



Part 2

LAWS AND REGULATIONS

28 May 2025 / Volume 157

Summary

Regulations and other Acts
Draft Regulations
Notices

NOTICE TO USERS

The *Gazette officielle du Québec* is the means by which the Québec Government makes its decisions official. It is published in two separate editions under the authority of the Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail (chapter M-15.001) and the Regulation respecting the *Gazette officielle du Québec* (chapter M-15.001, r. 0.1).

Partie 1, entitled “Avis juridiques”, is published at least every Saturday. If a Saturday is a legal holiday, the Official Publisher is authorized to publish it on the preceding day or on the following Monday.

Partie 2, entitled “Lois et règlements”, and the English edition, Part 2 “Laws and Regulations”, are published at least every Wednesday. If a Wednesday is a legal holiday, the Official Publisher is authorized to publish them on the preceding day or on the Thursday following such holiday.

Part 2 – LAWS AND REGULATIONS

Internet

The *Gazette officielle du Québec* Part 2 is available to all free of charge and is published at 0:01 a.m. each Wednesday at the following address:

www.publicationsduquebec.gouv.qc.ca

Contents

Regulation respecting the *Gazette officielle du Québec*, section 4

Part 2 shall contain:

- (1) Acts assented to;
- (2) proclamations and Orders in Council for the coming into force of Acts;
- (3) regulations and other statutory instruments whose publication in the *Gazette officielle du Québec* is required by law or by the Government;
- (4) regulations made by courts of justice and quasi-judicial tribunals;
- (5) drafts of the texts referred to in paragraphs (3) and (4) whose publication in the *Gazette officielle du Québec* is required by law before they are made, adopted or issued by the competent authority or before they are approved by the Government, a minister, a group of ministers or a government body; and
- (6) any other document published in the French Edition of Part 2, where the Government orders that the document also be published in English.

Rates*

1. Publication of a document in Partie 1:
\$2.06 per agate line.
2. Publication of a document in Part 2:
\$1.37 per agate line.

A minimum rate of \$300 is applied, however, in the case of a publication of fewer than 220 agate lines.

* **Taxes not included.**

General conditions

The electronic files of the document to be published — a Word version and a PDF with the signature of a person in authority — must be sent by email (gazette.officielle@servicesquebec.gouv.qc.ca) and received **no later than 11:00 a.m. on the Monday** preceding the week of publication. Documents received after the deadline are published in the following edition.

The editorial calendar listing publication deadlines is available on the website of the Publications du Québec.

In the email, please clearly identify the contact information of the person to whom the invoice must be sent (name, address, telephone and email).

For information, please contact us:

Gazette officielle du Québec

Email: gazette.officielle@servicesquebec.gouv.qc.ca

425, rue Jacques-Parizeau, 5^e étage
Québec (Québec) G1R 4Z1

Table of Contents

Page

Regulations and other Acts

643-2025 Bingo Rules	1741
646-2025 Comité paritaire de l'industrie de l'automobile des régions Lanaudière-Laurentides	1742
Districts in which mediation is mandatory and those in which arbitration is offered to the parties at the Small Claims Division of the Court of Québec (Alma)	1748
Districts in which mediation is mandatory and those in which arbitration is offered to the parties at the Small Claims Division of the Court of Québec (Baie-comeau)	1749
Districts in which mediation is mandatory and those in which arbitration is offered to the parties at the Small Claims Division of the Court of Québec (Chicoutimi)	1750
Districts in which mediation is mandatory and those in which arbitration is offered to the parties at the Small Claims Division of the Court of Québec (Mingan)	1751
Districts in which mediation is mandatory and those in which arbitration is offered to the parties at the Small Claims Division of the Court of Québec (Roberval)	1752
Hunting	1753
Training of elected municipal officers	1756

Draft Regulations

Individual and Family Assistance	1759
Supplemental pension plans	1762
Voluntary retirement savings plans	1775

Notices

Réserve naturelle de la Bienveillance — Recognition	1791
Réserve naturelle du Clos-du-Ruisseau-Vert — Recognition	1792

Gouvernement du Québec

O.C. 643-2025, 14 May 2025

Regulation to amend the Bingo Rules

WHEREAS, under subparagraph *i* of the first paragraph of section 20 of the Act respecting lotteries and amusement machines (chapter L-6), except with respect to video lotteries and State casinos, the Régie des alcools, des courses et des jeux may make rules respecting the conditions for obtaining prescribed licences and the standards, restrictions or prohibitions relating to the use thereof;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Bingo Rules was published in Part 2 of the *Gazette officielle du Québec* of 23 October 2024 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, following the publication, the Régie des alcools, des courses et des jeux approved, without amendment, the Regulation to amend the Bingo Rules at its plenary session of 12 March 2025;

WHEREAS, under the third paragraph of section 20 of the Act respecting lotteries and amusement machines, every rule must be submitted to the Government for approval;

WHEREAS, under the fourth paragraph of section 20 of the Act, the rules under subparagraphs *c*, *d*, *h* and *i* to *m* are made after consultation with the Secrétariat du bingo;

WHEREAS the Secrétariat du bingo has been consulted;

WHEREAS it is expedient to approve the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Public Security:

THAT the Regulation to amend the Bingo Rules, attached to this Order in Council, be approved.

DAVID BAHAN
Clerk of the Conseil exécutif

Regulation to amend the Bingo Rules

Act respecting lotteries and amusement machines (chapter L-6, s. 20, 1st par., subpar. *i*).

1. The Bingo Rules (chapter L-6, r. 5) are amended by inserting the following after the heading of Division II of Chapter II:

“**20.1.** A media bingo must be broadcast by a community radio or television or a community channel.

The board may exceptionally authorize a media bingo to be broadcast or simulcast by a commercial radio or television if the organization that applies for a media bingo licence or that holds such a licence demonstrates the existence of serious grounds. Serious grounds include the impossibility of broadcasting a media bingo by a community radio or television or a community channel in the territory served by the organization or the inadequate broadcast coverage, in that territory, by such media.

Such an authorization is given when applying for a licence or for modification of a licence.

The board may require that any information or document demonstrating the existence of serious grounds be sent to it.”.

2. Section 21 is amended by striking out the third paragraph.

3. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

107429



Gouvernement du Québec

O.C. 646-2025, 14 May 2025

Internal regulation of the Comité paritaire de l'industrie de l'automobile des régions Lanaudière-Laurentides

WHEREAS, under the first paragraph of section 18 of the Act respecting collective agreement decrees (chapter D-2), the Comité paritaire de l'industrie de l'automobile des régions Lanaudière-Laurentides is to adopt regulations for its formation, the number of its members, their admission, their replacing, the appointing of substitutes and the administration of funds; fix its head office; determine the name under which it is to be designated and, generally, draw up regulations for its internal management and the exercise of the rights conferred upon it by law;

WHEREAS, under the first paragraph of section 19 of the Act, the regulations referred to in section 18 of the Act are to be transmitted to the Minister of Labour and are approved, with or without amendment by the Government; and notice of such approval is to be published in the *Gazette officielle du Québec*;

WHEREAS, under subparagraph 1 of the second paragraph of section 22 of the Act, from the mere fact of its formation, the committee may, as of right, by regulation approved with or without amendment by the Government, determine the amount of the attendance allowance to which its members are entitled in addition to their actual travelling expenses;

WHEREAS the board of directors of the committee made the Internal regulation of the Comité paritaire de l'industrie de l'automobile des régions Lanaudière-Laurentides at its meeting held on 17 December 2024;

WHEREAS it is expedient to approve the Internal regulation of the Comité paritaire de l'industrie de l'automobile des régions Lanaudière-Laurentides without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour:

THAT the Internal regulation of the Comité paritaire de l'industrie de l'automobile des régions Lanaudière-Laurentides, attached to this Order in Council, be approved.

DAVID BAHAN
Clerk of the Conseil exécutif

Internal Regulation of the Comité paritaire de l'industrie de l'automobile des régions Lanaudière-Laurentides

Act respecting collective agreement decrees (chapter D-2, ss. 18, 1st par. and 22, 2nd par., subpar. 1).

DIVISION I SCOPE

1. Application — This Regulation applies to contracting parties of the Comité paritaire de l'industrie de l'automobile des régions Lanaudière-Laurentides, to members of the board of directors of the parity committee and to employees and, if applicable, to consultants of the parity committee.

This Regulation supplements the General Regulation to govern the regulations of a parity committee (chapter D-2, r. 17). In the event the provisions of this Regulation are inconsistent with those of the General Regulation or raise a doubt in their interpretation, the latter provisions prevail.

DIVISION II CONSTITUTION AND MISSION OF THE PARITY COMMITTEE

2. Name — The name of the parity committee is «Comité paritaire de l'industrie de l'automobile des régions Lanaudière-Laurentides».

In this Regulation, it is hereafter designated as «parity committee».

3. Head office — The head office of the parity committee is situated in Ville de Joliette. Its address is posted on the parity committee's website.

4. Mission — The parity committee oversees the application of and ensures compliance with the Decree respecting the automotive services industry in the Lanaudière-Laurentides regions (chapter D-2, r. 9), in accordance with the Act respecting collective agreement decrees (chapter D-2). To that end, it must, in particular,

(1) inform employees and professional employers of the conditions of employment determined in the Decree;

(2) exercise employee recourses arising out of the Decree or the Act respecting collective agreement decrees; and

(3) hear and consider written complaints relating to the Decree from professional employers and from employees and, if necessary, initiate the appropriate procedures.

5. Rights, powers and obligations — The parity committee has the rights, powers and obligations conferred on it by the Act respecting collective agreement decrees (chapter D-2).

DIVISION III **BOARD OF DIRECTORS OF THE PARITY COMMITTEE**

§1. Composition and appointment of the members of the board of directors

6. Composition — The parity committee is administered by a board of directors composed of 14 members appointed by the contracting parties as follows:

(1) for the employer party:

(a) two members from the Corporation des concessionnaires d'automobiles des Laurentides;

(b) one member from the Automobile Industries Association of Canada;

(c) one member from the Association des spécialistes de pneu et mécanique du Québec (ASPMQ);

(d) one member from the Association des marchands Canadian Tire du Québec;

(e) one member from the Association des services de l'automobile;

(f) one member from the Corporation des carrossiers professionnels du Québec;

(2) for the union party:

(a) four members from Unifor Local 4511;

(b) three members from the Syndicat national des employés de garage du Québec inc.

7. Substitution — Each contracting party may appoint one or more substitutes to sit if a member it has appointed is absent or unable to act. A substitute has the same rights and privileges as the member being replaced.

Reasons for absence or inability to act may include an illness, a family or professional obligation, a personal leave or a conflict of interest.

8. Attestation and training — When a contracting party appoints a new member or substitute, the contracting party must notify the secretary thereof as soon as possible.

On taking office, the member or substitute must send the secretary a document attesting to the appointment; the document must be signed by a person authorized by the appointing contracting party.

Each member or substitute must also receive training from the general manager, or the person designated by the general manager, regarding the functions and responsibilities of the members of the board of directors. The training must take place within a reasonable time after the appointment.

9. Term of appointment — Members of the board of directors are appointed for a term of one year, which is renewable, consecutively or not, for the same duration. The total duration of the terms must not exceed 12 years.

At the end of their term, members remain in office until they are replaced or re-appointed.

10. Replacement — A vacancy on the board of directors is filled in the manner set out for the appointment of the member to be replaced, for the remainder of the term. Despite section 9, where a member is appointed to sit on the board of directors in consideration of the position held within a contracting party and the member is removed from office, the member is replaced by the successor to that position, for the remainder of the term.

Despite section 9, a contracting party must replace a member it has appointed if the member is no longer qualified to exercise the function following a decision of the board of directors that has acknowledged, at a special meeting convened for the purpose, that the member has not complied with an obligation under sections 33 to 36, 38, 39 and 41 to 46 of the General Regulation to govern the regulations of a parity committee (chapter D 2, r. 17).

The secretary is to inform the contracting parties in writing when a member is replaced.

11. Absence — If a member is absent from 3 consecutive regular meetings without valid reason, the member's office automatically becomes vacant and the secretary is to immediately inform the appointing contracting party accordingly in writing.

12. Vacancy — A vacancy on the board of directors is filled by the relevant contracting party before the next regular meeting is held.

13. Election — The board of directors elects, from among its members, a chair and a vice-chair. If the chair is a member of the employer contracting party, the vice-chair is a member of the union contracting party and vice versa.

The chair and vice-chair are elected for a term of one year. Their terms are renewable, consecutively or not, without exceeding a total duration of 12 years.

The chair and vice-chair are elected each year on an alternating basis by the members of the contracting party they represent.

§2. Meetings of the board of directors

14. Regular meeting — A regular meeting must be held at least once every two months.

15. Special meeting — The holding of a special meeting may be decided by the board of directors at a regular meeting, by the chair or by the vice-chair. In addition, the secretary must convene a special meeting on the written request of at least 3 members.

The subjects discussed at the special meeting are limited to those specified in the notice of convocation.

16. Annual meeting — The board of directors holds an annual meeting each year during the month of January or at the latest before the end of the month of March.

At the meeting, it elects the chair and vice-chair and designates an independent auditor to prepare the parity committee's financial statements.

17. Chairing of meetings — Meetings are chaired by the chair or, in the absence of the chair, the vice-chair. If both the chair and the vice-chair are unable to act, at the beginning of each meeting, the board of directors designates a member to chair the meeting.

The chair and the vice-chair also exercise the functions and powers conferred on them by the board of directors.

18. Place of meetings — Meetings of the board of directors are held at the head office of the parity committee or elsewhere in Québec if a resolution to that effect was passed at the previous meeting.

The members of the board of directors may, however, pursuant to the consent of a majority of the members, participate in a meeting using technological means allowing all participants to immediately communicate with each other.

19. Notice of convocation — At least 3 working days before a meeting is to be held, a written notice of convocation stating the date, time and place of the meeting and, if applicable, the technological means for participating in the meeting, must be sent to each member of the board of directors.

The meeting agenda and all documents relating to the subjects entered on the agenda must be sent with the notice of convocation. The meeting agenda must specify all the subjects that will be discussed at the meeting.

If a decree or a regulation under the Act respecting collective agreement decrees (chapter D-2) is to be made, amended or revoked, the notice of convocation must be sent at least 20 working days before the meeting and state the draft decree or regulation involved.

Despite the foregoing, this section does not apply in the case of an emergency or if the meeting has been adjourned.

The members of the board of directors may waive the notice of convocation to a meeting. Their mere attendance constitutes a waiver of the notice unless they contested the legality of the convocation beforehand.

20. Quorum — The quorum at a meeting of the board of directors is 8 members, at least 4 of whom are members of the employer contracting party and 4 are members of the union contracting party.

21. Vote — At a meeting, decisions are made by a majority vote of the members present, including the chair.

In the case of a tie vote, the chair has a casting vote.

22. Subcommittee — The board of directors may, by resolution, form one or more subcommittees to support the carrying out of its administrative responsibilities.

Sections 18, 19 and 23 apply to the meetings of a subcommittee.

23. Conduct — The meetings of the board of directors are held in camera.

Only members of the board of directors are admitted except if a non-board member is invited in writing by the chair or secretary of the board of directors. The invitation requires the prior approval of the members.

24. Procedure — In the case of procedures not provided for in this Regulation, the Code de procédure des assemblées délibérantes by Victor Morin applies.

DIVISION IV

APPOINTMENT AND FUNCTIONS OF CERTAIN EMPLOYEES OF THE PARITY COMMITTEE

25. Appointment of a general manager, a secretary and an ethics and conduct officer — The board of directors must appoint a general manager, a secretary and

an ethics and conduct officer. It may also appoint one or more assistant general managers whose duties the parity committee determines in a resolution. The same person may hold more than one function.

26. Functions of the general manager — The general manager manages and administers the day-to-day affairs of the parity committee, in particular those relating to human, financial and physical resources, as well as public and legal affairs, in compliance with the applicable rules of law, the orientations of the board of directors and sound and prudent management practices. The general manager ensures that regular reports are made to the board of directors on the parity committee's activities.

In addition to the functions set out in sections 27 to 30 of the General Regulation to govern the regulations of a parity committee (chapter D-2, r. 17), the functions of the general manager consist in

(1) supervising personnel members of the parity committee, including, with the board of directors' approval, hiring, assessing, imposing disciplinary measures or terminating the employment of any personnel member, in accordance, as the case may be, with the staffing plan or the directives of the board of directors;

(2) overseeing the keeping of the books, archives and documents of the parity committee, which are kept at the committee's head office. The general manager may not divest himself or herself of any of those documents except with the permission of the board of directors or upon an order of a court, the Minister, or a public servant authorized by the Minister;

(3) attending the meetings of the board of directors and subcommittees, running the meetings and carrying out the decisions made at the meetings;

(4) ensuring that the services provided by the parity committee comply with its statement of services and the board of directors adopts all the documents it is required to adopt;

(5) seeing to the preparation of the reports, statistics and financial statements requested by the board of directors or the Minister pursuant to the Act respecting collective agreement decrees (chapter D-2) and the Decree respecting the automotive services industry in the Lanaudière-Laurentides regions (chapter D-2, r. 9);

(6) collecting money owing to the parity committee, depositing it in a banking institution, a financial services cooperative within the meaning of the Act respecting

financial services cooperatives (chapter C-67.3) or a financial institution authorized under the Trust Companies and Savings Companies Act (chapter S-29.02) designated by the board of directors, and retaining all amounts so collected until they are disposed of in accordance with the purposes authorized by the board of directors;

(7) keeping the accounting records of the parity committee, in particular, the accounts of

(a) all amounts of money received and disbursed by each office, itemized and supported by vouchers;

(b) the assets and liabilities of the parity committee; and

(c) any other transaction affecting the financial situation of the parity committee;

The accounts are kept according to generally accepted accounting principles. The general manager must obtain and keep receipts of all payments made by the parity committee, produce them for audit and inspection purposes and file them in the archives of the parity committee;

(8) providing security in the form of an insurance policy approved beforehand by the Minister, for which the insurance premium is paid by the parity committee;

(9) developing, at the request of the board of directors, the strategic orientations and governance rules of the parity committee, in particular a strategic plan, a statement of services, a code of ethics and conduct applicable to members of the board of directors and another code applicable to the employees of the parity committee, a complaint processing policy and a decision review policy;

(10) at the request of the board of directors, drafting regulations and policies and developing system implementation and work methods projects or means conducive to enhancing administrative efficiency, and seeing to their application;

(11) advising the board of directors on any action to be taken to carry out its mandate;

(12) reviewing the mail and communications addressed to the parity committee and ensuring prompt processing;

(13) examining accounts for which payment is claimed and, if they are accurate, submitting them to the parity committee for approval, and reporting to the parity committee;

(14) examining procurement requests and the other expenditures incurred in the normal course of the parity committee's business, authorizing them if they are accurate and comply with the decisions of the parity committee, and reporting to the parity committee;

(15) studying the parity committee's draft regulations and providing observations and suggestions to the parity committee regarding the provisions of the draft regulations;

(16) advising the board of directors on measures to take to foster compliance with the regulations;

(17) seeing that the amounts of money voted by the board of directors are used for the purposes for which they were voted;

(18) examining complaints and claims and reporting on them to the board of directors;

(19) fostering good relations between the parity committee and employees, employers as well as partners of the committee, and putting in place mechanisms to facilitate communication between them and the committee;

(20) representing the parity committee in dealings with various bodies and enterprises to ensure its outreach; and

(21) performing any other task the board of directors entrusts to the general manager.

