

Gazette
officielle
DU Québec

Part

2

No. 21

23 May 2007

Laws and Regulations

Volume 139

Summary

Table of Contents
Coming into force of Acts
Treasury Board
Index

Legal deposit – 1st Quarter 1968
Bibliothèque nationale du Québec
© Éditeur officiel du Québec, 2007

All rights reserved in all countries. No part of this publication may be translated, used or reproduced for commercial purposes by any means, whether electronic or mechanical, including micro-reproduction, without the written authorization of the Québec Official Publisher.

Table of Contents

Page

Coming into force of Acts

337-2007	Commission administrative des régimes de retraite et d'assurances, An Act respecting the... — Coming into force of certain provisions	1431
----------	--	------

Treasury Board

204926	Government and Public Employees Retirement Plan, An Act respecting the... — Amendments to Schedules I and II.1 — Pension Plan of Management Personnel, An Act respecting the... — Amendment to Schedule II	1433
204927	Pension Plan of Peace Officers in Correctional Services, An Act respecting the... — Regulation (Amend.)	1435
204928	Various regulations under pension plans in the public and parapublic sectors (Amend.)	1436
204929	Pension Plan of Management Personnel, An Act respecting the... — Regulation (Amend.)	1438

Coming into force of Acts

Gouvernement du Québec

O.C. 337-2007, 9 May 2007

An Act respecting the Commission administrative des régimes de retraite et d'assurances (2006, c. 49) — Coming into force of certain provisions

COMING INTO FORCE of certain provisions of the Act respecting the Commission administrative des régimes de retraite et d'assurances

WHEREAS the Act respecting the Commission administrative des régimes de retraite et d'assurances (2006, c. 49) was assented to on 14 December 2006;

WHEREAS section 140 of the Act provides that the Act comes into force on 1 June 2007, except sections 11 to 26 and 135, which come into force on the date or dates to be set by the Government;

WHEREAS it is expedient to set the date of coming into force of sections 11 to 26 and 135 of the Act;

IT IS ORDERED, therefore, on the recommendation of the Minister responsible for Government Administration and Chair of the Conseil du trésor:

THAT sections 11 to 26 and 135 of the Act respecting the Commission administrative des régimes de retraite et d'assurances come into force on 9 May 2007.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

8121

Treasury Board

Gouvernement du Québec

T.B. 204926, 8 May 2007

An Act respecting the Government and Public Employees Retirement Plan
(R.S.Q., c. R-10)

Amendments to schedules I and II.1

An Act respecting the Pension Plan of Management Personnel
(R.S.Q., c. R-12.1)

Amendment to schedule II

Amendments to Schedules I and II.1 to the Act respecting the Government and Public Employees Retirement Plan and to Schedule II to the Act respecting the Pension Plan of Management Personnel

WHEREAS, under section 1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), the retirement plan applies to employees and persons designated in Schedule I, and employees and persons designated in Schedule II who were not members of a retirement plan on 30 June 1973 or who were appointed or engaged after 30 June 1973;

WHEREAS, under paragraph 3 of section 2 of the Act, the plan applies to an employee who is released without pay by his or her employer for union activities and who is in the employ of a body designated in Schedule II.1 if the employee belongs to the class of employees mentioned in that schedule in respect of that body;

WHEREAS, under section 16.1 of the Act, the pensionable salary of an employee who is released with pay for union activities is the salary paid to the employee by the employer and the salary, if any, paid to the employee by a body designated in Schedule II.1, and the body concerned must pay its employer's contributory amount and deduct the contributions from the pensionable salary it pays to such an employee;

WHEREAS, under the first paragraph of section 220 of the Act, the Government may, by order, amend Schedules I, II, II.1, II.2, III, III.1, VI and VII, and where the Government amends Schedule I or II, it must also amend to the same effect Schedule II to the Act respect-

ing the Pension Plan of Management Personnel (R.S.Q., c. R-12.1) and any such order may have effect 12 months or less before it is made;

WHEREAS the Regulation under the Act respecting the Government and Public Employees Retirement Plan, made by Order in Council 1845-88 dated 14 December 1988, determines, in accordance with subparagraph 25 of the first paragraph of section 134 of the Act, the conditions which permit a body, according to the category determined by regulation, to be designated by order in Schedule I or II.1 of the Act;

