

an advertisement clearly indicates the name of the member or members responsible for it or if the member demonstrates that the advertisement was done without his knowing or consent or despite the measures taken to ensure compliance.

DIVISION VI USE OF GRAPHIC SYMBOL OF THE ORDER

6.01.01 A member who reproduces the graphic symbol of the Order for advertising purposes must make sure that it complies in every respect with the original held by the secretary of the Order.

6.01.02 A member who uses the graphic symbol of the Order for advertising purposes other than business cards must include the following warning in the advertisement:

“This advertisement does not originate from the Ordre des infirmières et infirmiers auxiliaires du Québec and it commits the liability of its author only.”

A member who uses the graphic symbol of the Order for advertising purposes, including business cards, may neither juxtapose the name of the Order with the symbol nor use its name in any other way, except to indicate that he is a member of the Order.”

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

1716

Draft Regulation

Supplemental Pension Plans Act
(R.S.Q., c. R-15.1, s. 244, 1st para., paras. 1, 3.1, 3.2, 4, 6 et 14; 1997, c. 19, s. 16)

Supplemental pension plans — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting supplemental pension plans, the text of which appears below, may be submitted to the Government for approval upon the expiry of 45 days following this publication.

This Regulation is made necessary by the assent, given on 5 June 1997, to the Act to amend the Act respecting the Québec Pension Plan and the Supplemen-

tal Pension Plans Act in order to facilitate phased retirement and early retirement (1997, c. 19).

The regulatory provisions are intended to set the rules for calculating the benefits of pension plan members who have received early benefits, to determine the conditions for replacing the pension payable under a pension plan by a temporary or life pension and to provide for the terms and conditions under which the benefits of members can be transferred from a pension plan. These provisions will, consequently, have some effect on the contents and administration of supplemental pension plans and on retirement savings instruments that are subject to the Regulation.

Further information may be obtained from Mr. Mario Marchand, Régie des rentes du Québec, place de la Cité, 2600, boulevard Laurier, Sainte-Foy (Québec), G1V 4T3 (tél.: (418) 644-8313, fax: 644-3663).

Any person having comments to make on this matter is asked to send them in writing, before the expiry of the 45-day period, to Mr. Claude Legault, President and General Manager of the Régie des rentes du Québec, place de la Cité, 2600, boulevard Laurier, 5^e étage, Sainte-Foy (Québec), G1V 4T3. Comments will be forwarded by the Board to the Minister of Employment and Solidarity, who is responsible for the administration of the Supplemental Pension Plans Act, under which this Regulation may be made.

LOUISE HAREL,
*Minister of State for Employment and Solidarity,
Minister for the Status of Women and Minister for
Independent Community Action*

Regulation amending the Regulation respecting supplemental pension plans

Supplemental Pension Plans Act
(R.S.Q., c. R-15.1, s. 244, 1st par., subpars. 1°, 3.1°, 3.2°, 4°, 6° and 14°; 1997, c. 19, s. 16)

1. The Regulation respecting supplemental pension plans, approved by Order in Council 1158-90 of 8 August 1990 and amended by regulations approved by Orders in Council 1159-90 of 8 August 1990, 568-91 of 24 April 1991, 1895-93 of 15 December 1993, 658-94 of 4 May 1994 and 1465-95 of 8 November 1995, is again amended by replacing section 14 with the following section:

“**14.** In case of failure to produce a document referred to in section 12, additional fees shall be paid to the Régie for each full month of delay and such fees

shall be equal to 10 % of the fees initially due under that section, to a maximum of the fees initially due. If the failure concerns the production of a document or information that must accompany the document referred to, the date of failure is the date on which the Régie sends the pension committee a notice identifying the missing document or information to be provided.

In case of failure to pay the fees that must accompany a document referred to in section 12, additional fees shall be paid to the Régie for each full month of delay and such fees shall be equal to 10 % of the balance owing, to a maximum of the balance owing.”.