27. Functions of the secretary — The functions of the secretary are as follows:

(1) convening and preparing the agenda for meetings of the board of directors according to the directives of the chair and the general manager;

(2) attending the meetings of the board of directors and drawing up the minutes of the discussions and decisions; and

(3) acting as custodian of the seal of the parity committee and certifying any extract or true copy from the minute book of the meetings of the board of directors.

28. Functions of the ethics and conduct officer — The function of the ethics and conduct officer is to raise awareness, train and advise the members of the board of directors and the employees of the parity committee and to answer their questions in those fields.

The ethics and conduct officer must have appropriate training in ethics and conduct and keep his or her knowledge up to date.

DIVISION V

DELEGATION OF AUTHORITY AND SIGNING

29. Absence of the general manager — If the general manager is absent or unable to act for a period of more than two weeks, the functions of the general manager are temporarily carried out by the chair of the board of directors, who informs the Minister thereof without delay. The same applies in case of replacement. The board of directors then proceeds to appoint a new general manager as soon as possible.

30. Bank bills — Payment orders of the parity committee are signed by the chair and by the general manager. If the chair or the general manager is unable to act, the vice-chair is authorized to sign in the chair's place and the assistant general manager is authorized to sign in the general manager's place.

The receipts and bank bills relating to every payment made by the parity committee are kept at the head office of the parity committee and must be produced for audit and inspection purposes.

31. Deposits of payments made to the board of directors — The general manager files with the board of directors the list of the payment orders made since the last deposit to the board.

32. Approval of accounts — Unless otherwise provided by another regulation, every payment made outside the normal course of business of the parity committee requires the prior approval of the board of directors.

33. Approval and signing of contracts — Contracts are approved by the board of directors and signed by the chair and by the general manager. If the chair or the general manager is unable to act, the vice-chair is authorized to sign in the chair's place and the assistant general manager is authorized to sign in the general manager's place.

34. Draft regulation submitted to the government — Every draft regulation that must be submitted to the government must be sent to the secretary and signed by at least 4 members of the parity committee.

Every resolution to request the making, amendment or revocation of a regulation must be passed at a general meeting convened for that purpose, in accordance with section 19.

DIVISION VI**ATTENDANCE ALLOWANCE AND TRAVEL EXPENSES**

35. No remuneration — The members of the parity committee are not remunerated. They are, however, entitled to an attendance allowance and the reimbursement of their actual travel expenses.

36. Allowance — The attendance allowance and travel expenses are granted to a member who participates in a meeting of the board of directors or one of its subcommittees.

37. Amount of the allowance — The parity committee pays an attendance allowance of \$200 per day to its members following their participation in a meeting of the board of directors or one of its subcommittees.

Members may not receive more than 4 attendance allowances per month.

The total amount of allowances paid to a member may not exceed \$5,000 per year.

38. Travel expenses — The parity committee reimburses the actual travel expenses incurred by its members to participate in person in a meeting of the board of directors or one of its subcommittees.

Actual travel expenses are composed of the costs for transportation, meals and accommodation and are reimbursed on submission of vouchers and in accordance with the Directive sur les frais remboursables lors d'un déplacement et autres frais inhérents (C.T. 194603, 2000-03-30 and subsequent amendments thereto).

No expenses are reimbursed for the virtual participation of a member in a meeting of the board of directors or one of its subcommittees.

DIVISION VII**MISCELLANEOUS AND FINAL**

39. Fiscal year — The fiscal year of the parity committee ends on 31 December each year.

40. Assurance — The parity committee must hold one or several insurance policies to cover its civil liability and that of the members of the board of directors and the officers of the parity committee.

In the absence of insurance coverage in force held by the parity committee and except in the case of serious misconduct, the parity committee must indemnify and hold harmless any member of the board of directors and officer of the parity committee whose liability is incurred as a result of an error or omission in the performance of their duties and, consequently, waives the right to make any claim against them in this regard.

41. Replacement — This Regulation replaces the Règlement sur la constitution du Comité paritaire de l'industrie de l'automobile des régions Lanaudière-Laurentides, approved by Order in Council 985-82 dated 22 April 1982, as amended, and the Règlement sur l'allocation de présence et sur les frais de déplacement des membres du Comité paritaire de l'industrie de l'automobile des régions Lanaudière-Laurentides, approved by Order in Council 2524-85 dated 27 November 1985, as amended.

42. Coming into force — This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

107431



M.O., 2025**Order 2025-5401 of the Minister of Justice dated
9 May 2025**

Code of Civil Procedure
(chapter C-25.01)

Districts in which mediation is mandatory and those in which arbitration is offered to the parties at the Small Claims Division of the Court of Québec

THE MINISTER OF JUSTICE,

CONSIDERING article 570 of the Code of Civil Procedure (chapter C-25.01), as amended by section 11 of the Act to follow up on the Table Justice-Québec with a view to reducing processing times in criminal and penal matters and to make the administration of justice more efficient (2024, c. 7), which provides that the Minister of Justice determines, by order published in the *Gazette officielle du Québec*, the districts in which mediation is mandatory and those in which arbitration is offered to the parties at the Small Claims Division of the Court of Québec;

CONSIDERING section 42 of the Act to follow up on the Table Justice-Québec with a view to reducing processing times in criminal and penal matters and to make the administration of justice more efficient (2024, c. 7), which provides that mediation is mandatory and that arbitration is offered to the parties in the judicial districts of Laval, Longueuil, Québec, Richelieu and Saint-Hyacinthe, at the Small Claims Division of the Court of Québec;

CONSIDERING Ministerial Orders 2024-5213, 2024-5220, 2024-5273, 2024-5274, 2024-5316, 2025-5332, 2025-5347, 2025-5355, 2025-5356, 2025-5357, 2025-5376, 2025-5377, 2025-5378, 2025-5399 and 2025-5400 of the Minister of Justice made under article 570 of the Code of Civil Procedure, which respectively provide that mediation is mandatory and that arbitration is offered to the parties in the judicial districts of Beauce, Iberville, Rimouski, Kamouraska, Montmagny, Drummond, Arthabaska, Rouyn-Noranda, Témiscamingue, Abitibi, Gaspé, Bonaventure, Charlevoix, Baie-Comeau and Mingan at the Small Claims Division of the Court of Québec;

CONSIDERING that it is expedient to determine another judicial district in which mediation is mandatory and in which arbitration is offered to the parties pursuant to article 570 of the Code of Civil Procedure (chapter C-25.01);

ORDERS AS FOLLOWS:

THAT mediation be mandatory and that arbitration be offered to the parties in the judicial district of Alma as of 14 May 2025.

Québec, 9 May 2025

SIMON JOLIN-BARRETTE
Minister of Justice

107419



M.O., 2025**Order 2025-5399 of the Minister of Justice dated
9 May 2025**

Code of Civil Procedure
(chapter C-25.01)

Districts in which mediation is mandatory and those in which arbitration is offered to the parties at the Small Claims Division of the Court of Québec

THE MINISTER OF JUSTICE,

CONSIDERING article 570 of the Code of Civil Procedure (chapter C-25.01), as amended by section 11 of the Act to follow up on the Table Justice-Québec with a view to reducing processing times in criminal and penal matters and to make the administration of justice more efficient (2024, c. 7), which provides that the Minister of Justice determines, by order published in the *Gazette officielle du Québec*, the districts in which mediation is mandatory and those in which arbitration is offered to the parties at the Small Claims Division of the Court of Québec;

CONSIDERING section 42 of the Act to follow up on the Table Justice-Québec with a view to reducing processing times in criminal and penal matters and to make the administration of justice more efficient (2024, c. 7), which provides that mediation is mandatory and that arbitration is offered to the parties in the judicial districts of Laval, Longueuil, Québec, Richelieu and Saint-Hyacinthe, at the Small Claims Division of the Court of Québec;

CONSIDERING Ministerial Orders 2024-5213, 2024-5220, 2024-5273, 2024-5274, 2024-5316, 2025-5332, 2025-5347, 2025-5355, 2025-5356, 2025-5357, 2025-5376, 2025-5377 and 2025-5378 of the Minister of Justice made under article 570 of the Code of Civil Procedure, which respectively provide that mediation is mandatory and that arbitration is offered to the parties in the judicial districts of Beauce, Iberville, Rimouski, Kamouraska, Montmagny, Drummond, Arthabaska, Rouyn-Noranda, Témiscamingue, Abitibi, Gaspé, Bonaventure and Charlevoix at the Small Claims Division of the Court of Québec;

CONSIDERING that it is expedient to determine another judicial district in which mediation is mandatory and in which arbitration is offered to the parties pursuant to article 570 of the Code of Civil Procedure (chapter C-25.01);

ORDERS AS FOLLOWS:

THAT mediation be mandatory and that arbitration be offered to the parties in the judicial district of Baie-Comeau as of 13 May 2025.

Québec, 9 May 2025

SIMON JOLIN-BARRETTE
Minister of Justice

107420



M.O., 2025**Order 2025-5402 of the Minister of Justice dated
9 May 2025**

Code of Civil Procedure
(chapter C-25.01)

Districts in which mediation is mandatory and those in which arbitration is offered to the parties at the Small Claims Division of the Court of Québec

THE MINISTER OF JUSTICE,

CONSIDERING article 570 of the Code of Civil Procedure (chapter C-25.01), as amended by section 11 of the Act to follow up on the Table Justice-Québec with a view to reducing processing times in criminal and penal matters and to make the administration of justice more efficient (2024, c. 7), which provides that the Minister of Justice determines, by order published in the *Gazette officielle du Québec*, the districts in which mediation is mandatory and those in which arbitration is offered to the parties at the Small Claims Division of the Court of Québec;

CONSIDERING section 42 of the Act to follow up on the Table Justice-Québec with a view to reducing processing times in criminal and penal matters and to make the administration of justice more efficient (2024, c. 7), which provides that mediation is mandatory and that arbitration is offered to the parties in the judicial districts of Laval, Longueuil, Québec, Richelieu and Saint-Hyacinthe, at the Small Claims Division of the Court of Québec;

CONSIDERING Ministerial Orders 2024-5213, 2024-5220, 2024-5273, 2024-5274, 2024-5316, 2025-5332, 2025-5347, 2025-5355, 2025-5356, 2025-5357, 2025-5376, 2025-5377, 2025-5378, 2025-5399, 2025-5400 and 2025-5401 of the Minister of Justice made under article 570 of the Code of Civil Procedure, which respectively provide that mediation is mandatory and that arbitration is offered to the parties in the judicial districts of Beauce, Iberville, Rimouski, Kamouraska, Montmagny, Drummond, Arthabaska, Rouyn-Noranda, Témiscamingue, Abitibi, Gaspé, Bonaventure, Charlevoix, Baie-Comeau, Mingan and Alma at the Small Claims Division of the Court of Québec;

CONSIDERING that it is expedient to determine another judicial district in which mediation is mandatory and in which arbitration is offered to the parties pursuant to article 570 of the Code of Civil Procedure (chapter C-25.01);

ORDERS AS FOLLOWS:

THAT mediation be mandatory and that arbitration be offered to the parties in the judicial district of Chicoutimi as of 14 May 2025.

Québec, 9 May 2025

SIMON JOLIN-BARRETTE
Minister of Justice

107421



M.O., 2025**Order 2025-5400 of the Minister of Justice dated
9 May 2025**

Code of Civil Procedure
(chapter C-25.01)

Districts in which mediation is mandatory and those in which arbitration is offered to the parties at the Small Claims Division of the Court of Québec

THE MINISTER OF JUSTICE,

CONSIDERING article 570 of the Code of Civil Procedure (chapter C-25.01), as amended by section 11 of the Act to follow up on the Table Justice-Québec with a view to reducing processing times in criminal and penal matters and to make the administration of justice more efficient (2024, c. 7), which provides that the Minister of Justice determines, by order published in the *Gazette officielle du Québec*, the districts in which mediation is mandatory and those in which arbitration is offered to the parties at the Small Claims Division of the Court of Québec;

CONSIDERING section 42 of the Act to follow up on the Table Justice-Québec with a view to reducing processing times in criminal and penal matters and to make the administration of justice more efficient (2024, c. 7), which provides that mediation is mandatory and that arbitration is offered to the parties in the judicial districts of Laval, Longueuil, Québec, Richelieu and Saint-Hyacinthe, at the Small Claims Division of the Court of Québec;

CONSIDERING Ministerial Orders 2024-5213, 2024-5220, 2024-5273, 2024-5274, 2024-5316, 2025-5332, 2025-5347, 2025-5355, 2025-5356, 2025-5357, 2025-5376, 2025-5377, 2025-5378 and 2025-5399 of the Minister of Justice made under article 570 of the Code of Civil Procedure, which respectively provide that mediation is mandatory and that arbitration is offered to the parties in the judicial districts of Beauce, Iberville, Rimouski, Kamouraska, Montmagny, Drummond, Arthabaska, Rouyn-Noranda, Témiscamingue, Abitibi, Gaspé, Bonaventure, Charlevoix and Baie-Comeau at the Small Claims Division of the Court of Québec;

CONSIDERING that it is expedient to determine another judicial district in which mediation is mandatory and in which arbitration is offered to the parties pursuant to article 570 of the Code of Civil Procedure (chapter C-25.01);

ORDERS AS FOLLOWS:

THAT mediation be mandatory and that arbitration be offered to the parties in the judicial district of Mingan as of 13 May 2025.

Québec, 9 May 2025

SIMON JOLIN-BARRETTE
Minister of Justice

107422



M.O., 2025**Order 2025-5403 of the Minister of Justice dated
9 May 2025**

Code of Civil Procedure
(chapter C-25.01)

Districts in which mediation is mandatory and those in which arbitration is offered to the parties at the Small Claims Division of the Court of Québec

THE MINISTER OF JUSTICE,

CONSIDERING article 570 of the Code of Civil Procedure (chapter C-25.01), as amended by section 11 of the Act to follow up on the Table Justice-Québec with a view to reducing processing times in criminal and penal matters and to make the administration of justice more efficient (2024, c. 7), which provides that the Minister of Justice determines, by order published in the *Gazette officielle du Québec*, the districts in which mediation is mandatory and those in which arbitration is offered to the parties at the Small Claims Division of the Court of Québec;

CONSIDERING section 42 of the Act to follow up on the Table Justice-Québec with a view to reducing processing times in criminal and penal matters and to make the administration of justice more efficient (2024, c. 7), which provides that mediation is mandatory and that arbitration is offered to the parties in the judicial districts of Laval, Longueuil, Québec, Richelieu and Saint-Hyacinthe, at the Small Claims Division of the Court of Québec;

CONSIDERING Ministerial Orders 2024-5213, 2024-5220, 2024-5273, 2024-5274, 2024-5316, 2025-5332, 2025-5347, 2025-5355, 2025-5356, 2025-5357, 2025-5376, 2025-5377, 2025-5378, 2025-5399, 2025-5400, 2025-5401 and 2025-5402 of the Minister of Justice made under article 570 of the Code of Civil Procedure, which respectively provide that mediation is mandatory and that arbitration is offered to the parties in the judicial districts of Beauce, Iberville, Rimouski, Kamouraska, Montmagny, Drummond, Arthabaska, Rouyn-Noranda, Témiscamingue, Abitibi, Gaspé, Bonaventure, Charlevoix, Baie-Comeau, Mingan, Alma and Chicoutimi at the Small Claims Division of the Court of Québec;

CONSIDERING that it is expedient to determine another judicial district in which mediation is mandatory and in which arbitration is offered to the parties pursuant to article 570 of the Code of Civil Procedure (chapter C-25.01);

ORDERS AS FOLLOWS:

THAT mediation be mandatory and that arbitration be offered to the parties in the judicial district of Roberval as of 14 May 2025.

Québec, 9 May 2025

SIMON JOLIN-BARRETTE
Minister of Justice

107423



M.O., 2025

Order 2025-0004 of the Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks dated 8 May 2025

Act respecting the conservation and development of wildlife
(chapter C-61.1)

Regulation to amend the Regulation respecting hunting

THE MINISTER OF THE ENVIRONMENT, THE FIGHT AGAINST CLIMATE CHANGE, WILDLIFE AND PARKS,

CONSIDERING subparagraph 2 of the first paragraph of section 163 of the Act respecting the conservation and development of wildlife (chapter C-61.1), which provides that the Minister may make regulations limiting the number of licences or leases of each class for a zone, territory or place the Minister specifies, and determining the number of licences or leases of each class that a person is authorized to issue under section 54 of the Act for that zone, territory or place;

CONSIDERING the first paragraph of section 164 of the Act, which provides in particular that a regulation made under subparagraph 2 of the first paragraph of section 163 of the Act is not subject to the publication requirements set out in section 8 of the Regulations Act (chapter R-18.1);

CONSIDERING the making of the Regulation respecting hunting (chapter C-61.1, r. 12);

CONSIDERING that it is expedient to amend a schedule to the Regulation and to close Area 26 with respect to the hunting of female moose more than 1 year old;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting hunting, attached to this Order, is hereby made.

Québec, 8 May 2025

BENOIT CHARETTE
Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks

Regulation to amend the Regulation respecting hunting

Act respecting the conservation and development of wildlife
(chapter C-61.1, s. 163, 1st par., subpar. 2).