WHEREAS, under the first paragraph of section 1 of the Act respecting the Pension Plan of Management Personnel, the Pension Plan of Management Personnel applies, to the extent provided for in Chapter I of that Act, to employees and persons appointed or engaged on or after 1 January 2001 to hold, with the corresponding classification, non-unionizable employment designated in Schedule I and referred to in Schedule II;

WHEREAS, under the first paragraph of section 207 of that Act, the Government may, by order, amend Schedule II to that Act, but only to the extent provided for in section 220 of the Act respecting the Government and Public Employees Retirement Plan and any such order may have effect 12 months or less before it is made;

WHEREAS, in accordance with section 40 of the Public Administration Act (R.S.Q., c. A-6.01), the Conseil du trésor shall, after consulting the Minister of Finance, exercise the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except the powers referred to in paragraphs 1 to 6 of that provision;

WHEREAS the Minister of Finance has been consulted;

WHEREAS the Fédération autonome de l'enseignement and the Syndicat de l'enseignement du Lac St-Jean meets the requirements provided for in the Regulation under the Act respecting the Government and Public Employees Retirement Plan in order to be designated in Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan;

WHEREAS the Fédération autonome de l'enseignement meets the requirements provided for in the Regulation in order to be designated in Schedule I to the Act respecting the Government and Public Employees Retirement Plan and in Schedule II to the Act respecting the Pension Plan of Management Personnel;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Amendments to Schedules I and II.1 to the Act respecting the Government and Public Employees Retirement Plan and to Schedule II to the Act respecting the Pension Plan of Management Personnel, attached to this Decision, are hereby made.

SERGE MARTINEAU,
Clerk of the Conseil du trésor

Amendments to Schedules I and II.1 to the Act respecting the Government and Public Employees Retirement Plan* and to Schedule II to the Act respecting the Pension Plan of Management Personnel**

An Act respecting the Government and Public Employees Retirement Plan
(R.S.Q., c. R-10, s. 220, 1st par.)

An Act respecting the Pension Plan of Management Personnel
(R.S.Q., c. R-12.1, s. 207, 1st par.)

1. Schedule I to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10) is amended by inserting “the Fédération autonome de l'enseignement” in paragraph 1 in alphabetical order.

2. Schedule II.1 to the Act is amended by inserting the following in alphabetical order:

(1) “the Fédération autonome de l'enseignement”;

(2) “the Syndicat de l'enseignement du Lac St-Jean”.

3. Schedule II to the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1) is amended by inserting “the Fédération autonome de l'enseignement” in paragraph 1 in alphabetical order.

* Schedule I to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10) has been amended since the last updating of the Revised Statutes of Québec to 1 March 2006 by T.B. Nos. 203812 dated 6 June 2006 (2006, *G.O.* 2, 1905), 203919 dated 19 June 2006 (2006, *G.O.* 2, 2105), 204239 dated 12 September 2006 (2006, *G.O.* 2, 3095), 204549 dated 5 December 2006 (2006, *G.O.* 2, 4075) and 204566 dated 11 December 2006 (2006, *G.O.* 2, 4153), and by section 289 of chapter 32 of the Statutes of 2005.

Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan has been amended since the last updating of the Revised Statutes of Québec to 1 March 2006 by T.B. Nos. 203812 dated 6 June 2006 (2006, *G.O.* 2, 1905), 204239 dated 12 September 2006 (2006, *G.O.* 2, 3095) and 204549 dated 5 December 2006 (2006, *G.O.* 2, 4075).

** Schedule II to the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1) has been amended, since the last updating of the Revised Statutes of Québec to 1 March 2006 by T.B. Nos. 203812 dated 6 June 2006 (2006, *G.O.* 2, 1905), 203919 dated 19 June 2006 (2006, *G.O.* 2, 2105), 204239 dated 12 September 2006 (2006, *G.O.* 2, 3095), 204549 dated 5 December 2006 (2006, *G.O.* 2, 4075) and 204566 dated 11 December 2006 (2006, *G.O.* 2, 4153), and by section 290 of chapter 32 of the Statutes of 2005.

