

39. Section 154 is amended:

(1) by substituting the following for the first paragraph:

“154. The fee payable for obtaining the registration of a road vehicle in one of the categories covered by section 149 and to retain the right to operate a vehicle with a net weight of 500 kg or less in one of those categories is calculated by multiplying the monthly fee of \$3.33 by the number of full months, plus one, between the date on which registration is applied for and the last day of the month preceding the last month during which the amounts provided for in the first paragraph of section 31.1 of the Highway Safety Code next become due.”;

(2) by substituting “\$24.58” for “\$22.25”;

(3) by substituting “\$50.42” for “\$48.08”.

40. The following is substituted for section 155:

“155. The registration fee for a vehicle in a category covered by section 149 payable to retain the right to operate a vehicle with a net weight of 500 kg or less in one of those categories is \$40 for each payment period.”.

41. Section 156 is amended by substituting “\$295” for “\$267”.

42. Section 157 is amended by substituting “\$605” for “\$577”.

43. The fees set under this regulation are payable upon the registration of vehicles after April 30, 1997 and to retain the right to operate a vehicle for which payment is received by the Société de l'assurance automobile du Québec after April 8, 1997 and the due date for payment is later than April 30, 1997 under sections 19 to 24 of the Regulation respecting road vehicle registration.

44. This regulation comes into force on May 1, 1997, except for section 8 which comes into force on April 9, 1997.

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Decision CCQ-972184, 26 March 1997

An Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20)

Complementary social benefit plans — Amendments

Notice is hereby given that by Decision CCQ-972184 of 26 March 1997, the Commission de la Construction du Québec has enacted the Regulation to amend the Regulation respecting complementary social benefit plans in the construction industry. This regulation brings some changes to the insurance and pension benefits of the employees of the construction industry.

This regulation is enacted under the authority of section 92 of the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20); it brings into effect sections 28.01 to 28.07 of the Construction Decree enacted by Order in Council 172-87 of 4 February 1987. The provisions of said sections are deemed to constitute common clauses applicable to collective agreements for each of the sectors of the construction industry, pursuant to section 84 of the Act to amend the Act respecting labour relations, vocational training and manpower management in the construction industry and to amend other legal provisions (1993, c. 61).

A draft of this regulation was submitted by the Commission to the Joint Committee on Construction, in accordance with section 123.3 of the Act respecting labour relations, vocational training and manpower management in the construction industry. The Joint Committee has issued a notice to the effect that it was in favour of adopting the Regulation to amend the Regulation respecting complementary social benefit plans in the construction industry.

ANDRÉ MÉNARD,
Chairman and Chief executive officer

Regulation to amend the Regulation respecting complementary social benefit plans in the construction industry

An Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20, s. 92; 1995, c. 8, s. 42; 1996, c. 74, s. 45)

1. The Regulation respecting complementary social benefit plans in the construction industry enacted by

decision CCQ-951991 of 25 October 1995 and amended by regulations enacted by decisions CCQ-962072 of 24 April 1996, CCQ-962086 of 29 May 1996 and CCQ-962139 of 27 November 1996, if further amended in section 40 by inserting, in the second sentence of the fifth paragraph and after “has retired,” the words “the day on which he ceases to be entitled to hours credited.”

2. Section 116 of this regulation is amended:

(1) by substituting, in subsection 1, the words “of retirement” for the words “effective date of the beginning of the payment of a pension”;

(2) by adding, at the end, the following subsection:

“(6) until the date of normal retirement, in the case of a delayed pension, except in cases contemplated in subsection 2 of section 115.”

3. Section 126 of this regulation is amended by inserting, after the word “month”, the words “following the month”.

4. Section 127 of this regulation is amended by adding the following after the first paragraph:

“**Date of normal retirement.** For the purposes of this chapter, the date of normal retirement corresponds to the first day of the month following the month during which the subscriber reaches the normal retirement age.”

5. This regulation is amended by substituting the following for section 131:

“**131. Normal pension.** The normal pension consists of the following:

(1) the basic pension relative to the general account, calculated according to the number of hours worked adjusted in accordance with the rate set forth in Schedule II, and according to the applicable supplement in force on the date of retirement;

(2) the pension relative to the complementary account, calculated according to the actuarial factors referred to in section 119.”

