

Bill 163

**An Act respecting the implementation
of recommendations of the pension
committee of certain public sector
pension plans and amending various
legislative provisions**

Section 24

*C. Paquette
adopte*

AMENDMENT:

Insert "or by any higher authority" after "Title III" in proposed section 115.10.7.4.

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Section 27

*adopté
C. Payette*

AMENDMENT:

Insert after the introductory clause:

(0.1) by inserting the following subparagraph after subparagraph 0.1:

“(0.1.1) determine, for the purposes of section 3.0.1, absences that constitute an absence without pay and for which, if applicable, the absent person is considered an employee;”;

AM 3
s. 59 (152.8.4)

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*adopted
C. Paquin*

Section 59

AMENDMENT:

Insert “or by any higher authority” after “Chapter XI.2” in proposed section 152.8.4.

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Section 3

AMENDMENT:

Insert after the introductory clause:

(0.1) by inserting the following paragraph after paragraph 1.0.0.1:

“(1.0.0.2) determine, for the purposes of section 4.0.1, absences that constitute an absence without pay and for which, if applicable, the absent person is considered a person to whom this plan applies;”;

*adopted
C. Piquet*

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Section 32

C. Paquette
adopté

AMENDMENT:

Insert after the introductory clause:

(0.1) by inserting the following paragraph after paragraph 2.1:

“(2.2) determine, for the purposes of section 2.1.1, absences that constitute an absence without pay and for which, if applicable, the absent person is considered a teacher;”;

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Section 37

*adoption
C. Lagoutte*

AMENDMENT:

Insert after the introductory clause:

(0.1) by inserting the following paragraph after paragraph 3:

“(3.0.1) determine, for the purposes of section 55.0.1, absences that constitute an absence without pay and for which, if applicable, the absent person is considered an officer;”;

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Section 38

AMENDMENT:

Replace “, or enacted by the Government pursuant to, Chapter VIII” by “, or enacted by the Government pursuant to, Division III.1”.

*Adopted
C. Paquet*

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Section 63

AMENDMENT:

Insert after the introductory clause:

(0.1) by inserting the following subparagraph after subparagraph 2.2:

“(2.3) determine, for the purposes of section 7.1, absences that constitute an absence without pay and for which, if applicable, the absent person is considered an employee;”;

adgste
C. Paquet

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Section 69

AMENDMENT:

Replace "71" in the first paragraph by "70".

*adg
C. Paquet*

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*adopted
C. J. J. J.*

Section 1.1

AMENDMENT:

Insert after the heading “ACT RESPECTING THE PENSION PLAN OF CERTAIN TEACHERS” that precedes section 2:

1.1. The Act respecting the Pension Plan of Certain Teachers (chapter R-9.1) is amended by inserting the following section after section 4:

“**4.0.1.** For the purposes of this plan, an absence without pay is an absence that is provided for in the conditions of employment of the absent person and authorized by his employer, for which the person does not receive pay, and during which the person would have been expected to perform or could have performed work had it not been for the absence.

The Government may, by regulation, determine any other absence that constitutes an absence without pay and for which, if applicable, the absent person is considered a person to whom this plan applies.”

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Section 18.1

AMENDMENT:

Insert after section 18:

18.1. The Act is amended by inserting the following section after section 3:

“3.0.1. For the purposes of this plan, an absence without pay is an absence that is provided for in the employee’s conditions of employment and authorized by the employee’s employer, for which the employee does not receive pay, and during which the employee would have been expected to perform or could have performed work had it not been for the absence.

The Government may, by regulation, determine any other absence that constitutes an absence without pay and for which, if applicable, the absent person is considered an employee.”

*adopted
C. Legault*

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*adopté
C. Fauriol*

Section 28.1

AMENDMENT:

Insert after the heading “ACT RESPECTING THE TEACHERS PENSION PLAN” that precedes section 29:

28.1. The Act respecting the Teachers Pension Plan (chapter R-11) is amended by inserting the following section after section 2.1:

“**2.1.1.** For the purposes of this plan, an absence without pay is an absence that is provided for in the teacher’s conditions of employment and authorized by the teacher’s employer, for which the teacher does not receive pay, and during which the teacher would have been expected to perform or could have performed work had it not been for the absence.