2. The Regulation is amended by inserting after section 14 the following section:

“**14.1.** The application for registration of a standard contract for a life income fund or a locked-in retirement account must be accompanied with payment of a fee of \$1 000. The application for registration of an amendment to such a contract must be accompanied with payment of a fee of \$250.”.

3. The Regulation is amended by inserting after section 15 the following divisions:

“DIVISION II.1
RESIDUAL BENEFITS OF A MEMBER AFTER
PAYMENT OF AN EARLY BENEFIT

15.1. Unless provisions of the pension plan provide otherwise, payment of the early benefit referred to in section 69.1 of the Act is based on the benefits of the member that, accumulated as refunds or benefits, are related to amounts credited to the member’s account as contributions paid, assets transferred and interest on such contributions and assets but that have not yet been used to provide a benefit.

15.2. Where payment of the early benefit referred to in section 69.1 of the Act is based on the benefits referred to in section 15.1, the value of such benefits, determined as at the date of payment, is reduced by the amount of the benefit paid.

15.3. Where payment of the early benefit referred to in section 69.1 of the Act is based on the benefits accumulated by the member as benefits and which, taking account of the commitments under the pension plan or the options exercised by the member, are expressed in benefits of a defined amount or a percentage of the member’s remuneration, the pension committee shall value the amount of the portion of the pension that would have been payable to the member at the normal

retirement age on the basis of the amount of the benefit paid.

The amount shall be valued, as at the date of payment, according to the requirements and characteristics provided for such pension under the pension plan and according to actuarial assumptions and methods that are identical to those which, as at that date, are used to determine the value of the other benefits to which section 60 of the Act applies and to which entitlement is vested as at that date.

The benefits referred to in the first paragraph are then reduced in the following manner:

(1) The pension paid is reduced either by the amount valued in the first paragraph or, if its requirements and characteristics, with the exception of those related to early or postponed payment, are different from those used to determine such amount or, if its payment begins on a date other than that of the normal retirement age, by a sum equal to such amount;

(2) any other benefit, excluding the one referred to in section 69.1 of the Act or in the third paragraph of section 29.1 of this Regulation, and any refund that are payable to the member are reduced by the value of that portion of the pension of which the valued amount is referred to in the first paragraph.

DIVISION II.2
TEMPORARY PENSION

15.4. A member or spouse is entitled to the replacement of the pension to which he is entitled under a pension plan by the temporary pension referred to in section 91.1 of the Act only if he provides the pension committee with a declaration in conformity with the declaration prescribed in schedule 0.1”.

4. The Regulation is amended by inserting after section 16 the following section:

“**16.1.** A member or spouse who has become entitled to a pension under a pension plan is entitled, upon an application to the pension committee accompanied with a declaration in conformity with the one prescribed in schedule 0.2, to replace it with a lump-sum payment under the following conditions:

(1) he is at least 65 years of age;

(2) the total of the sums credited to his account in the retirement savings instruments referred to in schedule 0.2 do not exceed 40 % of the Maximum Pensionable Earnings determined in accordance with the Act respecting

the Québec Pension Plan (R.S.Q., c. R-9) for the year in which he applies for the payment.”.

5. Section 17 of the Regulation is replaced by the following section:

“**17.** A member or spouse who has become entitled to a pension under a pension plan may replace such pension with a life or temporary annuity purchased with funds from the life income fund referred to in section 18 or with a temporary pension purchased with funds from the locked-in retirement account referred to in section 29. The exercise of this option involves the transfer, as the case may be, to a life income fund or a locked-in retirement account of the value of the pension to be replaced.

Unless the pension plan has a more advantageous provision:

(1) The pension under the plan is not replaced by an annuity purchased from the funds of a life income fund, unless the pension to be replaced may, under the provisions of the Act or the pension plan, be transferred in whole or in part to another pension plan;

(2) The pension under the pension plan may not be replaced with a pension purchased with funds from a locked-in retirement account once payment of the pension has begun.”.

6. Section 18 of the Regulation is amended by striking out, in the sixth, seventh, and eighth lines, the words “until the date on which the total balance of the fund is converted into a life pension under which amounts are paid periodically by an insurer.”