6. Section 132 of this regulation is amended:

(1) by substituting, in the first two paragraphs, the words “the date of normal retirement” for the words “having reached the age of retirement”;

(2) by adding, at the end of the second sentence of the first paragraph, the words “after the date of normal retirement”;

(3) by inserting, in the third paragraph and after the words “during the delay”, the words “,calculated according to the data, the rates, the factors and the applicable supplement in force on the date of normal retirement.”

7. Section 133 of this regulation is replaced by the following:

“**133. Early pension.** The early pension consists of the following:

(1) the basic pension relative to the general account, calculated according to the number of hours worked adjusted in accordance with the rate set forth in Schedule II, to which is applied an actuarial reduction which takes into account the anticipation from the date of retirement up to the first date on which the subscriber would have been eligible to a normal pension, and according to the applicable supplement in force on the date of retirement;

(2) the pension relative to the complementary account, calculated in the manner set forth in subsection 2 of section 131.

The basic pension of a subscriber who satisfies to the conditions set forth in subsection 2 of the first paragraph of section 128, except for the condition set forth in subparagraph c of that subsection, is reduced by $\frac{1}{4}\%$ per month between the date of retirement and the date on which the subscriber would have satisfied that condition had the years worked by this subscriber continued to accumulate. No reduction is applicable to the part of a pension relative to hours worked prior to 1st January 1992 for a subscriber affected by this paragraph.”

8. Section 134 of this regulation is amended by substituting the following for the first paragraph:

“**134. Disability pension.** The disability retirement pension consists of the following:

(1) the basic pension relative to the general account, calculated according to the number of hours worked adjusted in accordance with the rate set forth in Schedule II, reduced by $\frac{1}{4}\%$ per month between the date of retirement and the first date on which the subscriber would have been eligible to a normal pension, and according to the applicable supplement in force on the date of retirement;

(2) the pension relative to the complementary account, calculated in the manner set forth in subsection 2 of section 131.”

9. This regulation is amended by inserting the following sections after section 134:

“134.1. The actualized value of the basic pension relative to the general account, contemplated in subsection 1 of section 131 and in subsection 1 of the first paragraph of sections 133 and 134, calculated at the date of retirement or, in the case of a delayed pension, in accordance with section 132, at the date of normal retirement, shall not be lesser than the sum of the subscriber’s contributions accumulated at the date of calculation in the general account, with interests.

134.2. For the purposes of this regulation, a subscriber’s contributions accumulated in the general account, with interest, shall not include the contributions, and the attached interests, relative to work hours which have already been taken into account in the calculation of a separation or transfer benefit paid to that subscriber.”.

10. Section 136 of this regulation is amended by substituting the words “date of” for the words “beginning of his”.

11. Section 137 of this regulation is amended by substituting the words “on the date of” for the words “at the time of his”.

12. Section 140 of this regulation is amended by deleting the last sentence.

13. Section 141 of this regulation is amended:

(1) by substituting, in subsection 1, the words “employee’s accumulated contributions in the general account” for the words “accumulated employee’s contributions”;

(2) by substituting the following for the second sentence of subsection 2: “The value of the pension relative to the general account shall not be lesser than the sum of the contributions accumulated in that account, with interests.”.

14. Section 142 of this regulation is amended:

(1) by substituting, in the second sentence of subsection 1, the words “the sum of the employee’s contributions accumulated in the general account with interests and of the value of the subscriber’s complementary account, at the date of retirement” for the words “the amount of the accumulated employee’s contributions, with interests”;

(2) by substituting, in subsection 2, the words “of the sum of the employee’s contributions accumulated in the general account with interests and of the value of the subscriber’s complementary account, at the date of retirement” for the words “of the accumulated employee’s contributions, with interests”;

(3) by substituting, in subsection 3, the words “at the date of retirement” for the words “at the time of his retirement”;

(4) by adding the following sentence at the end of subsection 3: “If, at the time of that spouse’s death, the sum of the employee’s contributions accumulated in the general account with interests and of the value of the subscriber’s complementary account, at the date of retirement, exceeds the total pension paid to the subscriber and to his spouse, the excess shall be paid to the beneficiary contemplated in section 145.”.