1. The Regulation respecting hunting (chapter C-61.1, r. 12) is amended in the first paragraph of section 17

(1) by striking out “, 26” in subparagraph 2;

(2) by inserting “and Area 26” after “CCII” in subparagraph 3.

2. Schedule II is replaced by the following:

“SCHEDULE II
(s. 13)

NUMBER OF HUNTING LICENCES AVAILABLE PER YEAR ACCORDING TO AREAS, PARTS OF AREAS AND TERRITORY

1. “White-tailed deer, female or male with antlers less than 7 cm, all areas except Area 20” hunting licence:

1° in areas:

Area			Number of licences
a)	1	i. the northern part of Area 1 shown on the plan in Schedule CCXVI	0
		ii. the southern part of Area 1 shown on the plan in Schedule CCXVI	0
b)	2	i. the northeastern part of Area 2 shown on the plan in Schedule IX	0
		ii. the southwestern part of Area 2 shown on the plan in Schedule IX	130
c)	3	i. except the western part shown on the plan in Schedule X	250
		ii. the western part of Area 3 shown on the plan in Schedule X, excluding the territory referred to in Schedule CCI	2,400
d)	4		4,000
e)	5	i. except the western part shown on the plan in Schedule XXXVIII	650
		ii. the western part of Area 5 shown on the plan in Schedule XXXVIII	6,500

	Area	Number of licences
f)	6 i. except the northern part shown on the plan in Schedule XXXIX	11,500
	ii. the northern part of Area 6 shown on the plan in Schedule XXXIX	7,750
g)	7 i. except the southern part shown on the plan in Schedule CXXXIV	3,800
	ii. the southern part of Area 7 shown on the plan in Schedule CXXXIV	5,200
h)	8 i. except the southern part of that area shown on the plan in Schedule XIII and except the eastern part of that area shown on the plan in Schedule CXXXV	4,500
	ii. the eastern part of Area 8 shown on the plan in Schedule CXXXV	4,500
	iii. the southern part of Area 8 shown on the plan in Schedule XIII	4,000
i)	9 i. except the western part shown on the plan in Schedule CXXXII	150
	ii. the western part of Area 9 shown on the plan in Schedule CXXXII, excluding the parts of the territories of the municipalities: Notre-Dame-de-Bonsecours, Notre-Dame-de-la-Paix, Fassett, Namur, Saint-Émile-de-Suffolk, Boileau, Grenville, Grenville-sur-la-Rouge, Amherst, Huberdeau, Arundel, Barkmere, Montcalm, Lac-des-Seize-Îles, Wentworth-Nord, Brownsburg-Chatham, Harrington that form part of that part of Area 9 shown on the plan in Schedule CXXXII	200
	iii. the parts of the territories of the municipalities: Notre-Dame-de-Bonsecours, Notre-Dame-de-la-Paix, Fassett, Namur, Saint-Émile-de-Suffolk, Boileau, Grenville, Grenville-sur-la-Rouge, Amherst, Huberdeau, Arundel, Barkmere, Montcalm, Lac-des-Seize-Îles, Wentworth-Nord, Brownsburg-Chatham, Harrington that form part of the western part of Area 9 shown on the plan in Schedule CXXXII	350

	Area	Number of licences
j)	10 i. the eastern part of Area 10 shown on the plan in Schedule XVI.1, excluding the parts of the territories of the municipalities: Notre-Dame-de-Bonsecours, Notre-Dame-de-la-Paix, Fassett, Namur, Saint-Émile-de-Suffolk, Boileau, Grenville, Grenville-sur-la-Rouge, Amherst, Huberdeau, Arundel, Barkmere, Montcalm, Lac-des-Seize-Îles, Wentworth-Nord, Brownsburg-Chatham, Harrington that form part of that part of area	1,250
	ii. the parts of the territories of the municipalities: Notre-Dame-de-Bonsecours, Notre-Dame-de-la-Paix, Fassett, Namur, Saint-Émile-de-Suffolk, Boileau, Grenville, Grenville-sur-la-Rouge, Amherst, Huberdeau, Arundel, Barkmere, Montcalm, Lac-des-Seize-Îles, Wentworth-Nord, Brownsburg-Chatham, Harrington that form part of the eastern part of Area 10 shown on the plan in Schedule XVI.1	350
	iii. the western part of Area 10 shown on the plan in Schedule XVI	2,500
k)	11 i. except the western part shown on the plan in Schedule XV	800
	ii. the western part of Area 11 shown on the plan in Schedule XV	0
l)	12	0
m)	13 the southwestern part of Area 13 shown on the plan in Schedule CX	0
n)	15 i. except the western part shown on the plan in Schedule CXXXIII	0
	ii. the western part of Area 15 shown on the plan in Schedule CXXXIII	50
o)	26 i. except the eastern part shown on the plan in Schedule CXCI	0
	ii. the eastern part of Area 26 shown on the plan in Schedule CXCI	80
p)	27 i. except the eastern part shown on the plan in Schedule XI	1,100
	ii. the eastern part of Area 27 shown on the plan in Schedule XI	0
q)	28	225

2° in wildlife sanctuaries:

Wildlife sanctuary	Number of licences
La Vérendrye	15
Papineau-Labelle	100
Rouge-Matawin	10

3° in controlled zones:

Controlled zone	Number of licences
Bas-Saint-Laurent	0
Jaro, including the territory referred to in Schedule CCI	50

2. “Female moose more than 1 year old” hunting licence:

1° in areas:

Area	Number of licences
1	9,000

2° in wildlife sanctuaries:

Wildlife sanctuary	Number of licences
Ashuapmushuan	48
Chic-Chocs	189
Laurentides	0
La Vérendrye	0
Mastigouche	51
Matane	500
Papineau-Labelle	0
Port-Daniel	8
Portneuf	0
Rouge-Matawin	5
Saint-Maurice	65

3° in controlled zones:

Controlled zone	Number of licences
Batiscan-Neilson	0
Buteux-Bas-Saguenay	0
Casault	150

Controlled zone	Number of licences
Jaro, including the territory referred to in Schedule CCI	0
Lac-aux-Sables	0
Lavigne	0
Lesueur	10
Maganasipi	20
Martres (des)	0
Mazana	5
Mitchinamecus	10
Normandie	10
Nymphes (des)	0
Petawaga	55
Rapides-des-Joachims	20
Rivière-Blanche (de la)	0
Saint-Patrice	30

3. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

107417



M.O., 2025**Order of the Minister of Municipal Affairs dated
15 May 2025**

Act respecting the Ministère des Affaires municipales,
des Régions et de l'Occupation du territoire
(chapter M-22.1)

Regulation respecting the training of elected municipal
officers

THE MINISTER OF MUNICIPAL AFFAIRS,

CONSIDERING that under section 8 of the
Act respecting the Ministère des Affaires municipales,
des Régions et de l'Occupation du territoire (chapter
M-22.1), the Minister of Municipal Affairs may, by regu-
lation, prescribe the training that members of municipal
councils must undergo and prescribe any condition and
procedure concerning participation in such training;

CONSIDERING that in accordance with sections 10
and 11 of the Regulations Act (chapter R-18.1), a draft
Regulation respecting the training of elected municipal
officers was published in Part 2 of the *Gazette officielle du
Québec* of 5 February 2025 with a notice that it could be
made on the expiry of 45 days following that publication
and that any person could submit comments in writing
within that period;

CONSIDERING that it is expedient to make the
Regulation with amendments;

ORDERS AS FOLLOWS:

The Regulation respecting the training of elected muni-
cipal officers is hereby made.

Québec, 15 May 2025

ANDRÉE LAFOREST
Minister of Municipal Affairs

**Regulation respecting the training of
elected municipal officers**

Act respecting the Ministère des Affaires municipales,
des Régions et de l'Occupation du territoire
(chapter M-22.1, s. 8).

1. Every member of a council of a municipality must,
within nine months after the beginning of the member's
term, participate in eligible training, the compulsory
content and minimum duration of which are provided for
in Schedule I.

2. Every member of a council of a municipality who
has already fulfilled the training requirement provided for
in section 1 must, within nine months after the beginning
of any subsequent term, participate in eligible training, the
compulsory content and minimum duration of which are
provided for in Schedule II.

Within that period, the member must also participate
in eligible training of the member's choice, of a minimum
duration of 60 minutes, on a subject relevant to the exer-
cise of the function of elected municipal officer.

3. The Minister may, where the Minister considers
it justified, extend the time limit set out in sections 1
and 2 for a period of not more than 6 months. A notice of
the Minister's decision to extend the time limit must be
published in the *Gazette officielle du Québec*.

4. Training is eligible within the meaning of sections 1
and 2 where the training instructor is recognized by the
Minister and the content of the training is approved by
the Minister.

The Minister recognizes training instructors on the
basis of their experience and competence. The Minister
approves the content of the training on the basis of its
quality and adequacy.

The first and second paragraphs do not apply as regards
training referred to in the second paragraph of section 2.
Such training is eligible, as regards a member of a muni-
cipal council, where the council of which he or she is a
member so decides after evaluating the criteria provided
for in the second paragraph and the relevance of the
training to the exercise of the function of elected muni-
cipal officer.

5. The Minister may require that the content of any
training the Minister approved be modified or updated, by
notifying the training instructor and granting the training
instructor reasonable time. The Minister may withdraw
the approval if the training instructor does not respond to
the Minister's request within the time granted.

The Minister may, where the Minister considers it justified, revoke the recognition granted to a training instructor.

6. Registration fees for eligible training are to be paid by the municipality, as well as the costs incurred for participating in training.

7. A training instructor must issue a training certificate to a member of a council of a municipality who has participated in eligible training.

8. The training requirement provided for in section 1 applies as of the 2025 municipal general election.

9. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

SCHEDULE

(Section 1)

The training must concern the following subjects and have a duration of at least 7 hours and 30 minutes, apportioned as follows:

- (a) Functioning of the local and regional municipality and the municipal council, including the following subtopics (90 minutes):
- Internal management by-laws;
 - Prior transmission of documents useful in making decisions;
 - The making of decisions;
 - The regulatory process;
 - Public notices;
 - The question period;
 - Special sittings;
 - Intermunicipal agreements.
- (b) Relations between the political and administrative actors in the municipality, including the following subtopics (120 minutes):
- Roles and responsibilities of elected officers and political interference in the municipal administration;
 - Roles and responsibilities of the principal officers and employees;
 - Hiring of officers and employees;
 - Powers of the mayor and the warden as regards monitoring, investigation and control;
 - Remuneration;
 - Conflict prevention and management;
 - Role of the Commission municipale du Québec;
 - Role of the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire and the Minister of Municipal Affairs, Regions and Land Occupancy.

- (c) Municipal budget management, finances and taxation, including the following subtopics (120 minutes):
- Budget;
 - Triennial program of capital expenditures;
 - Authorization of an expenditure;
 - Financing of an expenditure;
 - Awarding and management of contracts;
 - Financial report;
 - Sources of revenue of the municipality;
 - The assessment roll.
- (d) Land use planning and development, including the following subtopics (120 minutes):
- Functioning of the land use planning regime in Québec, and government policy directions concerning land use development;
 - Land use and development plan and planning program;
 - Planning by-laws;
 - Role of the advisory planning committee;
 - Role of the demolition committee;
 - Public consultation and approval by way of referendum.

SCHEDULE

(Section 2)

The training must concern the following subjects and have a duration of at least two hours, apportioned as follows:

- (a) Relations between the political and administrative authorities in the municipality, including the following underlying subjects (60 minutes):
- Political interference in the municipal administration;
 - Powers of the mayor and the warden as regards monitoring, investigation and control;
 - Conflict prevention and management.
- (b) Overview of new developments relevant to the function of elected municipal officer with regard to legislation, regulations and jurisprudence (60 minutes).

Draft Regulation

Individual and Family Assistance Act
(chapter A-13.1.1; 2024, chapter 34)

Individual and Family Assistance —Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Individual and Family Assistance Regulation, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation proposes various measures relating to social assistance programs, including amending the rules of eligibility for the Basic Income Program for certain handicapped persons when they reach 18 years of age, establishing a new special benefit for accessories required for the good working order and maintenance of breathing apparatus, and extending from 30 to 90 days the period for filing an application for the payment of a special benefit without prior authorization. In addition, the draft Regulation withdraws the adjustments granted to asylum seekers on the basis of the composition of the family or cohabitation with another person.

The draft Regulation also amends the interest rate applicable to an amount recoverable under the Individual and Family Assistance Act (chapter A-13.1.1).

Moreover, the draft Regulation follows up on certain amendments to the Act made by the Act to improve support for persons and to simplify the social assistance regime (2024, chapter 34) by striking out the cases in which and the conditions under which certain temporarily limited capacity for employment allowances may be granted, given that those allowances were abolished.

Consequently, the draft Regulation establishes an adjustment for persons who provide constant care and an adjustment for handicapped dependent children. It determines the amounts of those adjustments and the parameters for paying them, and allows recipients to participate in the Aim for Employment Program on a voluntary basis. The draft Regulation also increases the amount of the special benefit for persons who take refuge in a shelter for persons who are victims of violence or other similar place. Moreover, the draft Regulation indexes the amounts of the adjustments and special benefit on 1 January of each year.

Further information on the draft Regulation may be obtained by contacting France Edma, coordinator, Direction des politiques d'assistance sociale, Ministère de l'Emploi et de la Solidarité sociale, 425, rue Jacques Parizeau, 4^e étage, Québec (Québec) G1R 4Z1; telephone: 418 809-7259; email: france.edma@mess.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister Responsible for Social Solidarity and Community Action, 425, rue Jacques Parizeau, 4^e étage, Québec (Québec) G1R 4Z1; email: ministre.ssac@mess.gouv.qc.ca.

CHANTAL ROULEAU

*Minister Responsible for Social Solidarity and
Community Action*

Regulation to amend the Individual and Family Assistance Regulation

Individual and Family Assistance Act
(chapter A-13.1.1, s. 131, par. 11, s. 132, pars. 6, 7, 8, 16 and 17, s. 133.1, pars. 1 and 6, s. 133.2, par. 1, s. 134, pars. 1, 6 and 8, and s. 136; 2024, chapter 34, s. 51, par. 5).

1. The Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1) is amended in section 7 by replacing “financial assistance program provided for in Title II” by “social assistance program provided for in Title II or a specific program provided for in Title II.1”.

2. Sections 62 to 63.1, 67.1 and 67.2 are revoked.

3. Section 67.3 is amended

(1) by striking out “temporarily” in subparagraph 2 of the first paragraph;

(2) by striking out the fourth paragraph.

4. The following is inserted after 67.4:

“**67.5.** The basic benefit is adjusted by \$166 if an independent adult, an ineligible student’s spouse or only 1 adult member of a family provides constant care to an adult whose autonomy is significantly reduced because of a physical or mental condition.

The adjustment is \$285 if both adult members of a family provide constant care to another adult who is not the same adult.”.

5. The following is inserted after section 78:

“**78.1.** The family’s basic benefit is adjusted by \$166 if an independent adult or only 1 adult member of a family has at least 1 dependent child who is handicapped within the meaning of subparagraph *b* of the second paragraph of section 1029.8.61.18 of the Taxation Act (chapter I-3).

The adjustment is \$285 if both adult members of a family each have a dependent handicapped child of whom the other adult is not the parent.”.

6. Section 80 is amended by inserting “, except the adjustment in section 78.1, which applies to an ineligible student’s spouse” at the end.

7. The following is inserted after section 80:

“**§3.1.** *Cumulation of allowances and of certain adjustments*

80.1. An adult may not cumulate a limited capacity allowance and the adjustment in section 67.5 or the adjustment in section 78.1.

An adult may not cumulate the adjustment in section 67.5 and the adjustment in section 78.1.

80.2. A family composed of 2 adults may cumulate, based on the circumstances of each adult, a limited capacity allowance and the adjustment in section 67.5 or the adjustment in section 78.1. In that case, the basic benefit is increased by not more than \$285.”.

8. Section 84 is amended in the second paragraph

(1) by replacing “30 days” by “90 days”;

(2) by striking out the last sentence.

9. Section 108 is replaced by the following:

“**108.** A special monthly benefit of \$266 is granted to an adult who takes refuge in a shelter for persons who are victims of violence or other similar place.”.

10. Section 155 is amended by replacing “section 67.3, and subdivision” by “sections 67.3, 67.5 and 78.1, and subdivisions 3.1 and”.

11. Section 177.1 is amended in the fourth paragraph

(1) by replacing subparagraph 9 by the following:

“(9) the amounts referred to in sections 64 and 67.5, the second paragraph of section 75, and section 78.1;”;

(2) by inserting the following after subparagraph 9.1:

“(9.2) the amount referred to in section 108;”.

12. Section 177.11 is amended by replacing the first paragraph by the following:

“A person who would be required to participate in the program may nonetheless choose not to participate if the person proves that, on the date of the application, the person

(1) is at least 20 weeks pregnant or gave birth more than 18 weeks earlier;

(2) provides constant care to an adult whose autonomy is significantly reduced because of a physical or mental condition;

(3) has at least 1 dependent child who is handicapped within the meaning of subparagraph *b* of the second paragraph of section 1029.8.61.18 of the Taxation Act (chapter I-3).”.

13. The following is inserted after section 177.25.1:

“**177.25.2.** The basic benefit granted to a family is increased by an amount equal to the amount of the adjustment in section 67.5 to which the family would be entitled under the Social Assistance Program. Subdivision 3.1 of Division II of Chapter III of Title IV applies, with the necessary modifications, for the purposes of granting such amount.”.

14. Section 177.26 is amended by replacing the last sentence by the following: “Subdivisions 3 and 3.1 of Division II of Chapter III of Title IV applies, with the necessary modifications, for the purposes of granting such amount.”.

15. Section 177.45 is amended by inserting “or, if the parent has already received the supplement, the months during which the parent would have continued to receive the supplement if the person had not been placed or sheltered under the Act, or if the parent had not received personal home assistance within the meaning of section 1029.8.61.19.2 of the Act” at the end of subparagraph 2 of the first paragraph.

16. Section 178 is amended by replacing “financial assistance program established under Title II” in the first paragraph by “social assistance program established under Title II or a specific program established under Title II.1”.

17. Section 188 is amended by replacing “financial assistance program established under Title II” by “social assistance program established under Title II or a specific program established under Title II.1”.