4. The amendments in sections 1 to 3 have effect from 1 September 2006.

8122

Gouvernement du Québec

T.B. 204927, 8 May 2007

An Act respecting the Pension Plan of Peace Officers in Correctional Services
(R.S.Q., c. R-9.2; 2006, c. 55)

Regulation
— Amendment

Regulation to amend the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services

WHEREAS, under paragraph 2 of section 130 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., c. R-9.2), the Government may, by regulation, determine the bonuses, allowances, compensations or other additional remuneration which are included in the basic salary defined in section 9 of the Act;

WHEREAS the Government made the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services by Order in Council 1842-88 dated 14 December 1988, and its amendments;

WHEREAS it is expedient to amend the Regulation in order to include additional remuneration in the basic salary defined in section 9 of the Act;

WHEREAS, under section 65 of the Act to amend various legislative provisions concerning retirement (2006, c. 55), the first regulation made, after 14 December 2006, under paragraph 2 of that section 130 may, if it so provides, have effect from any date not prior to 14 May 2006;

WHEREAS, under section 40 of the Public Administration Act (R.S.Q., c. A-6.01), the Conseil du trésor exercises, after consulting the Minister of Finance, the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except certain powers;

WHEREAS the Minister of Finance has been consulted;

THEREFORE, THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services, attached hereto, is hereby made.

SERGE MARTINEAU,
Clerk of the Conseil du trésor

Regulation to amend the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services*

An Act respecting the Pension Plan of Peace Officers in Correctional Services
(R.S.Q., c. R-9.2, s. 130, par. 2.; 2006, c. 55, s. 65)

1. Section 2 of the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services is amended by inserting the following after paragraph 3:

“(3.1) any additional remuneration paid to an employee whose job title requires a diploma of college studies (DEC) and is classified in the technicians group (code 2000) appearing in the document entitled *Nomenclature des titres d’emploi, des libellés, des taux et des échelles de salaire du réseau de la santé et des services sociaux* tabled on 15 December 2005 in the National Assembly by the Minister of Health and Social Services as *Sessional Document 2575-20051215* or is classified under the job title “2697 Sociothérapeute” at the Institut Philippe-Pinel de Montréal, having already reached the maximum of the salary scale, following required and recognized post-school training in accordance with the provisions of the collective labour agreement applying to the employee;”.

2. This Regulation comes into force on the date it is made but has effect from 14 May 2006.

8123

* The Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services, made by Order in Council 1842-88 dated 14 December 1988 (1988, *G.O.* 2, 4149), was last amended by the regulation made by Order in Council 66-2006 dated 14 February 2006 (2006, *G.O.* 2, 1029). For previous amendments refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 March 2007.

Gouvernement du Québec

T.B. 204928, 8 May 2007

An Act respecting the Government and Public Employees Retirement Plan
(R.S.Q., c. R-10; 2006, c. 55)

An Act respecting the Teachers Pension Plan
(R.S.Q., c. R-11; 2006, c. 55)

An Act respecting the Civil Service Superannuation Plan
(R.S.Q., c. R-12; 2006, c. 55)

Regulations

— Amendments

Regulation to amend various regulations under public and parapublic retirement plans

WHEREAS, under subparagraph 4 of the first paragraph of section 134 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), paragraph 4 of section 73 of the Act respecting the Teachers Pension Plan (R.S.Q., c. R-11) and paragraph 2 of section 109 of the Act respecting the Civil Service Superannuation Plan (R.S.Q., c. R-12), the Government may, after the Commission administrative des régimes de retraite et d'assurances has consulted the Comité de retraite referred to in section 163 of the Act respecting the Government and Public Employees Retirement Plan, determine the bonuses, allowances, compensations or other additional remuneration that are included in the basic salary defined in those plans;

WHEREAS the Government made the Regulation under the Act respecting the Government and Public Employees Retirement Plan by Order in Council 1845-88 dated 14 December 1988, and its amendments, and the Conseil du trésor made the Regulation under the Act respecting the Teachers Pension Plan by its Decision 169291 dated 29 November 1988, and its amendments, and the Regulation under the Act respecting the Civil Service Superannuation Plan by its Decision 169292 dated 29 November 1988, and its amendments;

WHEREAS it is expedient to amend those regulations in order to include additional remuneration in the basic salary defined in those plans;

