

## For additional information

You can contact your CLE assistance (for information about amounts withheld from financial assistance payments). You can also contact the Ministère's Centre de recouvrement or Bureau des renseignements et plaintes at the following numbers:

### Centre de recouvrement

If you live in the Québec area  
**418-643-7131**

Elsewhere in Québec, toll-free  
**1-800-463-5644**

[www.mess.gouv.qc.ca/centre-de-recouvrement](http://www.mess.gouv.qc.ca/centre-de-recouvrement)

### Bureau des renseignements et plaintes

**1-888-643-4721** (toll-free)

[www.mess.gouv.qc.ca/services-a-la-clientele/bureau-des-enseignements](http://www.mess.gouv.qc.ca/services-a-la-clientele/bureau-des-enseignements)

## Disclaimer

This general information folder may not be used for legal interpretation purposes and does not replace the applicable legislative provisions. The information was valid in July 2011.

# REPAYMENT OF AN AMOUNT CLAIMED

BY THE MINISTÈRE DE L'EMPLOI  
ET DE LA SOLIDARITÉ SOCIALE

## Repayment: A matter of fairness

The Ministère de l'Emploi et de la Solidarité sociale must ensure that the right persons or the right families receive financial assistance, and that the assistance they receive corresponds with their situation. The activities carried out for this purpose respect the principle of sound management of public funds and equity among all persons.

## When do I have to repay the amount claimed?

- You can repay the claim in full on receiving the claim notice.
- You **are obliged to repay the claim** when the deadline has expired for seeking RECOURSE IF YOU DISAGREE WITH A CLAIM<sup>1</sup>. (You will receive a document called a *Claim Certificate*.)

Note that the Claim Certificate enables the Ministère to use the means provided by regulation to recover amounts and claim interest and recovery charges, as explained in this folder.

1. For information about possible recourse if you disagree with a claim, see the folder entitled *How to Avoid having to Repay an Amount to the Ministère de l'Emploi et de la Solidarité sociale*, available at CLÉs.

- When you receive awaited amounts from a government body (CSST, RRQ, SAAQ, etc.) or other organization (an insurance company, for example) after receiving financial assistance from the Ministère pending receipt of these awaited amounts, you **are obliged to repay the amounts immediately and in full**.

Note that when a person fails to declare that they are waiting to receive such a payment, and the payment should have been issued to the Ministère, the Ministère can seize the amount, as well as anything purchased with it.

## How does repayment occur?

### If you are receiving financial assistance from the Ministère:

- An amount will be withheld from the amount to which you are entitled. For details about the amounts withheld, see Table 1. **Withholdings are made monthly** if you receive Employment-Assistance benefits (social assistance) or **every two weeks** if you receive an Emploi-Québec allowance.
- If you receive more than one financial-assistance amount among the two indicated above, only one will be subject to withholding.

## If you are not receiving financial assistance from the Ministère or are entitled only to a claim slip:

- Your monthly payment must be high enough to cover repayment in 36 months at most. The monthly payment cannot be less than the amount withheld from employment assistance (social assistance).
- If you cannot afford your mandatory monthly payment, contact the Centre de recouvrement at the number or address indicated on your *Claim Notice*.

Note that any agreement reached and respected is better than legal action and prevents costly recovery charges from being applied. If the claim does not involve misrepresentation and the agreement is respected, no interest is charged.

## Amounts withheld

	Employment Assistance <sup>1</sup> (per month)	Emploi-Québec allowance (every two weeks)
For misrepresentation	\$112	\$52
For more than one instance of misrepresentation	\$224	\$104
Special cases <sup>2</sup>	\$22	Does not apply
For all other cases	\$56	\$26

1. Amounts withheld cannot exceed half the amount of the employment-assistance benefit to which you are entitled.
2. When the person who must repay a claim is an independent adult in a shelter or foster home, the spouse of a student, an adult required to live in an establishment with a view to his or her reintegration into society, or a sheltered minor with a dependent child.

## Method of repayment

In addition to cash payments, postal money orders, bank money orders or personal cheques, you can also pay as follows:

### Electronic payment

By using the services offered by the **Banque Nationale** or by **Caisses Desjardins**. These financial institutions can inform you about how to make your payment, whether at the counter, the automatic teller, by touch-tone telephone, or by Internet.

### Preauthorized withdrawals

Preauthorized withdrawals are efficient and safe. You will avoid the trouble of writing cheques and the risk of late payment, and you can choose the date you want the amount to be withdrawn from your account.

The necessary form can be obtained from your recovery officer, on the Centre de recouvrement website, or on the back of the folder entitled *Repayment by Preauthorized Withdrawal*, available at your CLE.

## Other ways of recovering a claim

The Ministère can also recover the amounts being claimed from a person as follows.

### Amounts withheld by Revenu Québec

Whether or not you receive financial assistance from the Ministère, any amounts paid to you by Revenu Québec (tax refunds or solidarity tax credit payments) can be withheld to repay the amounts being claimed from you by the Ministère and any charges added to your debt.

### Legal measures

If you do not comply with the prescribed rules of repayment, the Ministère is empowered to use the following legal recourse:

- legal hypothec;
- salary seizure;
- seizure of bank accounts and financial investments;
- seizure of moveables and immoveables.

## Interest charges

Where applicable, interest is charged as indicated in the following table, starting the 98th day after the date indicated in the claim notice.

	You are receiving financial assistance	You are not receiving financial assistance
The claim involves misrepresentation	Interest until repaid in full	Interest until repaid in full
In other cases	No interest	No interest provided there is compliance with a payment agreement.

Note that persons who are entitled to an Employment-Assistance Program claim slip (drug card) only are considered as not receiving financial assistance.

## Other recovery charges

The following charges can be added to your debt:

### Administrative fees

- \$100 for a claim of \$100 or more in a case involving misrepresentation.
- \$35 for any repayment cheque refused and returned by your financial institution.
- \$50 when the Ministère must file a claim certificate with the Court in order to protect its claim or have legal action taken.
- \$175 when the Ministère must take legal action.

### Legal fees

All legal fees (court costs, bailiff, etc.) incurred by the Ministère in taking legal action.

## Keeping track of your account

The Ministère will send you a statement of account every two months to help you keep track of the amount you have repaid and any interest, administrative fees or legal fees added to your debt.

To ensure that your statement of account is sent promptly, you must inform the Ministère of any change of address as soon as possible.