7. Section 19 of the Regulation is modified in the first paragraph:

(1) by inserting the following paragraph before paragraph (1) of the first paragraph:

“(0.1) that the only amounts that may be transferred to a life income fund are amounts coming directly or initially from the fund of a pension plan subject to the Act or referred to in paragraphs (1), (2), (4) or (5) of section 28, or another life income fund;”;

(2) by striking out, in paragraph (1), the words “the payment of the income to the purchaser must begin not later than during the second fiscal year of the fund;”;

(3) by replacing, in paragraph (2) the words, “upper and lower limits referred to in section 20” by the words “upper limits referred to in sections 20.1 and 20.2 and the lower limit referred to in section 20.3”;

(4) by replacing, in paragraph (2) the words “the return of the fund during that interval” by the words “the balance of the fund at the end of that interval and if the purchaser is not entitled to payment of the income otherwise than by a life pension”;

(5) by the replacement of paragraph (3) by the following:

“(3) that the purchaser may require the conversion of the fund balance to a life annuity at any time, unless the agreed upon term for the investments has not expired;”;

(6) by inserting, after paragraph (6), the following paragraph:

“(6.1) that the entire balance of the fund may be paid in a lump-sum to the purchaser upon an application to the financial institution accompanied with a declaration in conformity with the one prescribed in schedule 0.2 under the following conditions:

(a) the purchaser is at least 65 years of age at the end of the year preceding the application;”

(b) the total sums credited to his account in the retirement savings instruments referred to in schedule 0.2 do not exceed 40 % of the Maximum Pensionable Earnings determined in accordance with the Act respecting the Québec Pension Plan for the year in which the purchaser applies for the payment.”.

(7) by replacing, in the seventh line of paragraph (7), the figure “71” with the figure “69”;

(8) by inserting, after paragraph (10), the following paragraph:

“(10.1) that if the income paid to the purchaser during a fiscal year exceeds the upper limits determined for that fiscal year in accordance with sections 20.1 and 20.2 and, where required, in accordance with section 20.4, the financial institution remains liable to the purchaser for the surplus portion;”.

8. The Regulation is amended by inserting, after section 19, the following section:

“**19.1.** The contract establishing a life income fund may provide that the purchaser is entitled to the payment of a temporary pension if he meets the following requirements:

(1) files an application to the financial institution to that effect, accompanied with a declaration in conformity to the one prescribed in schedule 0.1;

(2) is at least 54 years of age but under 65 years at the end of the year preceding the application.

In such case, the contract must also provide:

(1) that if the payment of a portion of the income is made in the form of a transfer to a retirement savings instrument of which the balance is not to be converted to a life annuity, such portion may not exceed the upper limit referred to in section 20.1, determined by assuming that the purchaser is not entitled to the payment of a temporary pension;

2) that the temporary income may not be paid after the end of the year in which the purchaser reaches 65 years of age.”

9. Section 20 of the Regulation is replaced by the following sections:

“**20.** At the beginning of each fiscal year of the life income fund, the amounts allocated respectively to a temporary income and to a life income must be determined in the following manner:

(1) where the purchaser is not entitled to the payment of a temporary income, the amount allocated to a temporary income, “B”, is nil and the amount allocated to a life income, “C”, is equal to the balance of the fund, after subtracting any amount coming directly or initially during the same year from another life income fund of the purchaser;

(2) where the purchaser is entitled to the payment of a temporary pension:

(a) the amount allocated to the temporary income, “B”, is equal to the lesser of the following amounts:

(i.) the balance of the fund, after subtracting any amount coming directly or initially during the same year from another life income fund of the purchaser;

(ii.) the amount “H” in the following formula:

$$\frac{G}{D} = H$$

“G” represents an amount equal to 40 % of the Maximum Pensionable Earnings determined for the year covered by the fiscal year, in accordance with the Act respecting the Québec Pension Plan (R.S.Q., c. R-9);

“D” represents the factor provided for in schedule 0.3 with respect to the purchaser’s age at the end of the year preceding the year covered by the fiscal year;

(b) the amount allocated to the life income “C” is equal to the balance of the fund, after subtracting the amount allocated to the temporary income as well as any amount coming directly or initially during the same year from another life income fund of the purchaser.