15. Section 143 of this regulation is amended:

(1) by substituting the word “subscriber” for the word “pensioner” everywhere it occurs in that section;

(2) by substituting the words “provided for in subsection 2 of” for the words “provided for in” everywhere they occur in that section;

(3) by substituting, in subparagraph b of subsection 1, the words “had the subscriber retired on the day of his death” for the words “had the payment of the delayed pension commenced on the day preceding the death of the subscriber”.

16. Section 154 of this regulation is amended by adding the following at the end of subsection 1: “that value shall not be lesser than the sum of the contributions accumulated in the general account, with interests, and of the value of the subscriber’s complementary account;”.

17. This regulation is amended by inserting the following after section 154:

“154.1. A subscriber who is affected with permanent physical or mental disability may prevail himself of the provisions of section 154, even though less than 24 consecutive monthly periods have elapsed without any hour worked having been credited to him, on condition that he asks the Commission to transfer in a locked in retirement account the amounts he is entitled to receive.”.

18. Section 161 of this regulation is amended by deleting the words “the first day of the month following”.

19. Section 170 of this regulation is amended by substituting the letter “A” for the letter “B” following the word “plan”.

20. Sections 176 to 178 of this regulation are replaced by the following:

“**176.** Notwithstanding section 44, the lump sum benefit payable in the event of the death of an insured employee whose maintenance of coverage because of a disability has begun between 1st January 1971 and 30 June 1982, is \$11 000 if he has eligible survivors, and \$2 000 if he has none; if the maintenance of coverage has begun between 1st July 1982 and 31 December 1990, the benefit is \$16 000 if he has eligible survivors, and \$7 000 if he has none; if the maintenance of coverage has begun between 1st January 1991 and 31 December 1995, the benefit is \$20 000 if he has eligible survivors, and \$11 000 if he has none. The provisions of sections 45 and 50 apply mutatis mutandis to these benefits, if the maintenance of coverage has begun between 1st July 1982 and 31 December 1995.

If the maintenance of coverage has begun before 1st January 1971, the lump sum benefit payable of the death of an insured employee is \$2 000 if he is less than 65 years of age, \$1 000 if he is 65 years but less than 70 years of age, and \$ 500 if he is 70 or more years of age.

In the case of an insured employee covered under the supplemental plan for electricians whose maintenance of coverage because of a disability has begun between 1st July 1982 and 31 December 1995, the benefits set forth in the first paragraph are increased by \$ 5 000.

177. Notwithstanding section 46, the lump sum benefit payable in the event of the death of the spouse of an insured employee whose maintenance of coverage because of a disability has begun between 1st January 1971 and 30 June 1982 is \$ 1 000; the benefit is \$ 3 000 if the maintenance of coverage has begun between 1st July 1982 and 31 December 1990, and \$ 5 000 if it has begun between 1st January 1991 and 31 December 1995.

In the case an insured employee covered under the supplemental plan for electricians whose maintenance of coverage because of a disability has begun between 1st July 1989 and 31 December 1990, the benefits set forth in the first paragraph are increased by \$1 500.

178. Notwithstanding section 47, the lump sum benefit payable in the event of the death of a dependent child of an insured employee whose maintenance of coverage because of a disability has begun between 1st January 1971 and 30 June 1982 is \$ 250 if that child is more than 24 hours but less than 29 days old, and \$ 500 if that child is more than 28 days old; the benefit payable in the event of the death of a dependent child is \$1 000 if the maintenance of coverage has begun between 1st July 1982 and 31 December 1995.

In the case an insured employee covered under the supplemental plan for electricians whose maintenance of coverage because of a disability has begun between 1st January and 31 December 1995, the lump sum benefit payable in the event of the death of a dependent child is \$3 000.”.

21. This regulation is amended by inserting the following after section 181.1:

“**181.2.** If an application requesting a pension benefit made prior to 1st January 1997 has not been processed by the Commission on that date, that pension shall be calculated according to the provisions of the replaced regulation or according to those in force at the time of the calculation, whichever are more favourable to the subscriber.

For the purposes of the first paragraph, an application is deemed to have been made prior to 1st January 1997 if the subscriber has asked the Commission for an application form prior to that date.”.

22. The provisions of this regulation have taken effect since 1st January 1997.

23. This regulation shall come into force on the date of its publication in the *Gazette officielle du Québec*.