18. Section 192 is amended by inserting “, minus 3 percentage points” at the end.

19. Schedule III is amended by inserting the following after section 2.12.2:

“2.12.3. Accessories and maintenance expenses required for the good working order of breathing apparatus, up to an amount of \$1,000 per year”.

20. Sections 64, 65, 166 and 177.25 are amended by striking out “temporarily” wherever it appears.

21. The amounts provided for in sections 67.5, 78.1 and 108 of the Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1), as made by sections 4, 5 and 9 of this Regulation, are increased as of 1 January 2026 as per section 177.1 of the Individual and Family Assistance Regulation.

The Minister informs the public of the increase under this section through Part 1 of the *Gazette officielle du Québec* and by such other means as the Minister considers appropriate.

22. This Regulation comes into force on 1 October 2025, except section 2 to the extent that it revokes sections 62 to 63.1, paragraph 1 of section 3, and sections 4 to 7, 9 to 14, 20 and 21, which come into force on 1 January 2026.

107430



Draft Regulation

Supplemental Pension Plans Act
(chapter R-15.1; 2024, chapter 39)

Supplemental pension plans —Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting supplemental pension plans, appearing below, may be approved by the Government on the expiry of 45 days following this publication.

The Act respecting the implementation of certain provisions of the Budget Speech of 12 March 2024 and amending other provisions (2024, chapter 39) amends the Supplemental Pension Plans Act (chapter R-15.1) to set out provisions that regulate the setting up of variable payment life pension funds in a pension plan and pensions paid into such funds.

The purpose of the draft Regulation is to follow up on those amendments. Therefore, it proposes the rules applicable for the administration of a variable payment life pension fund, in particular the method to calculate the amount of a variable payment life pension and the method to make periodic adjustments.

The draft Regulation specifies, in order to take into account the value of a variable payment life pension, the rules applicable for the calculation of certain death benefits and where partition of benefits is carried out or where a fund is wound-up. It also provides that certain information documents be sent to the beneficiaries of the fund by the pension committee. It fixes the fees payable during the filing of certain documents with Retraite Québec.

The draft Regulation has no impact on enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Julie Lavoie or Geneviève Couture, Direction générale des régimes complémentaires de retraite, Retraite Québec, Place de la Cité, 2600, boulevard Laurier, 5^e étage, Québec (Québec) G1V 4T3; emails: julie.lavoie@retraitequebec.gouv.qc.ca and genevieve.couture@retraitequebec.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to René Dufresne, President and Chief Executive Officer of Retraite Québec, Place de la Cité, 2600, boulevard Laurier, 5^e étage, Québec (Québec) G1V 4T3.

ERIC GIRARD
Minister of Finance

Regulation to amend the Regulation respecting supplemental pension plans

Supplemental Pension Plans Act
(chapter R-15.1, s. 244, 1st par., subpars. 1, 2, 3.0.1, 3.1.2 to 3.1.12, 6 to 8, 8.5, 11, 12, 13 and 14; 2024, chapter 39, s. 19, pars. 1 to 3).

1. The Regulation respecting supplemental pension plans (chapter R-15.1, r. 6) is amended in section 1 by adding the following at the end of the first paragraph:

“(10) for each variable payment life pension fund included in the plan, the actuarial assumptions related to mortality determined by an actuary and used to purchase a variable payment life pension fund with the sums transferred to the fund.”.

2. Section 2 is amended by inserting the following after subparagraph 2.1 of the first paragraph:

“(2.2) if the purpose of the amendment is to establish in the plan a variable payment life pension fund, the actuarial assumptions related to mortality determined by an actuary and used to purchase a variable payment life pension fund with the sums transferred to the fund;”.

3. The following is inserted after section 11.3:

“§4. *Financial report*

11.4. The report referred to in the second paragraph of section 161 of the Act must contain, for each variable payment life pension fund included in the plan, a statement of changes in the net assets available for payment of the benefits.

§5. *Report related to the adjustment of variable payment life pensions*

11.5. Every pension adjustment report referred to in section 15.13 must contain the following information:

(1) the name of the plan and the number assigned to it by Retraite Québec;

(2) the valuation date;

(3) the name of the signatory, the signatory's professional title, the name and address of the signatory's office and the date of signing.

The report must contain the statements of the actuary provided for in Subsection 3260 of the Standards of Practice of the Canadian Institute of Actuaries.

It must also contain, for each fund included in the plan, the following elements:

(1) the reference rate related to pensions paid;

(2) where applicable, the periodic increase rate applicable to pensions paid;

(3) the number of beneficiaries of the fund and their average age, distributed by sex;

(4) the total amount of pensions paid before and after each adjustment calculated under sections 15.17 to 15.19, where applicable;

(5) the target of the investment policy for each category of investment;

(6) the proportion of assets allocated to each category of investment provided for in the investment policy;

(7) the value of the assets used to make the calculations related to the adjustment of pension amounts;

(8) a reconciliation of the assets for each fiscal year since the last pension adjustment report sent to Retraite Québec;

(9) the value of the liabilities established after each adjustment calculated pursuant to sections 15.17 to 15.19, where applicable;

(10) a description of each adjustment of pension amounts related to the following elements, for each fiscal year since the most recent pension adjustment report sent to Retraite Québec:

(a) the return of the fund;

(b) the mortality experience of the beneficiaries of the fund;

(c) where applicable, the change of actuarial assumptions related to mortality;

(11) a description of the actuarial assumptions related to mortality used to purchase a variable payment life pension with the sums transferred to the fund and of those used for the calculation of the adjustment of the pension amounts;

(12) where applicable, a justification of the change of actuarial assumptions related to mortality.

If the mortality experience is shared among several funds included in the plan, the report must contain the information concerning the transfers of sums between funds.”.

4. Section 13 is amended

(1) by inserting “of contracts and plans” in the part preceding paragraph 1 after “applications for registration”;

(2) by striking out “an application concerning” in paragraphs 1 and 2;

(3) in paragraph 3

(a) by striking out “an application concerning”;

(b) by striking out “or 4”;

(4) by striking out paragraphs 4 and 5.

5. Section 14 is amended by adding the following at the end:

“In the event of failure to produce the pension adjustment report referred to in section 15.13, fees equal to 20% of the fees calculated in the manner prescribed by section 13.0.1 for the annual return must be paid to Retraite Québec for each complete month of delay, but by taking into account only the number of beneficiaries of the fund indicated on the annual information return related to the last fiscal year of the plan, up to the amounts of the fees thus calculated.”.

6. Section 15 is amended

(1) by replacing “\$20” by “\$30”;

(2) by adding the following at the end:

“The amount is adjusted on 31 December of each year in accordance with the provisions of section 13.0.2.”.

7. The following subdivisions are inserted after section 15.8:

“§4. *Variable payment life pension*

I. — *Provisions of the plan related to a variable payment life pension fund*

15.9. The plan text must, for each variable payment life pension fund included in the plan, contain the following information:

(1) the person or body that may amend the provisions of the plan related to the fund, if it differs from the person or body that may amend the plan;

(2) the age at which a member or spouse can be entitled to payment of a variable payment life pension;

(3) the conditions to be entitled to payment of a variable payment life pension;

(4) the reference rate provided for the fund or the rates offered or the method to determine them;

(5) the various options offered by the fund relating to the following elements:

(a) where applicable, the periodic increase rate of the pension;

(b) death benefits;

(6) the death benefit applicable where the pension is redetermined pursuant to section 89.1 of the Act;

(7) the payment frequency of the pension;

(8) the following terms related to the adjustment of the pension amount:

(a) the annual adjustment to take into account the return of the fund;

(b) the adjustment frequency to take into account the mortality experience of the beneficiaries of the fund;

(c) whether or not the pension committee can decide to adjust the amount to take into account the mortality experience even if the plan does not provide for such an adjustment in respect of a fiscal year;

(d) the moment from which payment of the adjusted pension amount is made and, if it comes before, the moment when the adjustment of the pension amount becomes effective;

(e) the method used for calculating the first adjustment of a pension amount to take into account the return of the fund and, where applicable, the method applicable to take into account the mortality experience;

(f) the method used for calculating the adjustment of a pension amount purchased before a pension adjustment report making a change to the actuarial assumptions related to mortality is sent to Retraite Québec;

(9) fees deducted from the return of the fund;

(10) the method used for calculating the rate of return of the fund;

(11) if the fees related to the winding-up of the fund are borne by the fund or the employer.

In addition, if the plan includes several variable payment life pension funds, the plan text must indicate the method to distribute the fees in respect of each fund. It must also indicate the funds for which, as the case may be, the mortality experience is shared.

All provisions concerning a variable payment life pension fund must be grouped in an easily identifiable section of the plan text.

II. — *General provisions related to a variable payment life pension fund*

15.10. The plan may provide that, to be entitled to the payment of a variable payment life pension under a fund included in the plan, the member or spouse must transfer a minimum amount to a variable payment life pension fund.

The plan may also provide for the maximum amount of all the sums that a member or spouse can transfer to a variable payment life pension fund included in the plan or to all the funds included in the plan, for which the mortality experience is shared.

15.11. Where the mortality experience between funds included in the plan is shared, the actuarial assumptions related to mortality used to purchase a variable payment life pension with the sums transferred to the fund must be the same for all funds concerned.

15.12. The transfer referred to in section 90.6 of the Act, enacted by section 18 of the Act respecting the implementation of certain provisions of the Budget Speech of 12 March 2024 and amending other provisions (2024, chapter 39), is only permitted between variable payment life pension funds of the plan referred to in section 15.11 and must be made as provided for in a pension adjustment report referred to in section 15.13.

The sums to be transferred between funds are determined on the date of the end of the fiscal year, after the calculations pursuant to section 15.18 and, where applicable, section 15.19, have been made, considering that the sum to be transferred from a fund is the sum by which, on that date, the fund's assets exceed its liabilities.

The sum to be transferred from a fund is adjusted based on the net rate of return of the fund between that date and the date of the transfer. The transfer must be made immediately after the pension adjustment report prepared under section 15.13 has been sent to Retraite Québec.

15.13. Every variable payment life pension fund must be the subject of a valuation by an actuary

(1) to adjust the pension amounts to take into account the mortality experience of the beneficiaries of the fund

(a) not later than the end date of the fund's third fiscal year;

(b) not later than the end date of the fund's last fiscal year occurring within three years after the date of the fund's last valuation taking into account the mortality experience, the report of which was sent to Retraite Québec;

(c) every time such an adjustment is calculated, where the mortality experience is shared among several funds included in the plan;

(2) in the event of changes to the actuarial assumptions related to mortality;

(3) whenever required by Retraite Québec.

As soon as a fund is the subject of a valuation by an actuary, every other fund included in the plan must also be the subject of a valuation.

A report made after every valuation referred to in the first paragraph, prepared by an actuary, must be sent to Retraite Québec by the pension committee within 6 months of the end of the fiscal year concerned. The report is said to be the pension adjustment report.

15.14. In respect of the options offered by a variable payment life pension fund within the scope of section 90.9 of the Act, enacted by section 18 of the Act respecting the implementation of certain provisions of the Budget Speech of 12 March 2024 and amending other provisions (2024, chapter 39)

(1) where a plan provides for the payment of a death benefit the amount of which corresponds to the excess of the sums transferred to a fund for the purchase of a pension on the total of the amounts paid with respect to that pension until death, the benefit amount cannot exceed the total of the sums transferred to the fund and accrued, from the date of transfer to the date of death of the beneficiary of the fund, at the net rate of return of the fund, reduced from the total of the pension amounts paid until the date of death and accrued at the net rate of return of the fund;

(2) where the plan provides for a death benefit, payable in a lump sum, according to which payment of the pension is guaranteed for a period, the benefit amount corresponds to the commuted value of the pension amounts to be paid for the residual guarantee period, calculated on the date of death based on the pension amount paid on that date and the reference rate applicable to the pension. The amount is accrued at the net rate of return of the fund until the date of payment.

III. — *Establishment and payment of a variable payment life pension*

15.15. The amount of a variable payment life pension is established on the date of transfer referred to in section 90.3 of the Act, enacted by section 18 of the Act respecting the implementation of certain provisions of the Budget Speech of 12 March 2024 and amending other provisions (2024, chapter 39), and by considering that payment of the pension begins on the date of the next payment of pensions covered by the fund after the date of transfer or, where required in order to comply with the fiscal rules, by considering that payment of the pension begins on a date prior to the latter date, but not prior to the date of transfer.

That amount is established by taking into account the following elements:

(1) the reference rate provided for in respect of the fund or the one chosen by the member or spouse among those offered for the fund, where applicable;

(2) the pension options chosen by the member or spouse;

(3) the age of the member or spouse and, where applicable, the age of the member's spouse;

(4) the most recent actuarial assumptions related to mortality, which must be sex-specific, used to purchase a pension and sent to Retraite Québec.

For the purposes of this Regulation, the reference rate referred to in subparagraph 1 of the second paragraph means the interest rate used to determine the amount of the variable payment life pension purchased from the sums transferred to the fund and to adjust the amount thereof annually.

In the event of changes to the actuarial assumptions related to mortality, the amount of a pension purchased after a transfer was made before the pension adjustment report establishing the new assumptions was sent to Retraite Québec is adjusted to take them into account, according to the method provided for in the plan.

15.16. Payment of the variable payment life pension is made on a monthly basis, unless the plan provides for more frequent payments.

IV. — Adjustment of the amount of the variable payment life pension

15.17. The pension amount of every beneficiary of a variable payment life pension fund on the end date of the fiscal year of the fund is adjusted to take into account the return of the fund.

The adjustment is calculated on the end date of each fiscal year as follows:

$$\frac{(1 + A)}{(1 + B)}$$

“A” represents the fund’s net rate of return of the fiscal year calculated according to the financial report referred to in the second paragraph of section 161 of the Act and prepared for that fiscal year;

“B” represents the reference rate applicable to the pension subject to the adjustment.

The first adjustment of the pension amount under this section is made by taking into account the return of the fund between the date of transfer of the sums to the fund and the end date of the fiscal year, according to the method provided for in the plan.

15.18. The amount of each pension is adjusted, after application of section 15.17, to take into account the mortality experience of beneficiaries of the fund according to the frequency covered by the plan or, if the plan so provides, where the pension committee so decides. Such an adjustment must however be made at least every three years, as provided for in section 15.13.

The adjustment is calculated on the end date of the fiscal year. It corresponds to the percentage of variation in the pension amount which allows the value of the fund’s liabilities to be equal to the value of its assets.

For the valuation of the fund for the purposes of that adjustment, the following rules apply:

(1) the fund’s assets are those established in the financial report referred to in the second paragraph of section 161 of the Act and prepared for that fiscal year;

(2) the fund’s liabilities correspond to the value of the fund’s obligations on the end date of the fiscal year established by taking into account, for each pension payable under the fund, the reference rate applicable to the plan and the actuarial assumptions related to mortality, before they are amended, as the case may be.

If the plan includes funds for which the mortality experience is shared, the total assets and the total liabilities of all funds concerned must be taken into account.

The adjustment provided for in this section must be the same for all pensions payable under the fund or under all funds concerned. The plan may however provide for a special calculation method for pensions that are adjusted for the first time in relation to the mortality experience.

15.19. In the event of changes to the actuarial assumptions related to mortality, the pension amounts must, after application of sections 15.17 and 15.18, be adjusted in accordance with the second, third and fourth paragraphs of section 15.18, but by using the new assumptions.

The adjustment must be the same for all pensions payable under the fund or funds concerned.

15.20. The moment from which the adjustment becomes effective is determined by the plan. It cannot be prior to the first day of the fiscal year of the fund that follows the date on which the adjustment is calculated.

The moment from which payment of the adjusted pension amount is made is determined by the plan. It cannot be after the seventh month of that fiscal year.

If the adjustment becomes effective before payment of the adjusted amount begins, the first payment made must include the adjustment of the pension amounts paid since the adjustment has become effective. If amounts are to be recovered, the offset may be applied in accordance with the rules set out in section 163.1 of the Act.

V. — *Redetermination of the variable payment life pension*

15.21. Any redetermination of the variable payment life pension under section 89.1 of the Act is made on the date on which the member's application was received or, in the case referred to in the second paragraph of that section, on the date of the execution of partition or transfer of the member's benefits.

The redetermined pension must be actuarially equivalent to the pension paid on the date of the application or, in the case referred to in the second paragraph of section 89.1 of the Act, to the pension calculated under section 55.0.1.

The actuarially equivalent pension is determined from the elements provided for in the second paragraph of section 15.15 applicable on the date referred to in the first paragraph by taking into account, however, the death benefit covered by the plan in respect of a redetermined pension, as though it had been chosen on the date on which payment of the pension began.

VI. — *Information for members and beneficiaries*

15.22. The summary referred to in section 56.1 must contain, if the plan includes a variable payment life pension fund, the conditions to be entitled to the payment of a variable payment life pension, and the terms of operation of the fund.

15.23. Where a member or spouse files an application referred to in section 90.2 of the Act, the pension committee must send, within 60 days of receipt of the application, an estimated statement of a variable payment life pension that contains the following information:

- (1) the name of the member or spouse;
- (2) the name of the pension plan and the number assigned to it by Retraite Québec;
- (3) the name and address of the person to be contacted for any information concerning the plan;
- (4) the address of the office of the pension committee;
- (5) the personal information related to the member or spouse and, in the case of a member, the information related to his or her spouse which was taken into account in the estimate of the pension amount, with a mention that it may be in the interest of the member and his or her spouse to have that information corrected if it is erroneous;

(6) a mention that the sums transferred to the fund are entirely used for the purchase of a variable payment life pension on the date of the transfer;

(7) the pension amount that can be purchased from the sums to be transferred indicated on the application according to the reference rate or rates offered by the fund and according to each pension option offered by the fund, in particular those for the various death benefits, or according to the reference rates and options designated by the member or spouse among those offered by the plan;

(8) the payment frequency of the pension;

(9) a mention that the pension amount indicated on the statement is an estimate and that the amount to be paid will depend on the sums actually transferred, on the date of their transfer and on the actuarial assumptions related to mortality that apply;

(10) the reference rate used to calculate the estimated pension amount, as well as a mention that the rate, once chosen, is used to adjust the amount annually and that it cannot be changed once the pension amount has been determined;

(11) the actuarial assumptions related to mortality used to determine the estimated pension amount;

(12) a mention that the pension amount, determined when the sums are transferred to the fund, can be adjusted shortly after being paid if the actuarial assumptions related to mortality, determined in a pension adjustment report sent to Retraite Québec in respect of the fiscal year preceding the transfer, differ from those used during the transfer;

(13) the following terms related to the adjustment of the pension amount, that is, the annual adjustment to take into account the return of the fund, the adjustment frequency covered by the plan to take into account the mortality experience and a possible adjustment in the event of changes to the actuarial assumptions related to mortality;

(14) the moment from which payment of the pension amount resulting from the adjustment referred to in paragraph 13 is made and, if it comes before, the moment when the adjustment becomes effective and a mention of the rules resulting from the provisions referred to in the third paragraph of section 15.20;

(15) a mention that the choice of a variable payment life pension is irreversible;

(16) the target of the investment policy for each category of investment;

(17) a history of gross and net returns of the fund over a period of at least five years or, if the fund has existed for less than five years, since its implementation.