20.1. The amount of the life income paid during a fiscal year of the life income fund may not exceed the amount “E” in the following formula:

$$F \times C = E$$

“F” represents the factor provided for in schedule 0.4 with respect to the reference rate for the year covered by the fiscal year and the age of the purchaser at the end of the preceding year;

“C” represents the amount allocated to a life income fund determined in accordance with section 20.

20.2. The amount of the temporary income paid during the fiscal year of the life income fund may not exceed the amount “A” in the following formula:

$$D \times B = A$$

“D” represents the factor provided for in schedule 0.3 with respect to the age of the purchaser at the end of the year preceding the year covered by the fiscal year;

“B” represents the amount allocated to the temporary income determined in accordance with section 20.

Nevertheless, if the amount allocated to the life income is nil and the purchaser provides to the financial institution a declaration in conformity with the one prescribed in schedule 0.5, the said temporary income may not exceed the higher of the following amounts:

(1) the amount “A” as determined in accordance with the first paragraph;

(2) the lesser of amount “G” in section 20 and the balance of the fund, after subtracting any amount coming directly or initially during the same year from another life income fund of the purchaser.

20.3. The amount of the income paid during the fiscal year of the life income fund may not be less than the minimum amount prescribed by the Taxation Act, determined on the basis of the purchaser’s age.

20.4. The upper limits determined in application of sections 20.1 and 20.2 shall be revised on demand of the purchaser where amounts not coming directly or initially from another life income fund of the purchaser are

transferred to the fund after the beginning date of the fund's fiscal year.

For the purposes of such revision, the following adjustments must be made to the amount allocated to the life income and to the temporary income:

(1) where the purchaser is not entitled to payment of a temporary income, the amount allocated to the life income is increased by the amount of the transferred sums;

(2) where the purchaser is entitled to the payment of a temporary income:

(a) the amount allocated to the temporary income is increased by an amount equal to the lesser of the following amounts:

(i.) the amount of the transferred sums;

(ii.) the difference between the amount "H" of section 20 and the amount allocated to the temporary income before adjustment;

(b) the amount allocated to the life income is increased by an amount equal to the difference between the sums transferred and the sum of which the amount allocated to the temporary income was increased in application of subparagraph a.

Moreover, the upper limits shall be revised where the purchaser becomes entitled, during the fiscal year, to the payment of a temporary income. For the purposes of such revision, the amount allocated to the temporary income is equal to the lesser of the amount "H" in section 20 and the amount allocated to the life income before the adjustment and the latter amount is, consequently, reduced."

10. Section 21 of the Regulation is replaced with the following section:

"**21.** The rate of reference for a year is determined on the basis of the month-end, nominal rate of interest earned on long-term bonds issued by the Government of Canada for the month of September preceding the beginning of the fiscal year, as compiled by Statistics Canada and published in the Bank of Canada Review under identification number B-14013 in the CANSIM system, by applying successively to that rate the following adjustments:

(1) an increase of 0.5 %;

(2) the conversion of the increased rate, based on interest compounded semi-annually, to an effective annual rate of interest;

(3) the rounding of the effective interest rate to the nearest multiple of 0.5 %.

The rate of reference thus determined may not, however, be less than 6 %."