The Government may, by regulation, determine any other absence that constitutes an absence without pay and for which, if applicable, the absent person is considered a teacher.”

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Section 34.1

AMENDMENT:

Insert after section 34:

34.1. The Act is amended by inserting the following section after section 55:

“55.0.1. For the purposes of this plan, an absence without pay is an absence that is provided for in the officer’s conditions of employment and authorized by the officer’s employer, for which the officer does not receive pay, and during which the officer would have been expected to perform or could have performed work had it not been for the absence.

The Government may, by regulation, determine any other absence that constitutes an absence without pay and for which, if applicable, the absent person is considered an officer.”

*adopted
C. Piquet*

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Section 39.1

AMENDMENT:

Insert after section 39:

39.1. The Act is amended by inserting the following section after section 7:

“7.1. For the purposes of this plan, an absence without pay is an absence that is provided for in the employee’s conditions of employment and authorized by the employee’s employer, for which the employee does not receive pay, and during which the employee would have been expected to perform or could have performed work had it not been for the absence.

The Government may, by regulation, determine any other absence that constitutes an absence without pay and for which, if applicable, the absent person is considered an employee.”

*adopté
C. Faguel*

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Section 70.1

*Adopté
C. Laquet*

AMENDMENT:

Insert after section 70:

70.1. Despite section 4.0.1 of the Act respecting the Pension Plan of Certain Teachers, section 3.0.1 of the Act respecting the Government and Public Employees Retirement Plan, section 2.1.1 of the Act respecting the Teachers Pension Plan, section 55.0.1 of the Act respecting the Civil Service Superannuation Plan, and section 7.1 of the Act respecting the Pension Plan of Management Personnel, enacted respectively by sections 1.1, 18.1, 28.1, 34.1 and 39.1 of this Act, an absence caused by a layoff is an absence without pay if an application to redeem the absence was received by Retraite Québec before 15 February 2018 and if no final decision was rendered before that date regarding the application.

The absence referred to in the first paragraph is an absence without pay despite the fact that, under the second paragraph of sections 59.1 of the Act respecting the Pension Plan of Certain Teachers, 216.1 of the Act respecting the Government and Public Employees Retirement Plan, 10.1 of the Act respecting the Teachers Pension Plan, 111.0.1 of the Act respecting the Civil Service Superannuation Plan and 199 of the Act respecting the Pension Plan of Management Personnel, according to the pension plan concerned, the application for redemption is deemed never to have been made.

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Section 70.2

AMENDMENT:

Insert after section 70:

70.2. The first regulation made under paragraph 1.0.0.2 of section 41.8 of the Act respecting the Pension Plan of Certain Teachers after this Act is assented to, the first regulation made under subparagraph 0.1.1 of the first paragraph of section 134 of the Act respecting the Government and Public Employees Retirement Plan after this Act is assented to, the first regulation made under paragraph 2.2 of section 73 of the Act respecting the Teachers Pension Plan after this Act is assented to, the first regulation made under paragraph 3.0.1 of section 109 of the Act respecting the Civil Service Superannuation Plan after this Act is assented to, and the first regulation made under subparagraph 2.3 of the first paragraph of section 196 of the Act respecting the Pension Plan of Management Personnel after this Act is assented to, amended respectively by sections 3, 27, 32, 37 and 63 of this Act, may, if they so provide, have effect from any date not prior to 14 June 2002.

*Adopté
C. Paquet*

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Section 74

AMENDMENT:

Replace by:

74. Section 4.0.1 and paragraph 1.0.0.2 of section 41.8 of the Act respecting the Pension Plan of Certain Teachers, section 3.0.1 and subparagraph 0.1.1 of the first paragraph of section 134 of the Act respecting the Government and Public Employees Retirement Plan, section 2.1.1 and paragraph 2.2 of section 73 of the Act respecting the Teachers Pension Plan, section 55.0.1 and paragraph 3.0.1 of section 109 of the Act respecting the Civil Service Superannuation Plan, and section 7.1 and subparagraph 2.3 of the first paragraph of section 196 of the Act respecting the Pension Plan of Management Personnel, enacted respectively by sections 1.1, 3, 18.1, 27, 28.1, 32, 34.1, 37, 39.1 and 63 of this Act, have effect from 14 June 2002.

Section 66 of this Act has effect from 11 May 2017.

*Adopté
C. Roy*