In addition, the statement must have one or more illustrations allowing a reasonable person to understand that the pension amount will vary after it has been determined. It must show the assumptions used and contain an appropriate word of caution, that it could be in the interest of the member or spouse, or the member's spouse, to consult a specialist to assess the financial implications for choosing a variable payment life pension.

15.24. The pension committee must send to the beneficiary of the fund, not later than 60 days after the date on which the sums were transferred to the fund, but before payment of the pension began, a notice confirming that payment of the pension has begun.

The notice must contain the following information:

- (1) the name of the beneficiary;
- (2) the information referred to in subparagraphs 2 to 4 of the first paragraph of section 15.23;
- (3) the personal information related to the beneficiary and his or her spouse, where applicable, which was taken into account to determine the pension amount, with a mention that it may be in their interest to have that information corrected if it is erroneous;
- (4) the amount of the sums that were transferred to the fund and the date on which they were transferred;
- (5) the pension amount, its payment frequency and the date on which payment began;
- (6) the options selected for the periodic increase of the pension, where applicable, and for payment of death benefits;
- (7) the reference rate used to determine the pension amount, the way that rate is used to adjust the amount annually and a mention that it cannot be changed;
- (8) the actuarial assumptions related to mortality used to determine the pension amount;
- (9) if it is relevant, given the date of transfer, a mention that the pension amount, determined when the sums are transferred to the fund, can be adjusted shortly after

payment has begun if the actuarial assumptions related to mortality, determined in an adjustment report of pensions sent to Retraite Québec in respect of the fiscal year preceding the transfer, differ from those used during the transfer;

(10) the following terms related to the adjustment of the pension amount, that is, the annual adjustment to take into account the return of the fund, the adjustment frequency covered by the plan to take into account the mortality experience and a possible adjustment in the event of changes to the actuarial assumptions related to mortality;

(11) the moment from which payment of the pension amount resulting from the adjustment referred to in paragraph 10 is made and, if it comes before, the moment when the adjustment becomes effective and a mention of the rules resulting from the provisions referred to in the third paragraph of section 15.20;

(12) a mention that the choice of a variable payment life pension is irreversible;

(13) the target of the investment policy for each category of investment.

15.25. The pension committee must send an annual statement of benefits to each beneficiary of a variable payment life pension fund of the plan, at least 30 days before the date on which payment of the adjusted pension amount must be made. The statement is substituted for the one provided for in section 112 of the Act if all the benefits of the beneficiary under the plan are under variable payment life pension funds of the plan.

The statement must contain the following information:

- (1) the name of the beneficiary;
- (2) the information referred to in subparagraphs 2 to 4 of the first paragraph of section 15.23;
- (3) the fiscal year concerned;
- (4) where a beneficiary of the fund is a plan member, the name of any person entered in the records of the plan as the spouse or beneficiary of the member or, where a beneficiary of the fund is a spouse, the name of any person entered in the records of a plan as a beneficiary or, where applicable, the absence of an entry related to either of those capacities;
- (5) the pension amount before and after the adjustment;

(6) the moment from which payment of the adjusted pension amount is made and, if it comes before, the moment when the adjustment becomes effective and the rules referred to in the third paragraph of section 15.20 that apply regarding that payment;

(7) the reference rate used for the annual adjustment of the pension amount, and a mention that it cannot be changed;

(8) a breakdown of the adjustment of the pension amount based on the cause, that is, the return of the fund and, where applicable, the mortality experience and change in the actuarial assumptions related to mortality;

(9) the fund's gross and net rates of return during the fiscal year that has just ended;

(10) where applicable, the periodic increase rate of the pension;

(11) the nature of the death benefit payable by supposing that the beneficiary of the fund has died on the date of the statement;

(12) if there is a residual pension payment guarantee period, the date of the last pension payment;

(13) if a reduction of the pension is expected due to the payment of death benefits, the amount of that reduction and the date on which it will apply;

(14) the target of the investment policy of the fund for each category of investment;

(15) where applicable, the changes made to the target allocation of the investment policy during the fiscal year that has just ended;

(16) the following terms related to the adjustment of the pension amount, that is, the annual adjustment to take into account the return of the fund, the adjustment frequency covered by the plan to take into account the mortality experience and a possible adjustment in the event of changes to the actuarial assumptions related to mortality.

§5. Termination and winding-up of a variable payment life pension fund

1. — General provisions related to the termination of a variable payment life pension fund

15.26. A variable payment life pension fund ceases

(1) on the plan's termination date;

(2) in the case of an amendment to the plan concerning the winding-up of the fund, on the date determined by the person or body empowered to amend the plan for that purpose;

(3) on the date determined by Retraite Québec where it orders to wind-up the fund.

The termination date of a fund can in no case be later than the end of the month following the date on which the number of beneficiaries of the fund to whom a life pension is paid becomes lower than 10.

15.27. The cases that may give rise to a winding-up order from Retraite Québec in respect of a variable payment life pension fund, pursuant to the second paragraph of section 90.16 of the Act, enacted by section 18 of the Act respecting the implementation of certain provisions of the Budget Speech of 12 March 2024 and amending other provisions (2024, chapter 39), are the following:

(1) the pension committee, a person or body to whom powers have been delegated or any party to the plan fails to comply with an order issued by Retraite Québec under the Act;

(2) the number of beneficiaries of the fund to whom a life pension is paid becomes lower than 10.

Retraite Québec must, before ordering the winding-up of a fund, give the pension committee at least 10 days to present its observations.

15.28. In the case of an amendment to the plan concerning the winding-up of the fund, the pension committee must send each beneficiary of the fund the notice referred to in section 26 of the Act not later than 30 days after the date of termination of the fund.

The pension committee must, immediately after receiving a decision by Retraite Québec to wind-up a variable payment life pension fund, notify in writing the beneficiaries of the fund and every certified association representing members and the employer. It must also amend the plan accordingly. The notice required by this paragraph is substituted for the one provided for in section 26 of the Act regarding the beneficiaries of the fund.

The notice must inform the beneficiaries of the fund of the date of termination of the fund and that a statement showing the payment options of their benefits will be sent to them.

II. — *Termination report of the variable payment life pension fund*

15.29. In the case of an amendment to the plan or a decision by Retraite Québec concerning the winding-up of a variable payment life pension fund of the plan, the pension committee must send to Retraite Québec a termination report of any fund concerned within 90 days after the latest of the following dates:

(1) the date on which the notice referred to in section 26 of the Act is sent to the beneficiaries of the fund or the date on which Retraite Québec's decision was received, as the case may be;

(2) the termination date of the fund.

The pension committee must also provide a copy of the report to the employer and, if it differs, to the person or body that decided on the termination of the fund.

The termination report of a variable payment life pension fund must be prepared by an actuary. It must in particular determine the benefits of each beneficiary of the fund and their value and contain the following information:

(1) the name of the plan and the number assigned to it by Retraite Québec;

(2) the termination date of the fund;

(3) the elements referred to in subparagraphs 1, 2, 4 and 8 to 10 of the third paragraph of section 11.5;

(4) the value of the fund's assets on the termination date of the fund;

(5) the assumptions and methods used to determine the value of the assets and the value of the benefits of beneficiaries of the fund;

(6) the names of the beneficiaries of the fund, and the nature and value of their benefits on the termination date of the fund;

(7) the list of payment methods offered;

(8) the statements of the actuary provided for in Subsection 3330 of the Standards of Practice of the Canadian Institute of Actuaries and the certification by the actuary that the report was prepared in accordance with the provisions of the Act and of this Regulation;

(9) the name of the author of the report, the author's professional title and the date of signing.

If the amendment to the plan or Retraite Québec's decision concerns several funds for which the mortality experience is shared, they must be subject to one and the same report.

15.30. In the event of termination of the plan, the termination report referred to in section 207.2 of the Act must be prepared by an actuary and include, for each variable payment life pension fund included in the plan, the elements referred to in the third paragraph of section 15.29.

The following adaptations apply regarding the information referred to in the first paragraph of section 64:

(1) for the purposes of subparagraph 7, the names of the beneficiaries of every variable payment life pension fund included in the plan are distributed by fund and not by employer;

(2) for the purposes of subparagraph *e* of subparagraph 8.2, each variable payment life pension fund included in the plan constitutes a group of benefits.

III. — *Valuation and statement of the benefits of beneficiaries of a variable payment life pension fund*

15.31. The benefits of each beneficiary of a variable payment life pension fund are valued on the termination date of the fund.

The value of the benefits of a beneficiary of the fund corresponds to his or her share of the fund's assets established in proportion to the liabilities related to his or her benefits on the total liabilities of the fund.

For the purposes of the second paragraph, the liabilities related to the benefits of a beneficiary of the fund who is entitled to a pension on the termination date of the fund corresponds to the commuted value of the pension established from the elements provided for in the second paragraph of section 15.15, applicable on that date. The commuted value is calculated after the pension amount has been adjusted to take into account the return of the fund and the mortality experience until the termination date of the fund. Despite the foregoing, if the pension of the beneficiary who is a member or spouse referred to in section 90.2 of the Act was not in payment on the termination date of the fund, his or her liabilities are equal to the sums transferred to the fund accrued with interest until that date.

15.32. The pension committee must send each beneficiary of the fund a statement of his or her benefits and of their value, along with the following information, where applicable:

- (1) the name of the beneficiary of the fund;
- (2) the information referred to in subparagraphs 2 to 4 of the first paragraph of section 15.23;
- (3) the termination date of the fund;
- (4) the pension amount paid on the termination date of the fund;
- (5) the reference rate applicable to the pension;
- (6) the gross and net rate of return of the fund for the fiscal year during which the termination of the fund occurs, until the termination date of the fund;
- (7) the periodic increase rate of the beneficiary of the fund;
- (8) the applicable option for payment of death benefits;
- (9) the personal information related to the beneficiary of the fund and to his or her spouse which was taken into account in determining the amounts indicated on the statement, with a mention that it may be in the interest of the beneficiary and his or her spouse to have that information corrected if it is erroneous;
- (10) the payment methods of the benefits of the beneficiary of the fund, in particular the pension plan to which the beneficiary could, where applicable, transfer them;
- (11) the terms set for the choice of the payment method of the beneficiary's benefits;

(12) a mention that the termination report of the fund and the data used to determine the beneficiary's benefits or their value may be consulted without charge at the pension committee's office or at the employer's establishment designated by the committee, whichever location is closer to the beneficiary's residence;

(13) the expiry date of the 90-day period provided for in the first paragraph of section 15.29 and a mention that before that date, the beneficiary must make his or her choice among those mentioned on the statement and can also present written observations;

(14) a mention that failure by the beneficiary to exercise his or her choice before the date indicated, his or her benefits will be paid by means of the purchase of an annuity with an insurer;

(15) a mention that the value of the benefits are accrued at the net rate of return of the fund until they are paid and that the amount to be paid will be reduced from the pension amounts paid between the termination date of the fund and the date of payment.

The pension committee must send the statements in a timely manner so as to allow the beneficiaries of the fund at least 10 days to make their choice, and, where applicable, present observations in accordance with subparagraph 13 of the first paragraph.

15.33. In the event of termination of the plan, the statement of benefits required by section 207.3 of the Act must include, for every beneficiary of a variable payment life pension fund included in the plan, the elements referred to in section 15.32. The date referred to in subparagraph 13 of the first paragraph of that section must however be the expiry date of the period referred to in section 207.2 of the Act.

The provisions of section 65 apply, with the necessary modifications, to the statement of benefits.

IV. — *Payment of benefits*

15.34. The benefits of a beneficiary of a pension under a variable payment life pension fund subject to a winding-up must be paid according to one of the following payment methods:

- (1) by the purchase, from an insurer chosen by the pension committee, of an annuity established with the value of his or her benefits;

(2) by means of a transfer to a pension plan referred to in section 98 of the Act, which applies with the necessary modifications.

Despite the foregoing, if the beneficiary of the fund who is a plan member dies before the payment referred to in the first paragraph is made, his or her benefits must rather be paid by means of a benefit payable in a lump sum to his or her spouse or, failing that, to his or her successors. For the purposes of this paragraph, the spouse of a beneficiary is the person who meets the conditions provided for in section 85 of the Act.

In order to have an insurer guarantee the annuity of a beneficiary under subparagraph 1 of the first paragraph, the pension committee can, if the annuity is not available on the market due to its nature, replace the characteristics of the annuity that make it unavailable by similar characteristics that do not entail such a result.

15.35. Where the beneficiary of a pension under the fund does not provide his or her choice regarding the payment method of his or her benefits within the time prescribed, payment is made according to the method provided for in subparagraph 1 of the first paragraph of section 15.34.

15.36. Except in the event of termination of the plan, the pension committee cannot make the payment of the benefits of beneficiaries of a fund before being authorized thereto by Retraite Québec. It must then pay those benefits no earlier than 30 and not later than 60 days after the date on which the authorization is received.

15.37. Any amount due under a fund that must be paid during the winding-up of the fund bears interest, at the net rate of return of the fund, from the termination date of the fund until its date of payment.

The amount due to a beneficiary of the fund is reduced from the pension amounts paid during the period mentioned in the first paragraph, accrued at the net rate of return of the fund.

The provisions of section 210.1 of the Act apply to the share of the surplus assets to which a beneficiary of the fund is entitled.”

8. Section 20.0.1, enacted by section 12 of the Regulation to amend the Regulation respecting supplemental pension plans approved by Order in Council 942-2024 dated 5 June 2024, is amended by replacing “as compiled monthly by Statistics Canada and published in the Bank of Canada Banking and Financial Statistics,

Series V122487 in the CANSIM system,” in the description of element “T” of the first paragraph by “as published on the Bank of Canada’s website, Series V122487”.

9. Section 21, replaced by section 18 of the Regulation to amend the Regulation respecting supplemental pension plans approved by Order in Council 942-2024 dated 5 June 2024, is amended by replacing “as compiled monthly by Statistics Canada and published in the Bank of Canada Banking and Financial Statistics, Series V122487 in the CANSIM system” by “as published on the Bank of Canada’s website, Series V122487”.

10. Section 24 is amended by replacing “at the end of the preceding year” in subparagraphs 5 and 6 of the first paragraph, replaced by subparagraphs *d* and *e* of paragraph 1 of section 22 of the Regulation to amend the Regulation respecting supplemental pension plans approved by Order in Council 942-2024 dated 5 June 2024, respectively, by “at the beginning of the fiscal year”.

11. Section 30 is amended by replacing “published in CANSIM Series V80691336” in paragraph 3 by “published on the Bank of Canada’s website, Series V80691336”.

12. Section 33 is amended by replacing “39 to 42” in the second paragraph by “40 to 42”.

13. The following is inserted after section 33:

“**33.0.1.** The benefits of a member under a variable payment life pension fund are included in the capital benefits, although the member is a beneficiary of a pension under the fund.

Where the member has benefits under a variable payment life pension fund, the following rules apply:

(1) as long as the member’s benefits are concerned under a variable payment life pension fund, the member is not considered as being entitled to a retirement pension;

(2) the member’s capital benefits are broken down so that the benefits under any variable payment life pension fund can be dealt with separately from other capital benefits;

(3) the value of those benefits is determined separately for each member’s pension under a variable payment life pension fund, from the elements provided for in the second paragraph of section 15.15, applicable at the time considered;

(4) the interest rate to be used, where benefits under the fund are concerned, is the net rate of return of the fund concerned for the period considered.”

14. Section 35 is amended by striking out “paragraph 1 of” in subparagraph *b* of subparagraph 4 of the second paragraph.

15. Section 36.1 is amended by inserting the following after the first paragraph:

“The member’s benefits under any variable payment life pension fund included in the plan must be included.”

16. Section 39 is amended

(1) by replacing the first paragraph by the following:

“The value of capital benefits accrued during the marriage or civil union corresponds to the difference between the value of capital benefits accrued as at the valuation date and the value accrued as at the date of the marriage or civil union increased by interest for the period included between the date of the marriage or civil union and the valuation date. If the pension committee does not have the information on the date of the marriage or civil union, the information it has on the date closest to the marriage or civil union must be used and the period considered for the purpose of calculating interest is the period included between that date and the valuation date.”;

(2) by striking out “subparagraph 1 of” in the second paragraph;

(3) by replacing

(a) “as compiled monthly by Statistics Canada and published in the Bank of Canada Banking and Financial Statistics, in CANSIM Series V122515” in the third paragraph by “as published on the Bank of Canada’s website, Series V122515”;

(b) “published in CANSIM Series V80691336” in the third paragraph by “published on the website, Series V80691336”.

17. Section 42 is amended

(1) in the part preceding paragraph 1

(a) by replacing “Where the member’s benefits” by “If the member’s pension benefits”;

(b) by replacing “the value of the benefits” by “the value of the pension benefits”;

(2) in paragraph 1

(a) by striking out “the residual value of the capital benefits or”;

(b) by striking out, “the total residual value of the capital benefits or, in the case of pension benefits,” in element “G”;

(c) by replacing element “R” by the following:

““R” represents the value, at the valuation date, of the residual pension calculated at the date of the valuation of the previous partition or transfer.”;

18. Section 43 is amended

(1) by striking out “, notwithstanding the rules provided for in section 42,”;

(2) by striking out “subparagraph 1 of”

(3) by adding the following at the end:

“Where the residual value is not known at that date, the known value at the date closest to that date must be used.”.

19. Section 44 is amended by replacing paragraph 1 by the following:

“(1) the value of the capital benefits accrued during the marriage or civil union is determined in the manner provided for in the first paragraph of section 39 or, where applicable, section 43”.