11. Section 22 of the Regulation is replaced by the following section:

22. Where, in application of paragraph (2) of the first paragraph of section 19, the amount of the income paid to the purchaser is set at an interval of more than one year, the maximum income amount that may be paid during each of the fiscal years comprised in the interval is determined, on the date of the beginning of the first of those fiscal years, so as to be equal:

(1) for the initial fiscal year, to the upper limit determined in application of sections 20 and 20.1;

(2) for each of the subsequent fiscal years, to the amount "L" in the following formula:

$$M \times \frac{J}{K} = L$$

"M" represents the upper limit determined for the initial fiscal year;

"J" represents the balance of the fund at the beginning of the fiscal year;

"K" represents the fund's reference balance at the beginning of the fiscal year and is equal to the reference balance of the preceding fiscal year, reduced as of the first day of the said preceding fiscal year by the upper limit calculated for the initial fiscal year and increased by the earnings determined by applying, in the case of the first 16 fiscal years, the rate of reference, and, in all other cases, a rate of interest of 6 %.

For the application of paragraph 2, the fund's reference balance at the beginning of the initial fiscal year shall be equal to the balance of the fund at that date.

12. Section 23 of the Regulation is amended:

(1) by inserting, in the first paragraph, after the words "to provide" the words "the statement provided for in section 23.1 and";

(2) by inserting, in paragraph (1) of the second paragraph, after the word “spouse” the words “by reason of the payment of a temporary pension under the requirements provided for in section 91.1 of the Act”;

(3) by striking out, in paragraph (3) of the second paragraph the words “in the event of a waiver referred to in paragraph (5) of the first paragraph of section 19.”.

13. The Regulation is amended, by inserting after section 23, the following section:

“**23.1.** The financial institution must, at least 45 days before the end of each of fiscal years of a life income fund that it manages, send to the purchaser who will, at the end of the fiscal year, be at least 54 but under 65 years of age a written notice that indicates:

(1) the projected balance of the fund at the end of the fiscal year;

(2) an estimate, determined on the basis of the projected balance, of the minimum income that is expected to be paid during the following fiscal year and the maximum income of which payment could be made to the purchaser during that same fiscal year, assuming both that he would be and would not be entitled to a temporary income;

(3) the following information:

(a) the amount “G” in section 20 applicable during the said fiscal year and the balance that must be maintained by the life income fund for a payment equal to such amount to be authorized;

(b) a mention that if the total of the balances of all the purchaser’s locked-in retirement accounts, registered retirement savings plans of which the balance must be converted into a life annuity and life income funds, projected to the end of the year, is less than the amount “H” in section 20 applying to the following fiscal year, the purchaser who wishes to liquidate that total by using a life income fund to obtain from such fund the highest possible income during the succeeding fiscal year must consolidate in such fund the entirety of the balances referred to;

(c) a mention that, if the total of the balances of the accounts, plans and funds referred to in subparagraph *b* is greater than the amount “H” in section 20, the purchaser who wishes to liquidate such amount by using a life income fund to obtain from such fund the highest possible income during the succeeding fiscal year must be sure that the balance of the life income fund that can pay a temporary pension is greater than such amount at the end of the year;

(d) a mention that, if the purchaser must, to carry out the operations mentioned in subparagraphs *b* and *c*, transfer sums from one life income fund to another, it is important that such transfers be made before the end of the year;

(e) assuming that the purchaser is not entitled to the payment of a temporary income, the effect of the payment of an income greater than the maximum determined in paragraph (2) — for each year until the end of the year in which the purchaser reaches 65 years of age — on the amount payable to him after such date.

The financial institution must enclose with the notice a copy of the declarations in conformity with those prescribed in schedules 0.1 and 0.5.”.

14. The Regulation is amended by replacing section 24 with the following section:

“**24.** The financial institution shall, at the beginning of each fiscal year of a life income fund that it manages, provide the purchaser with a statement that indicates:

(1) the balance of the fund at the said date and, where required, the reconciliation of that balance with the balance at the beginning of the preceding fiscal year with, notably, an indication of the sums on deposit, the accumulated earnings, the withdrawals made and the fees charged;

(2) where the beginning of the fiscal year is later than the beginning of the year, the sums coming directly or initially during the year from another life income fund of the purchaser;

(3) the maximum amount that may be paid to the purchaser as income during the current fiscal year;

(4) the minimum amount that must be paid to the purchaser as income during the current fiscal year;

(5) where the purchaser is entitled to the payment of a temporary income:

(a) the maximum income that could be paid to him during the fiscal year if he were not entitled to a temporary pension;

(b) the effect of the payment of an income greater than the amount referred to in subparagraph *a* — for each year until the end of the year in which the purchaser reaches 65 years of age — on the income that could be paid to him after such date.

