are not included in the income of the individuals who receive them;

AS it is expedient that other laws of Québec specify that child support payments are not part of the income of the individuals who receive them;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 55 of the Individual and Family Assistance Act (R.S.Q., chapter A-13.1.1) is amended by adding the following paragraph at the end:

“Child support payments are not taken into account for the purpose of establishing the benefit granted an independent adult or a family.”

2. Section 5 of the Act respecting financial assistance for education expenses (R.S.Q., chapter A-13.3) is amended by inserting the following paragraph after the first paragraph:

“Child support payments are not included in the student’s income for the purpose of establishing the student’s contribution for the loans and bursaries program.”

3. The Legal Aid Act (R.S.Q., chapter A-14) is amended by inserting the following section after section 4.2:

“4.2.1. Child support payments are not included in income calculated for the purpose of determining financial eligibility for legal aid.”

4. Section 3.1 of the Act respecting the Société d’habitation du Québec (R.S.Q., chapter S-8) is amended by inserting the following paragraph after the second paragraph:

“In all cases where the income of a person is taken into account for the carrying out or administration of a program of the Société, child support payments must not be included in the person’s income.”

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