20. Section 50 is amended by inserting “except with regard to capital benefits,” at the beginning of subparagraph 1 of the second paragraph.

21. Section 55 is amended

(1) in the first paragraph

(a) by inserting “, with the exception of those under a variable payment life pension fund” in subparagraph 1 after “capital benefits”;

(b) by inserting the following after subparagraph 1:

“(1.1) where the benefits partitioned or transferred are part of the benefits under a variable payment life pension fund, the member’s pension amount under that fund is reduced, on the date of execution of partition or transfer, in accordance with the rules set out in section 55.0.1.”;

(2) by inserting “, except for a variable payment life pension,” in the fourth paragraph after “pension amounts”;

(3) by inserting “or of benefits under a variable payment life pension fund” in the fifth paragraph after “target-benefit plan”.

22. The following is inserted after section 55:

“**55.0.1.** In the case of partition or transfer of the member’s benefits under a variable payment life pension fund, the amount of the member’s variable payment life pension must, on the date of execution of partition or transfer, be reduced in the proportion that represents the amount paid to the spouse regarding that pension on the commuted value of the pension on that date.

The commuted value of the pension is calculated from the elements provided for in the second paragraph of section 15.15 applicable on that date.”.

23. Section 56.0.2 is amended by inserting “33.0.1 and” after “sections”.

24. Section 56.0.5 is amended by adding “, starting with benefits other than those under a variable payment life pension fund”, after “section 33”.

25. Section 56.0.6 is amended

(1) in the first paragraph

(a) by inserting “, with the exception of those under a variable payment life pension fund,” in subparagraph 1 after “capital benefits”;

(b) by inserting the following after subparagraph 1:

(1.1) where the benefits allocated to the spouse are part of the benefits under a variable payment life pension fund, the member’s pension amount under the fund to which payment of benefits attributed must be made is reduced, on the date on which the seizure is executed, in accordance with the rules set out in the first and second paragraphs of section 55.0.1, that apply with necessary modifications;”;

(2) by inserting “, except for a variable payment life pension fund,” in the third paragraph after “pension amounts”;

(3) by inserting “or of benefits under a variable payment life pension fund” in the fourth paragraph after “target-benefit plan”.

26. Section 60 is amended by adding the following at the end:

“(9) the pension adjustment reports sent to Retraite Québec, that are related to the variable payment life pension funds of the plan.”.

27. Section 61.0.11 is amended by adding the following at the end:

“(5) where the plan has a variable payment life pension fund:

(a) a description of what a variable payment life pension fund is;

(b) a description, for each fund included in the plan, of the adjustments made to variable payment life pensions since the previous annual meeting, distributed whether the variation source is, where applicable, the gap between the return on investments, net of fees, and the reference rate applicable, the gap between the deaths that occurred and the deaths to be expected or the amendment to the mortality assumption.”.

28. Section 64 is amended by replacing “section 182.2, 240.2, 308.3 or 310.1,” in subparagraph 8.3 of the first paragraph by “sections 182.2 and 240.2”.

FINAL

29. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except paragraph 2 of section 6, as it enacts the second paragraph of section 15 of the Regulation respecting supplemental pension plans (chapter R-15.1, r. 6), which comes into force on 31 December 2026.

107428



Draft Regulation

Voluntary Retirement Savings Plans Act
(chapter R-17.0.1; 2024, chapter 39)

Voluntary retirement savings plans — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting voluntary retirement savings plans, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The Act respecting the implementation of certain provisions of the Budget Speech of 12 March 2024 and amending other provisions (2024, chapter 39) amends the Voluntary Retirement Savings Plans Act (chapter R-17.0.1) to set out provisions that regulate the pensions paid into a variable payment life pension fund set up in a voluntary retirement savings plan.

The purpose of the draft Regulation is to follow up on those amendments. Therefore, it proposes the rules applicable for the administration of a variable payment life pension fund, in particular the method to calculate the amount of a variable payment life pension and the method to make the periodic adjustments.

The draft Regulation specifies, in order to take into account the value of a variable payment life pension, the rules applicable for the calculation of certain death benefits and where partition of benefits is carried out or where a fund is wound-up. It also provides that certain information documents be sent to the beneficiaries of the fund by the administrator. It manages the fees related to a fund and fixes the fees payable during the filing of certain documents with Retraite Québec.

Lastly, it proposes to harmonize the rules regarding the withdrawal of variable benefits of a voluntary retirement savings plans with those provided for in respect of a supplemental pension plan.

The draft Regulation has no impact on enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Julie Lavoie or Geneviève Couture, Direction générale des régimes complémentaires de retraite, Retraite Québec, Place de la Cité, 2600, boulevard Laurier, 5^e étage, Québec (Québec) G1V 4T3; emails: julie.lavoie@retraitequebec.gouv.qc.ca and genevieve.couture@retraitequebec.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to René Dufresne, President and Chief Executive Officer of Retraite Québec, Place de la Cité, 2600, boulevard Laurier, 5^e étage, Québec (Québec) G1V 4T3.

ERIC GIRARD
Minister of Finance

Regulation to amend the Regulation respecting voluntary retirement savings plans

Voluntary Retirement Savings Plans Act
(chapter R-17.0.1, s. 113, pars. 1 to 3.2, 5, 8, 11, 11.1, 20, 22 to 28, 30 and 32 to 35; 2024, chapter 39, s. 55, pars. 1 to 11).

1. The Regulation respecting voluntary retirement savings plans (chapter R-17.0.1, r. 3) is amended in section 1 by adding the following at the end of the first paragraph:

“(5) where applicable, the actuarial assumptions related to mortality determined by an actuary, for each variable payment life pension fund included in the plan, and used to purchase a variable payment life pension fund with the sums transferred to the fund.”.

2. Section 2 is amended by adding the following at the end of the first paragraph:

“(5) if the purpose of the amendment is to establish in the plan a variable payment life pension fund, the actuarial assumptions related to mortality determined by an actuary, for the fund, and used to purchase a variable payment life pension fund with the sums transferred to the fund.”.

3. Section 3 is revoked.

4. Section 4 is amended

(1) by replacing “the member or his spouse can receive variable payments” in paragraph 9 by “the member can receive variable benefits”;

(2) by adding the following at the end:

“In addition, for each variable payment life pension fund included in the plan, where applicable, the plan text must contain the following information:

(1) the rights and obligations of the beneficiaries of the fund provided for under the Act as well as the rights and obligations of the administrator in respect of them;

(2) the age at which a member can be entitled to payment of a variable payment life pension;

(3) the conditions to be entitled to payment of a variable payment life pension;

(4) the reference rate provided for the fund or rates offered or the method to determine them;

(5) the various options offered by the fund relating to the following elements:

(a) where applicable, the periodic increase rate of the pension;

(b) death benefits;

(6) the death benefit applicable where the pension is redetermined pursuant to section 73.5 of the Act, enacted by section 43 of the Act respecting the implementation of certain provisions of the Budget Speech of 12 March 2024 and amending other provisions (2024, chapter 39);

(7) the payment frequency of the pension;

(8) the following terms related to the adjustment of the pension amount:

(a) the annual adjustment to take into account the return of the fund;

(b) the adjustment frequency to take into account the mortality experience of the beneficiaries of the fund;

(c) whether or not the administrator can decide to adjust the amount to take into account the mortality experience even if the plan does not provide for such an adjustment in respect of a fiscal year;

(d) the moment from which payment of the adjusted pension amount is made and, if it comes before, the moment when the adjustment of the pension amount becomes effective;

(e) the method used for calculating the first adjustment of a pension amount to take into account the return of the fund and, where applicable, the method applicable to take into account the mortality experience;

(f) the method used for calculating the adjustment of a pension amount purchased before a pension adjustment report making a change to the actuarial assumptions related to mortality is sent to Retraite Québec;

(9) fees deducted from the return of the fund and the maximum annual fees that can be deducted, expressed as a percentage of the average assets;

(10) the method used for calculating the rate of return of the fund;

(11) if the fees related to the winding-up of the fund are borne by the fund or the administrator.

In addition, if the plan includes several variable payment life pension funds, the plan text must indicate the method to distribute the fees in respect of each fund. It must also indicate the funds for which, as the case may be, the mortality experience is shared.

Furthermore, the plan text must indicate the number of estimate statements of a variable payment life pension that can be produced free of charge for the same person during a period determined by the plan.

All provisions concerning a variable payment life pension fund must be grouped in an easily identifiable section of the plan text.”.

5. Section 5 is amended

(1) by inserting “and beneficiaries concerned” in paragraph 3 after “members”;

(2) by adding the following at the end:

“(4) the purpose of the amendment is to determine a variable payment life pension fund; in such case, it must have effect on the date determined by the administrator that cannot be before the date on which the amendment was sent to Retraite Québec;

(5) the purpose of the amendment is to wind-up a variable payment life pension fund included in the plan.”.

6. The following is inserted after section 5:

“CHAPTER I.1 FEES PAYABLE

5.1. With the application for the registration of a pension plan, the administrator must send fees in the amount of \$1,500 to Retraite Québec.

5.2. The annual statement provided for in section 24 of the Act must, when sent to Retraite Québec, be accompanied by fees of \$1,000 plus an amount of \$6.25 for each person who is a plan member, a beneficiary of a variable payment life pension fund or both at the same time on the ending date of the fiscal year to which the statement pertains.

5.3. The amount provided per person referred to in section 5.2 is indexed on 31 December of each year, by multiplying the amount payable before that date by the ratio that the average, for the 12-month period ending on 30 June of the current year, of the average weekly salaries and wages for the Industrial Composite in Canada for each of the months comprised in that period, as published by Statistics Canada under the Statistics Act (R.S.C. 1985, c. S-19), bears to the average, for the 12-month period ending at the end of June of the year immediately preceding the current year, of the average weekly salaries and wages for the Industrial Composite in Canada for each of the months comprised in that period, as published by Statistics Canada under that Act. The result of indexation is rounded up to the nearest multiple of \$0.05.

The amount thus determined may not be less than the amount that was payable before indexation.

Retraite Québec informs the public of the result of indexation in Part I of the *Gazette officielle du Québec* and, if it deems it to be expedient, by way of any other medium.

The amount provided per person, indexed in accordance with the first paragraph, applies in respect of an annual statement related to a fiscal year that ends after 30 December of the year during which the fees are indexed.

5.4. The wind-up report of the plan's assets referred to in section 91 of the Act must, when sent to Retraite Québec, be accompanied by fees of \$1,000.

In addition, if the plan includes a variable payment life pension fund, an amount equivalent to double the amount set out per person in section 5.2 for the period during which the termination of the fund occurs is added to the amount provided for in the first paragraph for each beneficiary of the fund on the date preceding the termination of the fund.

5.5. In the event of failure to produce a document referred to in section 5.2 or 5.4 or a document that must accompany it, additional fees equal to 10% of the fees initially due under the relevant provision, to a maximum of the fees initially due, are paid to Retraite Québec, for each complete month of delay.

In the event of failure to pay the fees that must accompany a document to which the first paragraph applies, additional fees equal to 10% of the unpaid balance at the expiry of the time allotted for submitting the document to Retraite Québec are paid to Retraite Québec, to a maximum of that balance, for each complete month of delay.

No additional fee is due under the second paragraph for a month for which additional fees must be paid under the first paragraph.

5.6. In the event of failure to produce a pension adjustment report referred to in section 34.4, fees equal to 20% of the fees calculated in the manner provided for in section 5.2, but by taking into account only the number of beneficiaries of the fund indicated on the annual information return related to the last fiscal year of the plan, are paid to Retraite Québec, for each complete month of delay, to a maximum of the amount of the fees thus calculated.

5.7. Any communication referred to in section 24.1 of the Act, enacted by section 27 of the Act respecting the implementation of certain provisions of the Budget Speech of 12 March 2024 and amending other provisions (2024, chapter 39), and concerning untraceable persons must be accompanied by a payment fee of \$30 for each name mentioned therein.

The amount is indexed on 31 December of each year in accordance with section 5.3.”.

7. Section 7 is amended by replacing paragraph 5 by the following:

“(5) where applicable, a mention that the plan allows for payment of variable benefits, the conditions to be entitled to them and a description of the terms applicable;

(5.1) if the plan includes a variable payment life pension fund, the conditions to be entitled to payment of a variable payment life pension and the terms for the operation of the fund;”.

8. The heading of Division IV of Chapter II is replaced by the following:

“REPORTS”.

9. The following is inserted before section 10:

“§1. *Financial report*”.

10. Sections 10 and 11 are revoked.

11. Section 12 is amended

(1) by replacing “For the purposes of” by “For the preparation of the financial report provided for in”;

(2) by inserting “and those referred to in subparagraphs 2 and 3 of the first paragraph of section 18.1” after “separately”.

12. The following is inserted after section 12:

“§2. Report related to the adjustment of variable payment life pensions

12.1. Every pension adjustment report referred to in section 34.4 must contain the following information:

(1) the name of the plan and the number assigned to it by Retraite Québec;

(2) the valuation date;

(3) the name of the signatory, the signatory’s professional title, the name and address of the signatory’s office and the date of signing.

The report must contain the statements of the actuary provided for in Subsection 3260 of the Standards of Practice of the Canadian Institute of Actuaries.

It must also contain, for each fund included in the plan, the following elements:

(1) the reference rate related to pensions paid;

(2) where applicable, the periodic increase rate applicable to pensions paid;

(3) the number of beneficiaries of the fund and their average age, distributed by sex;

(4) the total amount of pensions paid before and after each adjustment calculated under sections 34.9 to 34.11, where applicable;

(5) the target of the investment policy for each category of investment;

(6) the proportion of the assets allocated to each category of investment provided for in the investment policy;

(7) the value of the assets used to make the calculations related to the adjustment of pension amounts;

(8) a reconciliation of the assets for each fiscal year since the last pension adjustment report sent to Retraite Québec;

(9) the value of the liabilities determined after each adjustment calculated under sections 34.9 to 34.11, where applicable;

(10) a description of each adjustment of pension amounts related to the following elements, for each fiscal year since the most recent pension adjustment report sent to Retraite Québec:

(a) the return of the fund;

(b) the mortality experience;

(c) where applicable, the change of actuarial assumptions related to mortality;

(11) a description of the actuarial assumptions related to mortality used to purchase a variable payment life pension with the sums transferred to the fund and of those used for the calculation of the adjustment of the pension amounts;

(12) where applicable, a justification of the change of actuarial assumptions related to mortality.

If the mortality experience is shared among several funds included in the plan, the report must contain the information concerning the transfers of sums between funds.”.

13. The heading of Division V of Chapter II is replaced by the following:

“INVESTMENTS”.

14. The following is inserted before section 13:

“§1. Investment options”.

15. The following is inserted after section 16:

“§2. Variable payment life pension funds

16.1. The criteria that must be taken into account for an investment policy referred to in section 15.1 of the Act, enacted by section 24 of the Act respecting the implementation of certain provisions of the Budget Speech of 12 March 2024 and amending other provisions (2024, chapter 39), are the desired degree of risk related to investments, the funds’ characteristics and its financial obligations.

The policy must indicate the elements provided for in the first and second paragraphs of section 170 of the Supplemental Pension Plans Act (chapter R-15.1), with the necessary modifications.

16.2. For the purposes of the second paragraph of section 15.2 of the Act, enacted by section 24 of the Act respecting the implementation of certain provisions of the Budget Speech of 12 March 2024 and amending other provisions (2024, chapter 39), the variable payment life pension fund's investments must be made in accordance with the rules set out in sections 171 to 179, the first paragraph of section 180 and sections 181 and 182 of the Supplemental Pension Plans Act (chapter R-15.1), with the necessary modifications.”.

16. The heading of Division VI of Chapter II is replaced by the following:

“FEES”.

17. Section 18 is amended

(1) by replacing “in section 10” in subparagraph 1 of the first paragraph, by “in sections 5.2 and 5.4”;

(2) in the second paragraph

(a) by replacing “73” in subparagraph 2 by “73.1”;

(b) by adding the following at the end:

“(9) those related to the production of an estimate statement of a variable payment life pension.”.

18. The following is inserted after section 18:

“**18.1.** For the purposes of the third paragraph of section 27 of the Act, amended by section 29 of the Act respecting the implementation of certain provisions of the Budget Speech of 12 March 2024 and amending other provisions (2024, chapter 39),

(1) the low-cost nature of a variable payment life pension fund is evaluated by taking into account the fees, or some of their components, related to collective pension plans or financial products, intended to provide a periodic retirement income;

(2) the only fees that may be deducted from the return of a variable payment life pension fund are the following:

(a) the fees incurred for the management and administration of the fund;

(b) the amounts paid as emoluments for the representatives who act on behalf of the administrator;

(c) the applicable taxes under Part IX of the Excise Tax Act (R.S.C. 1985, c. E-15) and Title I of the Act respecting the Québec Sales Tax (chapter T-0.1);

(3) the fees an administrator may charge to the beneficiary of a fund are the following:

(a) those referred to in subparagraph 1 of the second paragraph, except for fees related to the termination and winding-up of a variable payment life pension fund, and in subparagraphs 2, 3, 5 and 8 of the second paragraph of section 18;

(b) those referred to in subparagraph 4 of the second paragraph of section 18, considering that, where fees under a variable payment life pension fund are concerned, the maximum amounts are \$150 and \$250, respectively.

The administrator must, before rendering the service provided for in subparagraph 3 of the second paragraph of section 18, inform the beneficiary of the cost of the service.”.

19. Section 28 is amended by replacing “72” in the part preceding paragraph 1 by “73.2”.

20. Division IV of Chapter III becomes Chapter III.1 and its heading is replaced by the following:

“BENEFITS”.

21. The following is inserted before section 30:

“**DIVISION I**
VARIABLE BENEFITS”.

22. Sections 30 and 31 are replaced by the following:

“**30.** The variable benefits that a member may receive under section 70 of the Act are subject, for any calendar year, to the minimum provided for in paragraph 5 of section 8506 of the Income Tax Regulations (C.R.C., c. 945).”.

23. Sections 32 to 34 are replaced by the following:

“**32.** The amount of variable benefits that the amounts held by a member may provide, as life income, is estimated in accordance with section 20.0.1 of the Regulation respecting supplemental pension plans (chapter R-15.1, r. 6), enacted by section 12 of the Regulation to amend the Regulation respecting supplemental pension plans made by Order in Council 942-2024 dated 5 June 2024, with the necessary modifications.