(c) that, if the amount allocated to the life income is nil and the purchaser has not submitted to the financial

institution a declaration in conformity to the one provided for in schedule 0.5, he could receive a higher income if he were able to provide the said declaration;

(6) that the transfer to the fund of amounts coming from another life income fund of the purchaser during the same year may not give rise to the revision of the maximum amount that may be paid to the purchaser by the fund during the fiscal year;

(7) that if the purchaser wishes to transfer, in whole or in part, the balance of the fund by receiving from the fund the income that has been set for the fiscal year, he must ensure that the balance of the fund following such transfer is at least equal to the difference between the income set for the fiscal year and the income that he has already received since the beginning of the fiscal year.”.

15. The Regulation is amended by inserting, after section 24, the following section:

“**24.1.** Where the upper limits determined in application of sections 20 to 20.2 are revised, the financial institution shall provide the purchaser with a statement that indicates:

(1) the balance of the fund at the beginning of the fiscal year and the sums that have been deposited therein, identifying any amounts coming directly or initially during the year from another life income fund of the purchaser;

(2) the maximum amount that may be paid to the purchaser as income during the fiscal year;

(3) the amount of the additional income that may be paid following the revision;

(4) where the revision follows the obtention of entitlement to a temporary income by the purchaser:

(a) the maximum amount of the income that could be paid to him if he had not obtained such entitlement;

(b) the effect of the payment of an income greater than the amount referred to in subparagraph *a* — for each year until the end of the year in which the purchaser reaches 65 years of age — on the income that would be paid to him after such date;

(c) that, if the amount allocated to the life income is nil and the purchaser has not provided to the financial institution a declaration in conformity with the one prescribed in schedule 0.5, he could obtain a higher income if he were able to provide the said declaration;

16. Section 28 of the Regulation is amended by inserting, after paragraph 3, the following paragraph:

“(3.1) a life income fund referred to in section 18;”.

17. Section 29 of the Regulation is amended:

(1) by replacing, in the wording preceding paragraph (1), “It must also” with “, which must”;

(2) by replacing, in paragraph 2 the word and figure “and 9” by the word and figure “to 9.1”;

(3) by striking out, in paragraph 8, the words “or into a life income fund”;

(4) by inserting, after paragraph 9, the following:

“(9.1) that the entire balance of the account may be paid in a lump-sum to a purchaser who is at least 65 years of age and provides the financial institution with an application to that effect accompanied with a declaration in conformity with the one prescribed in schedule 0.2, attesting that the total of the sums credited to his account in retirement savings instruments does not exceed 40 % of the Maximum Pensionable Earnings determined in accordance with the Act respecting the Québec Pension Plan for the year during which he applies for the payment;”

18. The Regulation is amended by inserting, after section 29, the following sections:

“**29.1.** To be registered with the Régie, the standard contract referred to in the second paragraph of section 29 shall, in addition to the provisions of that section, provide:

(1) that the purchaser may receive, in whole or in part, the balance of the account in the form of a temporary income, payable in monthly instalments, of which none may exceed one twelfth of the difference between the following amounts:

(a) 40 % of the Maximum Pensionable Earnings determined for the year of the payment in accordance with the Act respecting the Québec Pension Plan;

(b) 75 % of the purchaser’s income calculated on an annual basis but excluding the income provided for in this paragraph;

provided it meets the following requirements:

— the income of the purchaser calculated on an annual basis, excluding the income provided for in this

paragraph, does not exceed the amount referred to in subparagraph *a* above;

— the purchaser provides the financial institution with an application to that effect, accompanied with a declaration in conformity with the one prescribed in schedule 0.1;

— the purchaser was at least 54 years of age at the end of the year preceding the said application;