WHEREAS, under section 65 of the Act to amend various legislative provisions concerning retirement (2006, c. 55), the first regulation made, after 14 December 2006, under subparagraph 4 of the first paragraph of section 134 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), paragraph 4 of section 73 of the Act respecting the Teachers Pension Plan (R.S.Q., c. R-11) and paragraph 2 of section 109 of the Act respecting the Civil Service Superannuation Plan (R.S.Q., c. R-12), may, if it so provides, have effect from any date not prior to 14 May 2006;

WHEREAS the Comité de retraite concerned has been consulted;

WHEREAS, under section 40 of the Public Administration Act (R.S.Q., c. A-6.01), the Conseil du trésor exercises, after consulting the Minister of Finance, the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except certain powers;

WHEREAS the Minister of Finance has been consulted;

THEREFORE, THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend various regulations under public and parapublic retirement plans, attached hereto, is hereby made.

SERGE MARTINEAU,
Clerk of the Conseil du trésor

Regulation to amend various regulations under public and parapublic retirement plans

An Act respecting the Government and Public Employees Retirement Plan^{*}
(R.S.Q., c. R-10, s. 134, 1st par., subpar. 4; 2006, c. 55, s. 65)

An Act respecting the Teachers Pension Plan^{**}
(R.S.Q., c. R-11, s. 73, par. 4; 2006, c. 55, s. 65)

An Act respecting the Civil Service Superannuation Plan^{***}
(R.S.Q., c. R-12, s. 109, par. 2; 2006, c. 55, s. 65)

1. Section 8 of the Regulation under the Act respecting the Government and Public Employees Retirement Plan is amended by inserting the following after paragraph 3:

“(3.1) any additional remuneration paid to an employee whose job title requires a diploma of college studies (DEC) and is classified in the technicians group (code 2000) appearing in the document entitled *Nomenclature des titres d’emploi, des libellés, des taux et des échelles de salaire du réseau de la santé et des services sociaux* tabled on 15 December 2005 in the National Assembly by the Minister of Health and Social Services as Sessional Document 2575-20051215, having already reached the maximum of his salary scale, following required and recognized post-school training in accordance with the provisions of the collective labour agreement applying to him;”.

^{*} The Regulation under the Act respecting the Government and Public Employees Retirement Plan, made by Order in Council 1845-88 dated 14 December 1988 (1988, *G.O.* 2, 4154), was last amended by the regulation made by T.B. Decision 203094 dated 6 December 2005 (2005, *G.O.* 2, 5493).

^{**} The Regulation under the Act respecting the Teachers Pension Plan, made by T.B. Decision 169291 dated 29 November 1988 (1988, *G.O.* 2, 4085), was last amended by the regulation made by T.B. Decision 203094 dated 6 December 2005 (2005, *G.O.* 2, 5493).

^{***} The Regulation under the Act respecting the Civil Service Superannuation Plan, made by T.B. Decision 169292 dated 29 November 1988 (1988, *G.O.* 2, 4088), was last amended by the regulation made by T.B. Decision 203094 dated 6 December 2005 (2005, *G.O.* 2, 5493).

For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 March 2007.

2. Section 4 of the Regulation under the Act respecting the Teachers Pension Plan is amended by inserting the following after paragraph 3:

“(3.1) any additional remuneration paid to a teacher whose job title requires a diploma of college studies (DEC) and is classified in the technicians group (code 2000) appearing in the document entitled *Nomenclature des titres d’emploi, des libellés, des taux et des échelles de salaire du réseau de la santé et des services sociaux* tabled on 15 December 2005 in the National Assembly by the Minister of Health and Social Services as Sessional Document 2575-20051215, having already reached the maximum of his salary scale, following required and recognized post-school training in accordance with the provisions of the collective labour agreement applicable to him;”.

3. Section 2 of the Regulation under the Act respecting the Civil Service Superannuation Plan is amended by inserting the following after paragraph 3:

“(3.1) any additional remuneration paid to a civil servant whose job title requires a diploma of college studies (DEC) and is classified in the technicians group (code 2000) appearing in the document entitled *Nomenclature des titres d’emploi, des libellés, des taux et des échelles de salaire du réseau de la santé et des services sociaux* tabled on 15 December 2005 in the National Assembly by the Minister of Health and Social Services as Sessional Document 2575-20051215, having already reached the maximum of his salary scale, following required and recognized post-school training in accordance with the provisions of the collective labour agreement applying to him;”.