Despite the amount referred to in the first paragraph, the member may require from the plan administrator, at all times during the fiscal year, that payment be made in one or more instalments of all or part of the funds the member holds in his or her accounts.

33. The variable benefits paid from a member's locked-in account cannot be transferred to a pension plan referred to in paragraphs 3, 4, 6 and 7 of section 28.”.

24. The following is inserted after section 34:

“DIVISION II
VARIABLE PAYMENT LIFE PENSION

§1. *General provisions related to a variable payment life pension fund*

34.1. The plan may provide that, to be entitled to the payment of a variable payment life pension fund under a fund included in the plan, the member must transfer a minimum amount to a variable payment life pension fund.

The plan may also provide for the maximum amount of all the sums that a member can transfer to a variable payment life pension fund included in the plan or to all the funds included in the plan, for which the mortality experience is shared.

34.2. Where the mortality experience between funds included in the plan is shared, the actuarial assumptions related to mortality used to purchase a variable payment life pension with the sums transferred to the fund must be the same for all funds concerned.

34.3. The transfer referred to in section 70.5 of the Act, enacted by section 40 of the Act respecting the implementation of certain provisions of the Budget Speech of 12 March 2024 and amending other provisions (2024, chapter 39), is only permitted between variable payment life pension funds of the plan referred to in section 34.2 and must be made as provided for in a pension adjustment report referred to in section 34.4.

The sums to be transferred between funds are determined on the date of the end of the fiscal year, after the calculations pursuant to section 34.10 and, where applicable, section 34.11, have been made, considering that the sum to be transferred from a fund is the sum by which, on that date, the fund's assets exceed its liabilities.

The sum to be transferred from a fund is adjusted based on the net rate of return of the fund between that date and the date of the transfer. The transfer must be made immediately after the adjustment report of pensions prepared under section 34.4 has been sent to Retraite Québec.

34.4. Every variable payment life pension fund must be the subject of a valuation by an actuary

(1) to adjust the pension amounts to take into account the mortality experience of the beneficiaries of the fund:

(a) not later than the end date of the fund's third fiscal year;

(b) not later than the end date of the fund's last fiscal year occurring within three years after the date of the last valuation of the fund taking into account the mortality experience, the report of which was sent to Retraite Québec;

(c) every time such an adjustment is calculated, where the mortality experience is shared among several funds included in the plan;

(2) in the event of changes to the actuarial assumptions related to mortality;

(3) whenever required by Retraite Québec.

As soon as a fund is the subject of a valuation by an actuary, every other fund included in the plan must also be the subject of such a valuation.

A report made after every valuation referred to in the first paragraph, prepared by an actuary, must be sent to Retraite Québec by the administrator within 6 months of the end of the fiscal year concerned. The report is said to be the pension adjustment report.

34.5. In respect of the options offered by a variable payment life pension fund within the scope of section 70.6 of the Act, enacted by section 40 of the Act respecting the implementation of certain provisions of the Budget Speech of 12 March 2024 and amending other provisions (2024, chapter 39),

(1) where a plan provides for the payment of a death benefit the amount of which corresponds to the excess of the sums transferred to a fund for the purchase of a pension on the total of the amounts paid with respect to that pension until death, the benefit amount cannot exceed the total of the sums transferred to the fund and accrued, from the date of transfer to the date of death of the beneficiary of the fund, at the net rate of return of the fund, reduced from the total of the pension amounts paid until the date of death and accrued at the net rate of return of the fund;

(2) where the plan provides for a death benefit, payable in a lump sum, according to which payment of the pension is guaranteed for a period, the benefit amount corresponds to the commuted value of the pension amounts to be paid

for the residual guarantee period, calculated on the date of death based on the pension amount paid on that date and the reference rate applicable to the pension. The amount is accrued at the net rate of return of the fund until the date of payment.

34.6. For the purposes of this Regulation relating to a variable payment life pension fund, an actuary means the person referred to in section 3 of the Supplemental Pension Plans Act (chapter R-15.1).

§2. *Establishment and payment of a variable payment life pension*

34.7. The amount of a variable payment life pension is established on the date of transfer referred to in section 70.2 of the Act, enacted by section 40 of the Act respecting the implementation of certain provisions of the Budget Speech of 12 March 2024 and amending other provisions (2024, chapter 39), and by considering that payment of the pension begins on the date of the next payment of pensions covered by the fund following the date of transfer or, where required in order to comply with the fiscal rules, by considering that payment of the pension begins on a date prior to the latter date, but not prior to the date of transfer.

That amount is established by taking into account the following elements:

- (1) the reference rate provided for in respect of the fund or the one chosen by the member among those offered for the fund, where applicable;
- (2) the pension options chosen by the member;
- (3) the age of the member and, where applicable, the age of the member's spouse;
- (4) the most recent actuarial assumptions related to mortality, which must be sex-specific, used to purchase a pension and sent to Retraite Québec.

For the purposes of this Regulation, the reference rate referred to in subparagraph 1 of the second paragraph means the interest rate used to determine the amount of the variable payment life pension purchased from the sums transferred to the fund and to adjust the amount thereof annually.

In the event of changes to the actuarial assumptions related to mortality, the amount of a pension purchased after a transfer was made before the pension adjustment report establishing the new assumptions was sent to Retraite Québec is adjusted to take them into account, according to the method provided for in the plan.

34.8. Payment of the variable payment life pension is made on a monthly basis, unless the plan provides for more frequent payments.

§3. *Adjustment of the amount of the variable payment life pension*

34.9. The pension amount of every beneficiary of a variable payment life pension fund on the end date of the fiscal year of the fund is adjusted to take into account the return of the fund.

The adjustment is calculated on the end date of each fiscal year as follows:

$$\frac{(1 + A)}{(1 + B)}$$

"A" represents the fund's net rate of return of the fiscal year calculated according to the financial report referred to in the second paragraph of section 24 of the Act and prepared for that fiscal year;

"B" represents the reference rate applicable to the pension subject to the adjustment.

The first adjustment of the pension amount under this section is made by taking into account the return of the fund between the date of transfer of the sums to the fund and the end date of the fiscal year, according to the method provided for in the plan.

34.10. The amount of each pension is adjusted, after application of section 34.9, to take into account the mortality experience of the beneficiaries of the fund according to the frequency covered by the plan or, if the plan so provides, where the administrator so decides. Such an adjustment must however be made at least every three years, as provided for in section 34.4.

The adjustment is calculated on the end date of the fiscal year. It corresponds to the percentage of variation in the amount of the pensions which allows the value of the fund's liabilities to be equal to the value of its assets.

For the valuation of the fund for the purposes of that adjustment, the following rules apply:

(1) the fund's assets are those established in the financial report referred to in the second paragraph of section 24 of the Act and prepared for that fiscal year;

(2) the fund's liabilities correspond to the value of the fund's obligations on the end date of the fiscal year established by taking into account, for each pension payable under the fund, the reference rate applicable to the plan and the actuarial assumptions related to mortality, before they are amended, as the case may be.

If the plan includes funds for which the mortality experience is shared, the total assets and the total liabilities of all funds concerned must be taken into account.

The adjustment provided for in this section must be the same for all pensions payable under the fund or under all funds concerned. The plan may however provide for a special calculation method for pensions that are adjusted for the first time in relation to the mortality experience.

34.11. In the event of changes to the actuarial assumptions related to mortality, the pension amounts must, after application of sections 34.9 and 34.10, be adjusted in accordance with the second, third and fourth paragraphs of section 34.10, but by using the new assumptions.

The adjustment must be the same for all pensions payable under the fund or funds concerned.

34.12. The moment from which the adjustment becomes effective is determined by the plan. It cannot be prior to the first day of the fiscal year of the fund that follows the date on which the adjustment is calculated.

The moment from which payment of the adjusted pension amount is made is determined by the plan. It cannot be after the seventh month of that fiscal year.

If the adjustment becomes effective before payment of the adjusted amount begins, the first payment made must include the adjustment of the pension amounts paid since the adjustment has become effective. If amounts are to be recovered, the offset may be applied in accordance with the rules set out in section 125.1 of the Act, enacted by section 60 of the Act respecting the implementation of certain provisions of the Budget Speech of 12 March 2024 and amending other provisions (2024, chapter 39).

§4. Redetermination of the variable payment life pension

34.13. Any redetermination of the variable payment life pension under section 73.5 of the Act, enacted by section 43 of the Act respecting the implementation of certain provisions of the Budget Speech of 12 March 2024 and amending other provisions (2024, chapter 39), is made on the date on which the member's application was received or, in the case referred to in the second paragraph of that section, on the date of the execution of partition or transfer of the member's benefits.

The redetermined pension must be actuarially equivalent to the pension paid on the date of the application or, in the case referred to in the second paragraph of section 73.5 of the Act, enacted by section 43 of the Act respecting the

implementation of certain provisions of the Budget Speech of 12 March 2024 and amending other provisions, to the pension calculated under section 48.1.

The actuarially equivalent pension is determined from the elements provided for in the second paragraph of section 34.7 applicable on the date referred to in the first paragraph by taking into account, however, the death benefit covered by the plan in respect of a redetermined pension, as though it had been chosen on the date on which payment of the pension began.

§5. Termination and winding-up of a variable payment life pension fund

1. — General provisions related to the termination of a variable payment life pension fund

34.14. A variable payment life pension fund ceases

(1) on the date determined by the plan administrator, where the plan administrator decides to terminate the plan or where the plan administrator amends it to wind-up the fund;

(2) on the date determined by Retraite Québec where it renders a decision to liquidate the assets of a plan that includes a fund or where it orders to wind-up such a fund.

The termination date of a fund can in no case be later than the end of the month following the date on which the number of beneficiaries of the fund to whom a life pension is paid becomes lower than 10.

34.15. The cases that may give rise to a winding-up order from Retraite Québec in respect of a variable payment life pension fund, pursuant to the second paragraph of section 70.8 of the Act, enacted by section 40 of the Act respecting the implementation of certain provisions of the Budget Speech of 12 March 2024 and amending other provisions (2024, chapter 39), are the following:

(1) the plan administrator fails to comply with an order issued by Retraite Québec under the Act;

(2) the number of beneficiaries of the fund to whom a life pension is paid becomes lower than 10;

(3) the Autorité des marchés financiers attached to the plan administrator's authorization that includes a fund a condition or restriction preventing the administrator from administering a plan that includes such a fund.

Retraite Québec must, before ordering the winding-up of a fund, give the administrator at least 10 days to present its observations.

34.16. An administrator which proposes to apply for the registration of an amendment to the plan to allow for the winding-up of a variable payment life pension fund must send the beneficiaries of the fund the notice referred to in the third paragraph of section 3 of the Act not later than 30 days after the termination date of the fund. The notice must inform them of the termination date of the fund and that a statement showing the payment methods of their benefits will be sent to them. A copy of the notice must be sent to Retraite Québec within the same period.

34.17. The administrator must, immediately after receiving a decision by Retraite Québec to wind-up a variable payment life pension fund, notify in writing the beneficiaries of the fund of the termination date of the fund and that a statement showing the payment methods of their benefits will be sent to them. It must also amend the plan accordingly. The notice required by this section is substituted for the one provided for in section 3 of the Act regarding the beneficiaries of the fund.

34.18. Where a plan whose assets are liquidated includes a variable payment life pension fund,

(1) Retraite Québec's authorization granted under section 82 of the Act, the obligation to liquidate the assets within the time prescribed by section 83 of the Act and the obligation to provide information provided for in section 84 of the Act are only intended for the winding-up of the plan's accounts;

(2) the notice referred to in section 82 of the Act must be sent to Retraite Québec not later than 30 days after the termination date of the fund;

(3) the administrator must notify in writing the beneficiaries of the fund of the winding-up of the plan, of the termination date of the fund and that a statement showing the payment methods of their benefits will be sent to them. The administrator must send the notice to the beneficiaries of the fund and a copy of the notice to Retraite Québec within 30 days following the termination date of the fund, or if the plan's assets are liquidated following a decision rendered by Retraite Québec under section 80 or 81 of the Act, immediately after having received the decision.

II. — *Termination report of the variable payment life pension fund*

34.19. The plan administrator that winds up a variable payment life pension fund must send to Retraite Québec a termination report of the fund within 90 days after the latest of the following dates:

(1) upon termination of the plan:

(a) where Retraite Québec renders a decision to liquidate the plans' assets under section 80 or 81 of the Act, the date on which the decision is received;

(b) in other cases, the date on which the notice referred to in section 82 of the Act was sent;

(2) if the fund is wound up without the plan being terminated, the date on which the plan administrator received Retraite Québec's decision to wind up the fund or the date on which the notice to amend the plan referred to in section 34.16 was sent;

(3) the termination date of the fund.

The termination report of a variable payment life pension fund must be prepared by an actuary. It must in particular determine the benefits of each beneficiary of the fund and their value and contain the following information:

(1) the name of the plan and the number assigned to it by Retraite Québec;

(2) the termination date of the fund;

(3) the elements referred to in subparagraphs 1, 2, 4 and 8 to 10 of the third paragraph of section 12.1;

(4) the value of the fund's assets on its termination date;

(5) the assumptions and methods used to determine the value of the assets and the value of the benefits of the beneficiaries of the fund;

(6) the names of the beneficiaries of the fund as well as the nature and value of their benefits on the termination date of the fund;

(7) the list of payment methods offered;

(8) the statements of the actuary provided for in Subsection 3330 of the Standards of Practice of the Canadian Institute of Actuaries and the certification by the actuary that the report was prepared in accordance with the provisions of the Act and of this Regulation;

(9) the name of the author of the report, the author's professional title and the date of signing.

If the amendment of the plan or Retraite Québec's decision concerns several funds for which the mortality experience is shared, they must be subject to one and the same report.

III. — *Valuation and statement of the benefits of the beneficiaries of a variable payment life pension fund*

34.20. The benefits of each beneficiary of a variable payment life pension fund are valued on the termination date of the fund.

The value of the benefits of a beneficiary of the fund corresponds to his or her share of the fund's assets established in proportion to the liabilities related to his or her benefits on the total liabilities of the fund.

For the purposes of the second paragraph, the liabilities related to the benefits of a beneficiary of the fund who is entitled to a pension on the termination date of the fund corresponds to the commuted value of the pension established from the elements provided for in the second paragraph of section 34.7, applicable on that date. The commuted value is calculated after the pension amount has been adjusted to take into account the return of the fund and the mortality experience until the termination date of the fund. Despite the foregoing, if the pension of the beneficiary, other than a spouse or successor, was not in payment on the termination date of the fund, his or her liabilities are equal to the sums transferred to the fund accrued with interest until that date.

34.21. The administrator must send each beneficiary of the fund a statement of his or her benefits and of their value, along with the following information, where applicable:

- (1) the name of the beneficiary of the fund;
- (2) the information referred to in subparagraphs 2 to 4 of the first paragraph of section 55.1;
- (3) the termination date of the fund;
- (4) the pension amount paid on the termination date of the fund;
- (5) the reference rate applicable to the pension;
- (6) the gross and net rate of return of the fund for the fiscal year during which the termination of the fund occurs, until the termination date of the fund;
- (7) the periodic increase rate of the beneficiary of the fund's pension;
- (8) the applicable option for payment of death benefits;
- (9) the personal information related to the beneficiary of the fund and to his or her spouse which was taken into account in determining the amounts indicated on the statement, with a mention that it may be in the interest of the beneficiary and his or her spouse to have that information corrected if it is erroneous;

(10) the payment methods of the benefits of the beneficiary of the fund, in particular the pension plan to which the beneficiary could, where applicable, transfer them;

(11) the terms set for the choice of the payment method of the beneficiary's benefits;

(12) a mention that the termination report of the fund and the data used to determine the beneficiary's benefits or their value may be consulted without charge at the administrator's office;

(13) the expiry date of the 90-day period provided for in the first paragraph of section 34.19 and a mention that before that date, the beneficiary must make his or her choice among those mentioned on the statement and can also present written observations;

(14) a mention that failure by the beneficiary to exercise his or her choice before the date indicated, his or her benefits will be paid by means of the purchase of an annuity with an insurer;

(15) a mention that the value of the benefits are accrued at the net rate of return of the fund until they are paid and that the amount to be paid will be reduced from the pension amounts paid between the termination date of the fund and the date of payment.

The administrator must send the statements in a timely manner so as to allow the beneficiaries of the fund at least 10 days to make their choice and, where applicable, present observations in accordance with subparagraph 13° of the first paragraph.

IV. — *Payment of benefits*

34.22. The benefits of a beneficiary of a pension under a variable payment life pension fund subject to a winding-up must be paid according to one of the following payment methods:

- (1) by the purchase, from an insurer chosen by the administrator, of an annuity established with the value of his or her benefits;
- (2) by means of a transfer to a pension plan referred to in section 27;
- (3) by means of a transfer to a locked-in account of the plan in the event that the fund ceases without the plan being terminated.

Despite the foregoing, if the beneficiary of the fund, other than a spouse or successor, dies before the payment referred to in the first paragraph is made, his or her rights must rather be paid by means of a benefit payable in a lump sum to his or her spouse or, failing that, to his or her successors. For the purposes of this paragraph, the spouse of a beneficiary is the person who meets the conditions provided for in section 71 of the Act, amended by section 41 of the Act respecting the implementation of certain provisions of the Budget Speech of 12 March 2024 and amending other provisions (2024, chapter 39).

In order to have an insurer guarantee a beneficiary's annuity under subparagraph 1 of the first paragraph, the administrator can, if the annuity is not available on the market due to its nature, replace the characteristics of the annuity that make it unavailable by similar characteristics that do not entail such a result.

34.23. Where the beneficiary of a pension under the fund does not provide his or her choice regarding the payment method of his or her benefits within the time prescribed, payment is made according to the method provided for in subparagraph 1 of the first paragraph of section 34.22.

34.24. Where the plan whose assets are liquidated includes a variable payment life pension fund, the administrator cannot make the payment of the benefits of the beneficiaries of the fund before being authorized thereto by Retraite Québec. It must then pay those benefits no earlier than 30 and not later than 60 days after the date on which the authorization is received.

The provisions of the first paragraph also apply where the variable payment life pension fund included in the plan is wound-up without the plan being terminated.

34.25. Any amount due under a fund that must be paid during the winding-up of the fund bears interest, at the net rate of return of the fund, from the termination date of the fund until its date of payment.