(2) that the temporary income may not be paid to the purchaser where he has applied for an interruption of payment or after the end of the year in which he reaches 54 years of age;

(3) that the purchaser who is entitled to receive the temporary income provided for in paragraph 1 and who is a member or spouse who has become entitled to a retirement pension under the pension plan may, for the purposes of replacing such pension with such temporary income apply, once a year, for the transfer to a locked-in retirement account of an amount equal to the lesser of the following amounts:

(a) the additional amount required for the balance of the locked-in retirement account to permit, until the end of the year, the monthly payments provided for in paragraph 1 to be made;

(b) the value of his benefits under the plan.

29.2. Sections 15.1 to 15.3 shall be applied, adapted as required, with respect to the allocation of benefits and the determination of the residual benefits of a member or spouse who has applied for the transfer referred to in paragraph 3 of section 29.1.”

19. Section 31 of the Regulation is amended by the addition, after paragraph 2, of the following paragraph:

“(3) that the purchaser may replace, in whole or in part, the pension referred to in paragraph 2 of section 30 with a temporary pension that meets the requirements provided for in section 91.1 of the Act if he meets the following requirements:

(a) makes an application to that effect to the insurer, accompanied with a declaration in conformity with the one prescribed in schedule 0.1, before the beginning of the payment of the pension to be replaced;

(b) is at least 55 but under 65 years of age.”

20. Section 39 of the Regulation is amended:

(1) by replacing paragraph 1 of the first paragraph with the following paragraphs:

“(1) where the pension committee has information related to the sum accumulated as at the date of the marriage:

(a) if no benefit referred to in section 69.1 of the Act or in paragraph 3 of section 29.1 of this Regulation was paid between the date of the marriage and the date on which proceedings were instituted, the value corresponds to the difference between the value of the capital benefits accumulated as at the date of the institution of proceedings and the sum accumulated as at the date of the marriage, increased by interest for the period included between the date of the marriage and the date of the institution of proceedings;

(b) if a benefit referred to in section 69.1 of the Act or in paragraph 3 of section 29.1 of this Regulation was paid between the date of the marriage and the date on which proceedings were instituted and the pension committee has information related to the amount and the payment date of such benefit, the value is equal to the amount “N” in the following formula:

$$N = G - \left[D \times \frac{G}{G + S} \right]$$

«G» represents the value of the member’s benefits as at the date of the institution of proceedings;

«D» represents the accumulated sum as at the date of the marriage, increased by the interest for the period included between the date of the marriage and the date of the institution of proceedings.

«S» represents the amount of the benefit paid, increased by interest for the period included between the date of payment and the date of institution of proceedings;”

(2) by inserting, in paragraph 2, after the first occurrence of the word “marriage”, the words “or, where required, those related to the amount or to the date of payment of a benefit referred to in section 69.1 of the Act or in paragraph 3 of section 29.1 of this Regulation”.

21. Section 55 of the Regulation is amended by inserting, in paragraph 2, after the word “benefits” the words “; with the exception of a benefit referred to in section 69.1 of the Act or in paragraph 3 of section 29.1 of this Regulation,”.

22. The regulation is amended by inserting, after section 57, the following section:

“**57.1.** The statement provided to a member in application of section 112.1 of the Act shall contain the following information:

- (1) the name of the member;
- (2) the name of the pension plan and the number of the certificate of registration for the plan issued by the Régie;
- (3) the date of payment of the early benefit;
- (4) in the event that the benefits referred to in section 15.1 were used to pay the benefit:
 - (a) the amount of the benefit paid;
 - (b) the balance of value of the benefits after payment of the said benefit;
- (5) in the event that the benefits referred to in section 15.3 were used to pay the benefit:
 - (a) the amount of the benefit paid;
 - (b) the amount of the reduction of the member's pension following payment of the said benefit;
 - (c) a mention that the amount will be adjusted if the requirements or characteristics of the pension paid under the plan, with the exception of those related to early or postponed payment, are different from those used to determine the amount or if payment of the pension begins on a date other than the date of the normal retirement age.”.

