



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 22
(1999, chapter 73)

**An Act to amend various legislative
provisions concerning the pension plans
in the public and parapublic sectors**

**Introduced 3 November 1999
Passage in principle 10 November 1999
Passage 15 December 1999
Assented to 16 December 1999**

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EXPLANATORY NOTES

This bill amends various legislative provisions concerning pension plans in the public and parapublic sectors.

The bill provides for the adjustment, following an actuarial valuation, of the pension credits determined in respect of employees when they cease to be members of certain pension plans to become members of the Government and Public Employees Retirement Plan.

The bill modifies certain time limits in the Act respecting the Government and Public Employees Retirement Plan. For instance, the period of time within which prior service can be purchased by employees, within which a decision must be rendered by an arbitrator, or within which the amount of a pension must be reviewed by the Commission administrative des régimes de retraite et d'assurances is extended.

The bill authorizes the Government to broaden, by regulation, the powers of the committees of employer and employee representatives set up to monitor the temporary measures applicable in the context of the voluntary retirement program.

The bill provides that new bodies will be subject to the Government and Public Employees Retirement Plan. It contains other clarifications relating to the administration of the main pension plans administered by the Commission administrative des régimes de retraite et d'assurances.

LEGISLATION AMENDED BY THIS BILL :

- Act respecting the Pension Plan of Certain Teachers (R.S.Q., chapter R-9.1);
- Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., chapter R-9.2);
- Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10);
- Act respecting the Teachers Pension Plan (R.S.Q., chapter R-11);

- Act respecting the Civil Service Superannuation Plan (R.S.Q., chapter R-12);
- Act to amend various legislative provisions concerning retirement (1997, chapter 71).

Bill 22

AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS CONCERNING THE PENSION PLANS IN THE PUBLIC AND PARAPUBLIC SECTORS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

ACT RESPECTING THE PENSION PLAN OF CERTAIN TEACHERS

1. Section 31 of the Act respecting the Pension Plan of Certain Teachers (R.S.Q., chapter R-9.1) is amended by inserting “pertaining to the month of death” after “credit” in the fourth line.

ACT RESPECTING THE PENSION PLAN OF PEACE OFFICERS IN CORRECTIONAL SERVICES

2. Section 55 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., chapter R-9.2) is amended by inserting “pertaining to the month of death that” after “pension” in the third line.

ACT RESPECTING THE GOVERNMENT AND PUBLIC EMPLOYEES RETIREMENT PLAN

3. Section 42 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10) is amended by inserting “pertaining to the month of death that” after “pension” in the third line.

4. Section 84 of the said Act is amended by inserting “pertaining to the month of death that” after “pension” in the third line of the second paragraph.

5. Section 86 of the said Act is amended by replacing “1998” in the fourth line of subparagraph 2 of the first paragraph by “2000”.

6. Section 87 of the said Act is amended by replacing “1998” in the second line by “2000”.

7. Section 91 of the said Act is amended by inserting “pertaining to the month of death that” after “credit” in the third line of the second paragraph.

8. The said Act is amended by inserting the following section after section 107 :

“107.1. The Government may, by regulation, increase the pension credits credited under section 101 where the actuarial valuation of the pension credits determines a surplus. The Government shall determine the portion of the surplus to be applied to the increase.

The increase may vary according to the nature of the pension credits and the supplemental pension plan under which they have been credited. The Government shall determine the date from which the increase is granted.”

9. Section 134 of the said Act is amended by inserting the following subparagraph after subparagraph 13 of the first paragraph :

“(13.1) determine, for the purposes of sections 107.1 and 158.0.1, the increase in pension credits according to their nature and the pension plan under which they have been credited and the date from which the increase is granted;”.

10. Section 147.0.1 of the said Act is amended

(1) by inserting “or a deferred pension the payment of which began after 31 December 1994” after “1992” in the second line of the first paragraph ;

(2) by replacing “the pension became payable” in subparagraph 1 of the first paragraph by “participation in the pension plan ceased”.

11. Section 147.0.2 of the said Act is repealed.

12. The said Act is amended by inserting the following section after section 158 :

“158.0.1. Where a transfer agreement grants pension credits, the pension credits may be increased if the actuarial valuation of those pension credits determines a surplus.

Section 107.1 applies to the increase, with the necessary modifications.”

13. Section 184 of the said Act is amended by replacing “30” in the second line by “90”.

14. Schedule I to the said Act, amended by Orders in Council 730-98 dated 3 June 1998, 764-98 dated 10 June 1998, 1155-98 dated 9 September 1998, 1524-98 dated 16 December 1998, 231-99 dated 24 March 1999, 467-99 dated 28 April 1999, 633-99 dated 9 June 1999 and 902-99 dated 11 August 1999 and by section 61 of chapter 17 of the statutes of 1998, section 48 of chapter 42 of the statutes of 1998, section 53 of chapter 44 of the statutes of 1998, section 54 of chapter 11 of the statutes of 1999 and section 54 of chapter 34 of the statutes of 1999, is again amended by inserting the following, in alphabetical order, in paragraph 1 :

(1) “Hôpital Marie-Clarac des Sœurs de charité de Ste-Marie (1995) Inc.”;

(2) “La Maison des Futailles, S.E.C., as regards employees who, immediately before being hired, held employment with the Société des alcools du Québec”;

(3) “Québec-Transplant”.

ACT RESPECTING THE TEACHERS PENSION PLAN

15. Section 43 of the Act respecting the Teachers Pension Plan (R.S.Q., chapter R-11) is amended by inserting “pertaining to the month of death that” after “pension” in the third line.

ACT RESPECTING THE CIVIL SERVICE SUPERANNUATION PLAN

16. Section 75 of the Act respecting the Civil Service Superannuation Plan (R.S.Q., chapter R-12) is amended by inserting “pertaining to the month of death that” after “pension” in the third line.

ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS CONCERNING RETIREMENT

17. Section 37 of the Act to amend various legislative provisions concerning retirement (1997, chapter 71) is amended

(1) by inserting the following paragraph after the first paragraph:

“The Government may, by regulation, determine the powers that may be exercised by the committees concerning the application of the measures referred to in the preceding paragraph insofar as such powers can be exercised to grant to a person advantages that the law would not otherwise have granted to the person. The regulation may have effect only from a date subsequent to 21 March 1997.”;

(2) by replacing “first paragraph” in the first line of the second paragraph by “first and second paragraphs”.

TRANSITIONAL AND FINAL PROVISIONS

18. The listing of the Syndicat des enseignants et des enseignantes du CEGEP Limoilou in Schedule I to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10) has effect since 1 October 1981.

19. Where section 10 of this Act would, in respect of a situation in progress, operate to extend the time allowed the Commission administrative des régimes de retraite et d’assurances to revise the amount of a pension under sections 147.0.1 and 147.0.2 of the Act respecting the Government and Public Employees Retirement Plan, the former time limit applies.

20. Section 5 has effect from 1 January 1998.
21. Section 6 has effect from 1 July 1998.
22. Paragraphs 1, 2 and 3 of section 14 have effect from 1 April 1997, 31 May 1999 and 1 January 2000, respectively.
23. Section 17 has effect from 22 March 1997.
24. This Act comes into force on 16 December 1999.