



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 22

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

Introduction

**Introduced by
Mr Jacques Léonard
Minister for Administration and the Public Service
Chairman of the Conseil du trésor**

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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 an employee when the employee ceases to be a member of a supplemental pension plan to become a member 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 broadens 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 accumulated. 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 section 107.1, the increase in pension credits according to their nature and the supplemental pension plan under which they have accumulated 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. Section 184 of the said Act is amended by replacing “30” in the second line by “90”.

13. 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

14. 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

15. 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

16. Section 37 of the Act to amend various legislative provisions concerning retirement (1997, chapter 71) is replaced by the following section :

“37. The committees referred to in the fourth and sixth paragraphs of section 34 may, where circumstances warrant, make any decision concerning the application of the measures referred to in subparagraphs 1 and 2 of the first paragraph of section 85.33 of the Act respecting the Government and Public Employees Retirement Plan or the measures provided for in Title IV.1.1 of that Act to the extent that the decision in effect grants benefits to a person that the Act would not otherwise grant.”

TRANSITIONAL AND FINAL PROVISIONS

17. 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.

18. 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.

19. Section 5 has effect from 1 January 1998.

20. Section 6 has effect from 1 July 1998.

21. Paragraphs 1, 2 and 3 of section 13 have effect retroactively from 1 April 1997, 31 May 1999 and 1 January 1997, respectively.

22. Section 16 has effect from 22 March 1997.

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