23. Section 58 of the Regulation is amended:

(1) by inserting, after subparagraph *b* of paragraph 2, the following subparagraph:

“(b.1) in the case of a temporary pension or fraction of a pension, the amount of such pension and the date on which it will cease being paid;”;

(2) by the addition, at the end of paragraph 3, of the following paragraph:

“(d) in the case of a temporary pension or fraction of a pension, the amount of such pension and the date on which it will cease being paid;”.

24. Section 59 of the Regulation is amended:

(1) by inserting, after subparagraph *b* of paragraph 4, the following subparagraph:

“(b.1) in the case of a temporary pension or fraction of a pension, the amount of such pension and the date on which it will cease being paid;”;

(2) by inserting, in the second line of paragraph 5, after the word and letter “subparagraphs *a*,” the letter and figure “b.1,”.

25. The provision of section 14, in the version prior to (*indiquer ici la date d'entrée en vigueur de l'article 1 du présent règlement*), continue to apply to applications and declarations that had to be filed with the Régie before that date.

26. The provisions of this Regulation come into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec* with the exception of section 3, which is effective from 5 June 1997, and sections 4 to 15 and 18, to the extent that this Regulation introduces paragraph 3 of section 29.1 and section 29.2, which are effective from 1 January 1998.

SCHEDULE 0.1

(s. 15.4, 19.1, 29.1 and 31)

DECLARATION OF THE MEMBER OR PURCHASER

I declare that I am not now receiving any temporary income under any of the following plans or contracts:

(1) a supplemental pension plan subject to or established by a law of the Québec Parliament or another legislative body;

(2) a contract establishing a life income fund;

(3) an agreement establishing a locked-in retirement account;

(4) an annuity contract under which a transfer can be made in accordance with sections 98 and 100 of the Supplemental Pension Plans Act.

I declare furthermore that no other application intended to allow me to receive such temporary income during the period covered by the application attached herewith has been made or accepted.

Date

Signature

NOTE Whosoever makes a false declaration with the intention of obtaining a temporary income payable under a pension plan, contract or agreement mentioned in this declaration is subject to the penalties provided for in sections 257 to 262 of the Supplemental Pension Plans Act.

SCHEDULE 0.2

(s. 16.1, s. 19 par. 6.1 and s. 29 par. 9.1)

DECLARATION OF THE PURCHASER

I declare:

(1) that the total of the sums credited to my account in the following retirement savings instrument:

(a) defined contribution pension plans;

(b) defined benefit or combined contributory and defined benefit pension plans in application of provisions similar to those of a defined contribution plan;

(c) life income funds;

(d) locked-in retirement accounts;

(e) registered retirement savings plans of which the balance must be converted into a life annuity (locked-in RRSPs)

is \$ _____;

(2) that the total is based on the most recent information that I have;

(3) that the said information is less than 18 months old.

Date

Signature

NOTE Whosoever makes a false declaration with the intention of obtaining a lump-sum payment payable under a retirement savings instrument mentioned in the declaration is subject to the penalties provided for in sections 257 to 262 of the Supplemental Pension Plans Act.

SCHEDULE 0.3

(s. 20 and s. 20.2)

Age	
54	0,137
55	0,145
56	0,155
57	0,168
58	0,185
59	0,207
60	0,238
61	0,285
62	0,364
63	0,523
64	1,000

SCHEDULE 0.5

(s. 20.2)

DECLARATION OF THE PURCHASER

I declare that the life income fund in respect of which I make this declaration is the only such fund established in my behalf.

I declare furthermore that I am not a party to any agreement establishing a locked-in retirement account or to any registered retirement savings plan of which the balance must be converted into a life annuity (locked-in RRSP).

Date_____
Signature

NOTE Whosoever makes a false declaration with the intention of obtaining a temporary income payable under a retirement savings instrument mentioned in the declaration is subject to the penalties provided for in sections 257 to 262 of the Supplemental Pension Plans Act.

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