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# NATIONAL ASSEMBLY OF QUÉBEC

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FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 77  
(2024, chapter 33)

**An Act amending mainly Acts  
establishing public sector  
pension plans**

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**Introduced 9 October 2024  
Passed in principle 22 October 2024  
Passed 6 November 2024  
Assented to 7 November 2024**

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**Québec Official Publisher  
2024**

## **EXPLANATORY NOTES**

*This Act amends the Act respecting the Pension Plan of Certain Teachers and the Act respecting the Government and Public Employees Retirement Plan to allow an employee to participate in the pension plan until 30 December of the year in which the employee attains 71 years of age.*

*The Act also amends the Act respecting the Government and Public Employees Retirement Plan to allow the extension of progressive retirement agreements.*

*The Act preserves the principle of parliamentary sovereignty by renewing the override provisions set out in the Act respecting the Pension Plan of Certain Teachers, the Act respecting the Government and Public Employees Retirement Plan, the Act respecting the Teachers Pension Plan, the Act respecting the Civil Service Superannuation Plan and the Act respecting the Pension Plan of Management Personnel.*

*The Act specifies that an enhancement of benefits related to pension credits that were obtained under the Government and Public Employees Retirement Plan is applicable in respect of pension credits related to a former membership in a supplemental pension plan.*

## **LEGISLATION AMENDED BY THIS ACT:**

- Act respecting the Pension Plan of Certain Teachers (chapter R-9.1);
- Act respecting the Government and Public Employees Retirement Plan (chapter R-10);
- Act respecting the Teachers Pension Plan (chapter R-11);
- Act respecting the Civil Service Superannuation Plan (chapter R-12);
- Act respecting the Pension Plan of Management Personnel (chapter R-12.1);
- Act respecting Retraite Québec (chapter R-26.3);

– Act amending mainly certain Acts establishing public sector pension plans (2023, chapter 6).



## Bill 77

### AN ACT AMENDING MAINLY ACTS ESTABLISHING PUBLIC SECTOR PENSION PLANS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### ACT RESPECTING THE PENSION PLAN OF CERTAIN TEACHERS

- 1.** Sections 4.1, 19, 24, 28 and 59 of the Act respecting the Pension Plan of Certain Teachers (chapter R-9.1) are amended by replacing all occurrences of “69” by “71”.
- 2.** The second paragraph of section 62 of the Act is again enacted and therefore reads as follows:

“The provisions of this Act have effect despite section 15 of the Constitution Act, 1982 (Schedule B to the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom).”

#### ACT RESPECTING THE GOVERNMENT AND PUBLIC EMPLOYEES RETIREMENT PLAN

- 3.** Sections 4, 5, 39, 40, 60 and 73 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) are amended by replacing all occurrences of “69” by “71”.
- 4.** Section 85.5.1 of the Act is amended by replacing “even where this causes the period to exceed five years” in the third paragraph by “despite reaching its maximum period”.
- 5.** The Act is amended by inserting the following section after section 85.5.1:

**“85.5.1.1.** A person who has entered into an agreement referred to in section 85.5.1 may, if provided for in the person’s conditions of employment, agree with their employer to extend the agreement. Each extension must be agreed on in writing more than six months before the date fixed for the end of the agreement and be for a period of one to five years. The date agreed on for the end of the agreement may not be more than seven years after the date of the beginning of the agreement.

The second paragraph of section 85.5.1 does not apply in respect of the extension of an agreement.”

**6.** Section 89 of the Act is amended by inserting “109,” after “104,” in the first paragraph.

**7.** Section 128 of the Act is amended by inserting “109,” after “104,”.

**8.** Section 131.2 of the Act is amended by inserting “109,” after “104,”.

**9.** Section 165 of the Act is amended by inserting “109,” after “104,” in subparagraph 3.1 of the first paragraph.

**10.** Section 216 of the Act is amended by replacing “69” in the second paragraph by “71”.

**11.** The second paragraph of section 223.1 of the Act is again enacted and therefore reads as follows:

“They have effect despite section 15 of the Constitution Act, 1982 (Schedule B to the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom).”

#### ACT RESPECTING THE TEACHERS PENSION PLAN

**12.** The second paragraph of section 78.1 of the Act respecting the Teachers Pension Plan (chapter R-11) is again enacted and therefore reads as follows:

“Sections 28, 32 and 51 have effect despite section 15 of the Constitution Act, 1982 (Schedule B to the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom).”

#### ACT RESPECTING THE CIVIL SERVICE SUPERANNUATION PLAN

**13.** The second paragraph of section 114.1 of the Act respecting the Civil Service Superannuation Plan (chapter R-12) is again enacted and therefore reads as follows:

“Sections 56 and 84 have effect despite section 15 of the Constitution Act, 1982 (Schedule B to the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom).”

## ACT RESPECTING THE PENSION PLAN OF MANAGEMENT PERSONNEL

**14.** The second paragraph of section 211 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) is again enacted and therefore reads as follows:

“They have effect despite section 15 of the Constitution Act, 1982 (Schedule B to the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom).”

## ACT RESPECTING RETRAITE QUÉBEC

**15.** Section 58 of the Act respecting Retraite Québec (chapter R-26.3) is amended by inserting “109,” after “104,” in the third paragraph.

## ACT AMENDING MAINLY CERTAIN ACTS ESTABLISHING PUBLIC SECTOR PENSION PLANS

**16.** Section 18 of the Act amending mainly certain Acts establishing public sector pension plans (2023, chapter 6) is amended by inserting “109,” after “104,” in the first and third paragraphs.

**17.** Section 21 of the Act is amended by inserting “109,” after “104,”.

**18.** Section 24 of the Act is amended by inserting “109,” after “104,”.

## TRANSITIONAL AND FINAL PROVISIONS

**19.** Progressive retirement agreements that are ongoing on 30 June 2024 and for which the end date is before 31 March 2025 may be extended before their end date even if the six-month period provided for in the first paragraph of section 85.5.1.1 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10), enacted by section 5 of this Act, is not complied with.

**20.** The provisions of this Act come into force on 1 January 2025, except

- (1) those of sections 4, 5 and 19, which have effect from 30 June 2024;
- (2) those of sections 6, 8, 15 and 17, which have effect from 1 January 2024; and
- (3) those of sections 7, 9, 16 and 18, which have effect from 6 April 2023.