The amount due to a beneficiary of the fund is reduced from the pension amounts paid during the period mentioned in the first paragraph, accrued at the net rate of return of the fund.

34.26. Where a plan includes a variable payment life pension fund, the 60-day period provided for in section 91 of the Act in which the administrator must inform the plan members and the employers begins as soon as the end of the liquidation of the plan assets made up of the accounts. Despite the foregoing, the administrator must render an account to Retraite Québec not later than 60 days after the assets of the account and the fund's assets have been liquidated.

DIVISION III **SPOUSE'S WAIVER**

34.27. The statement of the spousal waiver referred to in section 73.3 of the Act, enacted by section 43 of the Act respecting the implementation of certain provisions of the Budget Speech of 12 March 2024 and amending other provisions (2024, chapter 39), must contain the following information:

- (1) the date of the statement;
- (2) the name and address of the member and the waiving spouse;
- (3) the name of the member's pension plan and the number assigned to it by Retraite Québec;
- (4) an indication of each benefit that the spouse declares to be waived, that is, the benefit provided for in section 72 of the Act, the benefit provided for in section 73 of the Act, enacted by section 43 of the Act respecting the implementation of certain provisions of the Budget Speech of 12 March 2024 and amending other provisions, or the benefit provided for in section 73.1 of the Act, enacted by section 43 of the Act respecting the implementation of certain provisions of the Budget Speech of 12 March 2024 and amending other provisions.”.

25. Section 38 is amended by replacing subparagraphs 1 and 2 of the second paragraph by the following:

“(1) the value of the total benefits referred to in Division III at the valuation date, broken down whether it is from the locked-in and not locked-in accounts and, where applicable, from a variable payment life pension fund;

(2) spouses who are married or in a civil union, the value of the benefits accrued during the marriage or civil union referred to in Division IV broken down whether it is from the locked-in and not locked-in accounts and, where applicable, from a variable payment life pension fund.”.

26. Section 39 is replaced by the following:

“**39.** The aggregate benefits of the member correspond to the sums credited to his or her accounts at the date of the valuation and to his or her benefits, at the same date, under a variable payment life pension fund. They must be broken down whether they are locked-in or not locked-in accounts and whether they are benefits under a variable payment life pension fund.”.

27. The following is inserted after section 39:

“**39.1.** The value of the aggregate benefits of the member correspond to amount “V” in the following formula:

$$Y + U_y = V$$

“Y” represents the sum of the balance of the locked-in account and not locked-in account of the member at the date of the valuation;

“U_y” represents the commuted value of the amount of each variable payment life pension to which the member is entitled at the date of the valuation, calculated from the elements provided for in the second paragraph of section 34.7 applicable at that date.”.

28. Section 40 is replaced by the following:

“**40.** The value of the benefits accrued during the marriage or civil union corresponds to the “W” result in the following formula:

$$\text{Maximum } (0; (Y + U_y) - (Z + U_z)) = W$$

“Y” and “U_y” are determined in the manner provided for in section 39.1;

“Z” represents the sum of the balance of the locked-in account and not locked-in account of the member on the date of the marriage or civil union increased by interest, calculated at the net rate of return of each account concerned, for the period between the date of the marriage or civil union and the date of the valuation;

“U_z” represents the commuted value of the amount of each variable payment life pension to which the member is entitled on the date of the marriage or civil union, calculated from the elements provided for in the second paragraph of section 34.7 applicable on that date, accrued with interest, calculated at the net rate of return of the fund from which the pension is payable, for the period between the date of the marriage or civil union and the date of the valuation.

Where a return rate is not available, interest is calculated at the average annual rates of return on 5-year personal term deposits with chartered banks, determined in accordance with the third and fourth paragraphs of section 39 of the Regulation respecting supplemental pension plans (chapter R-15.1, r. 6).”.

29. Section 41 is replaced by the following:

“**41.** For the purposes of section 40, where the administrator does not have information on the date of the marriage or civil union, the following information must be used to determine the value of the member’s benefits:

(1) the information that the member has on the date that is closest to the date of the marriage or civil union;

(2) the interest rates, referred to in the first and, where applicable, the second paragraph of section 40 for the period between the date on which the information is available and the date of the valuation.”.

30. Section 44 is replaced by the following:

“**44.** The amount payable to the spouse is determined at the date of the valuation, in respect of each account and fund concerned, based on the proportion it represents, on the date of the execution of partition or transfer of benefits, the estimate of the value of an account or the value of a pension, on the total estimate of the value of the accounts and of each pension.

Interest calculated, where applicable, at the rate of return of the account or at the net rate of return of the fund or, failing that, at the rate provided for in the second paragraph of section 40 must be added to that sum.

Interest accrues from the date of the valuation.

The sum to be paid to the spouse is deducted from each locked-in account and not locked-in account of the member and, where applicable, deducted from the variable payment life pension fund or funds in accordance with what was determined under the first, second and third paragraphs.”.

31. Section 46 is amended

(1) in the first paragraph

(a) by adding “, except if the spouse requested that the benefits allocated to him or her are maintained in the plan” at the end of the part preceding subparagraph 1;

(b) by inserting “and the sum deducted from a variable payment life pension fund” in subparagraphs 1 and 2 after “locked-in account”;

(c) by striking out subparagraph *b* of subparagraphs 1 and 2;

(2) by replacing “the sum referred to in that paragraph is less than” in subparagraph 1 of the second paragraph by “the total of the sums deducted from the locked-in account and from the variable payment life pension fund is less than”.

32. Section 48 is revoked.

33. The following is inserted after section 48:

“DIVISION V.1

**AMOUNT OF THE VARIABLE PAYMENT
LIFE PENSION AFTER THE EXECUTION OF
PARTITION OR OF TRANSFER OF BENEFITS**

“48.1. Where the sum paid to the spouse is deducted from a variable payment life pension fund, the amount of the pension payable from the fund must, on the date on which the partition or transfer of benefits is executed, be deducted in the proportion that the sum paid to the spouse regarding that pension represents of the commuted value on that date.

The commuted value of the pension is calculated from the elements provided for in the second paragraph of section 34.7 applicable at that date.”.

34. Section 50 is replaced by the following:

“50. Payment of the benefits awarded to the spouse following a seizure referred to in the fourth paragraph of section 78 of the Act, amended by section 47 of the Act respecting the implementation of certain provisions of the Budget Speech of 12 March 2024 and amending other provisions (2024, chapter 39), is first deducted from the member’s not locked-in account, then from the locked-in account and lastly, where applicable, from the variable payment life pension fund or funds.

Where payment of the benefits awarded to the spouse is deducted from a variable payment life pension fund, the pension amount under the fund to which payment of benefits attributed must be made is reduced, on the date of execution of the seizure, in accordance with the rules set out in section 48.1 that apply with necessary modifications.”.

35. Section 52 is amended by replacing “payments” in subparagraph *c* of subparagraph 8 of the first paragraph by “benefits”.

36. Section 53 is amended in the first paragraph

(1) by replacing “payments” in subparagraph *b* of subparagraph 8 by “benefits”;

(2) by inserting the following after subparagraph 15:

“(15.1) where applicable, a mention that the plan allows the payment of variable benefits, the conditions to be entitled to them and a description of the terms applicable;

(15.2) where applicable, a mention that the plan includes a variable payment life pension fund, the conditions to be entitled to a variable payment life pension, as well as the terms of operation of the fund;”;

(3) by replacing subparagraph 16 by the following:

“(16) where the member has chosen to receive variable benefits:

(a) the minimum amount that must be paid to the member as variable benefits during the current year;

(b) the amount of variable benefits, as life income, determined in accordance with the first paragraph of section 32, for the current fiscal year, by specifying whether it is an estimate and whether it can vary because of withdrawals made and returns on the member’s accounts;

(c) the assumptions used for the purposes of the estimated amount of the variable benefits, as life income, concerning the presumed age of death and the expected rate of return;

(d) that, despite the estimated amount of variable benefits, as life income, all or part of the balance of accounts may, on request to the plan administrator made at any time for the current fiscal year, be paid in one or more instalments and that such payment is made regardless, where applicable, of the amount of the variable benefits or of payment in one or more instalments set or received by the member for that fiscal year.”.

37. Section 54 is amended by adding the following at the end:

“(6) the information referred to in subparagraphs 15.1 and 15.2 of the first paragraph of section 53.”.

38. Section 55 is amended by inserting “Subject to section 55.4,” at the beginning.

39. The following is inserted after section 55:

“55.1. The administrator must, within 60 days of an application referred to in section 70.1 of the Act, send an estimate statement of a variable payment life pension that contains the following information:

(1) the name of the applicant;

(2) the name of the pension plan and the number assigned to it by Retraite Québec;

(3) the name and address of the person to be contacted for any information concerning the plan;

(4) the name of the plan administrator;

(5) the personal information related to the applicant and his or her spouse which was taken into account to estimate the amount of the pension, with a mention that it may be in their interest to have that information corrected if it is erroneous;

(6) a mention that the sums transferred to the fund are entirely used to constitute a variable payment life pension fund on the date of the transfer;

(7) the pension amount that can be purchased from the sums to be transferred indicated on the application according to the reference rate or rates offered by the fund and according to each pension option offered by the fund, in particular those for the various death benefits or according to the reference rates and options designated by the applicant among those offered by the plan;

(8) the payment frequency of the pension;

(9) a mention that the pension amount indicated on the statement is an estimate and that the amount to be paid will depend on the sums actually transferred, on the date of their transfer and on the actuarial assumptions related to mortality that apply;

(10) the reference rate used to calculate the estimated pension amount, as well as a mention that the rate, once chosen, is used to adjust the amount annually and that it cannot be changed once the pension amount has been determined;

(11) the actuarial assumptions related to mortality used to determine the estimated pension amount;

(12) a mention that the pension amount, determined at the time of the transfer of the sums to the fund, can be adjusted shortly after being paid if the actuarial assumptions related to mortality, determined in a pension adjustment report sent to Retraite Québec in respect of the fiscal year preceding the transfer, differ from those used during the transfer;

(13) the following terms related to the adjustment of the pension amount, that is, the annual adjustment to take into account the return of the fund, the adjustment frequency covered by the plan to take into account the mortality experience and a possible adjustment in the event of changes to the actuarial assumptions related to mortality;

(14) the moment from which payment of the pension amount resulting from the adjustment referred to in paragraph 13 is made and, if it comes before, the moment when the adjustment becomes effective and a mention of the rules resulting from the provisions referred to in the third paragraph of section 34.12;

(15) a mention that the choice of a variable payment life pension is irreversible;

(16) the maximum annual fees that can be deducted from the return of the fund, expressed as a percentage of the average assets;

(17) the target of the investment policy for each category of investment;

(18) a history of gross and net returns of the fund over a period of at least five years or, if the fund has existed for less than five years, since its implementation.

In addition, the statement must have one or more illustrations allowing a reasonable person to understand that the amount of the pension will vary after it has been determined. It must show the assumptions used and contain an appropriate word of caution, that it could be in the interest of the applicant or his or her spouse to consult a specialist to assess the financial implications for choosing a variable payment life pension.

55.2. The administrator must send to the beneficiary of the fund, not later than 60 days after the date on which the sums were transferred to the fund, but before payment of the pension began, a notice confirming that payment of the pension has begun.

The notice must contain the following information:

(1) the name of the beneficiary;

(2) the information referred to in subparagraphs 2 to 4 of the first paragraph of section 55.1;

(3) the personal information related to the beneficiary and his or her spouse, where applicable, which was taken into account to determine the amount of the pension, with a mention that it may be in their interest to have that information corrected if it is erroneous;

(4) the amount of the sums that were transferred to the fund and the date on which they were transferred;

(5) the pension amount, its payment frequency and the date on which payment began;

(6) the options selected for the periodic increase of the pension, where applicable, and for payment of death benefits;

(7) the reference rate used to determine the pension amount, the way that rate is used to adjust the amount annually and a mention that it cannot be changed;

(8) the actuarial assumptions related to mortality used to determine the amount of the pension;

(9) if it is relevant given the date of transfer, a mention that the pension amount, determined when the sums are transferred to the fund, can be adjusted shortly after payment has begun if the actuarial assumptions related to mortality, determined in a pension adjustment report sent to Retraite Québec in respect of the fiscal year preceding the transfer, differ from those used during the transfer;

(10) the following terms related to the adjustment of the pension amount, that is, the annual adjustment to take into account the return of the fund, the adjustment frequency covered by the plan to take into account the mortality experience and a possible adjustment in the event of changes to the actuarial assumptions related to mortality;

(11) the moment from which payment of the pension amount resulting from the adjustment referred to in paragraph 10 is made and, if it comes before, the moment when the adjustment becomes effective and a mention of the rules resulting from the provisions referred to in the third paragraph of section 34.12;

(12) a mention that the choice of a variable payment life pension is irreversible;

(13) the maximum annual fees that can be deducted from the fund, expressed as a percentage of the average assets;

(14) the target of the investment policy for each category of investment.

55.3. The plan administrator must send an annual statement of benefits to each beneficiary of a variable payment life pension fund of the plan, at least 30 days before the date on which payment of the adjusted pension amount must be made.

The statement must contain the following information:

(1) the name of the beneficiary;

(2) the information referred to in subparagraphs 2 to 4 of the first paragraph of section 55.1;

(3) the fiscal year concerned;

(4) the name of any person entered in the records of the plan as the spouse or beneficiary or, where applicable, the absence of an entry related to either of those capacities;

(5) the amount of the pension before and after the adjustment;

(6) the moment from which payment of the adjusted pension amount is made and, if it comes before, the moment when the adjustment becomes effective and the rules referred to in the third paragraph of section 34.12 that apply regarding that payment;

(7) the reference rate used for the annual adjustment of the pension amount and a mention that it cannot be changed;

(8) a breakdown of the adjustment of the pension amount based on the cause, that is, the return of the fund and, where applicable, the mortality experience and change in the actuarial assumptions related to mortality;

(9) the gross and net rates of return of the fund during the fiscal year that has just ended;

(10) where applicable, the periodic increase rate of the pension;

(11) the nature of the death benefit payable by supposing that the beneficiary of the fund has died on the date of the statement;

(12) if there is a residual pension payment guarantee period, the date of the last pension payment;

(13) if a reduction of the pension is expected because of the payment of death benefits, the amount of that reduction and the date on which it will apply;

(14) the target of the investment policy of the fund for each category of investment;

(15) where applicable, the changes made to the target allocation of the investment policy during the fiscal year that has just ended;

(16) the following terms related to the adjustment of the pension amount, that is, the annual adjustment to take into account the return of the fund, the adjustment frequency covered by the plan to take into account the mortality experience and a possible adjustment in the event of changes to the actuarial assumptions related to mortality.

55.4. Where the deceased member was the beneficiary of a variable payment life pension fund included in the plan, the statement to be provided by the administrator relating to the fund must contain the following information, in addition to the information referred to in section 55, as the case may be:

(1) if the benefit payable when the beneficiary dies is the joint and last survivor annuity or payment of the annuity continues for a residual guarantee period:

- (a) the pension amount to be paid;
- (b) the date as of which payment of the pension begins;
- (c) the date of the last payment of the pension, where applicable;
- (d) the reference rate applicable to the pension as well as the manner in which the rate is used to adjust the amount annually and a mention that it cannot be changed;
- (e) the following terms related to the adjustment of the pension amount, that is, the annual adjustment to take into account the return of the fund, the adjustment frequency covered by the plan to take into account of the mortality experience and a possible adjustment in the event of changes to the actuarial assumptions related to mortality;

(2) if the benefit payable when the beneficiary dies consists in the commuted value of the pension paid during the death:

- (a) the value of the benefit payable;
- (b) the terms of payment.

55.5. The plan administrator must provide the successors of a deceased beneficiary of a variable payment life pension fund, who is not referred to in section 55.4, within 30 days following the date the administrator receives notice of the beneficiary's death, with a statement containing the name of the deceased beneficiary and the date of the beneficiary's death and the information provided for, where applicable, in paragraph 1 or 2 of section 55.4."

40. Section 56 is amended by inserting the following at the end:

(6) if the plan includes a variable payment life pension fund, a mention to that effect and, for each fund it includes,

"(a) the percentage of the fees deducted from the return of the variable payment life pension fund of the last five fiscal years in respect of which information was sent to Retraite Québec;"

(b) the value of the fund's assets at the end of the most recent fiscal year in respect of which information was sent to Retraite Québec;

(c) the maximum annual fees provided for in the plan text that may be deducted from the return of the fund.

FINAL

41. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except for section 6, as it enacts the second paragraph of section 5.7 of the Regulation respecting voluntary retirement savings plans (chapter R-17.0.1, r. 3), which comes into force on 31 December 2026.

107427



Notice

Natural Heritage Conservation Act
(chapter C-61.01)

Réserve naturelle de la Bienveillance — Recognition

Notice is hereby given, pursuant to section 60 of the Natural Heritage Conservation Act (Chapter C-61.01), that the Minister of the Environment, the Fight against Climate Change, Wildlife and Parks has recognized a private property located in the city of Bromont, in the regional county municipality of Brome-Missisquoi, known and designated as lots 6 389 947, 6 389 948 and 6 389 950, of the Québec cadastre, Brome registry division, as a nature reserve. This property covers an area of 5.54 hectares.

The recognition is given in perpetuity and takes effect as of the date of its registration in the land register. The Minister makes his decision public by publishing this notice in the *Gazette officielle du Québec*.

MARC-ANDRÉ BOUCHARD
*Directeur principal du développement
de la conservation*

107425



Notice

Natural Heritage Conservation Act
(chapter C-61.01)

Réserve naturelle du Clos-du-Ruisseau-Vert — Recognition

Notice is hereby given, pursuant to section 60 of the Natural Heritage Conservation Act (chapter C-61.01), that the Minister of the Environment, the Fight against Climate Change, Wildlife and Parks has recognized a private property located in the parish of Ragueneau, in the regional county municipality of Manicouagan, known and designated as a part of lot 5 150 033 of the Québec cadastre, Saguenay registry division, as a nature reserve. This property covers an area of 5.786 hectares.

The recognition is given in perpetuity and takes effect as of the date of its registration in the land register. The Minister makes his decision public by publishing this notice in the *Gazette officielle du Québec*.

MARC-ANDRÉ BOUCHARD
*Directeur principal du développement
de la conservation*

107426