4. This Regulation comes into force on the date it is made but has effect from 14 May 2006.

8124

Gouvernement du Québec

T.B. 204929, 8 May 2007

An Act respecting the Pension Plan of Management Personnel
(R.S.Q., c. R-12.1; 2006, c. 55)

Regulation — Amendment

Regulation to amend the Regulation under the Act respecting the Pension Plan of Management Personnel

WHEREAS, under subparagraph 4 of the first paragraph of section 196 of the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1), the Government may, after the Commission administrative des régimes de retraite et d'assurances has consulted the Comité de retraite referred to in section 173.1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), determine the bonuses, allowances, compensations or other additional remuneration that are included in the basic salary referred to in the Pension Plan of Management Personnel;

WHEREAS the Conseil du trésor made the Regulation under the Act respecting the Pension Plan of Management Personnel by Decision 202420 dated 24 May 2005, and its amendments;

WHEREAS it is expedient to amend the Regulation in order to include additional remuneration in the basic salary referred to in the Plan;

WHEREAS, under section 65 of the Act to amend various legislative provisions concerning retirement (2006, c. 55), the first regulation made, after 14 December 2006, under subparagraph 4 of the first paragraph of section 196 of the Act respecting the Pension Plan of Management Personnel may, if it so provides, have effect from any date not prior to 14 May 2006;

WHEREAS, the Comité de retraite concerned has been consulted;

WHEREAS, under section 40 of the Public Administration Act (R.S.Q., c. A-6.01), the Conseil du trésor exercises, after consulting the Minister of Finance, the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except certain powers;

WHEREAS the Minister of Finance has been consulted;

THEREFORE, THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation under the Act respecting the Pension Plan of Management Personnel, attached hereto, is hereby made.

SERGE MARTINEAU,
Clerk of the Conseil du trésor

Regulation to amend the Regulation under the Act respecting the Pension Plan of Management Personnel*

An Act respecting the Pension Plan of Management Personnel
(R.S.Q., c. R-12.1, s. 196, 1st par., subpar. 4; 2006, c. 55, s. 65)

1. Section 2 of the Regulation under the Act respecting the Pension Plan of Management Personnel is amended by inserting the following after paragraph 3:

“(3.1) any additional remuneration paid to an employee whose job title requires a diploma of college studies (DEC) and is classified in the technicians group (code 2000) appearing in the document entitled *Nomenclature des titres d'emploi, des libellés, des taux et des échelles de salaire du réseau de la santé et des services sociaux* tabled on 15 December 2005 in the National Assembly by the Minister of Health and Social Services as Sessional Document 2575-20051215, having already reached the maximum of the salary scale, following required and recognized post-school training in accordance with the provisions of the collective labour agreement applying to the employee;”.

2. This Regulation comes into force on the date it is made but has effect from 14 May 2006.

8125

* The Regulation under the Act respecting the Pension Plan of Management Personnel, made by T.B. Decision 202420 dated 24 May 2005 (2005, *G.O.* 2, 1733), was last amended by the regulation made by T.B. Decision 203095 dated 6 December 2005 (2005, *G.O.* 2, 5500). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 March 2007.

Index

Abbreviations : **A**: Abrogated, **N**: New, **M**: Modified

	Page	Comments
Civil Service Superannuation Plan, An Act respecting the... — Regulation (R.S.Q., c. R-12; 2006, c. 55)	1436	M
Commission administrative des régimes de retraite et d'assurances, An Act respecting the... — Coming into force of certain provisions (2006, c. 49)	1431	
Government and Public Employees Retirement Plan, An Act respecting the... — Amendments to Schedules I and II.1 (R.S.Q., c. R-10)	1433	M
Government and Public Employees Retirement Plan, An Act respecting the... — Regulation (R.S.Q., c. R-10; 2006, c. 55)	1436	M
Pension Plan of Management Personnel, An Act respecting the... — Amendment to Schedule II (R.S.Q., c. R-12.1)	1433	M
Pension Plan of Management Personnel, An Act respecting the... — Regulation (R.S.Q., c. R-12.1; 2006, c. 55)	1438	M
Pension Plan of Peace Officers in Correctional Services, An Act respecting the... — Regulation (R.S.Q., c. R-9.2; 2006, c. 55)	1435	M
Teachers Pension Plan, An Act respecting the... — Regulation (R.S.Q., c. R-11)	1436	M

