

Treasury Board

Gouvernement du Québec

T.B. 191717, 7 April 1998

An Act respecting the Teachers Pension Plan (R.S.Q., c. R-11; 1997, c. 7; 1997, c. 50)

An Act respecting the Civil Service Superannuation Plan (R.S.Q., c. R-12; 1997, c. 7; 1997, c. 50)

Teachers Pension Plan Civil Service Superannuation Plan — Temporary measures for persons participating in the plan

Regulation respecting temporary measures for persons participating in the Teachers Pension Plan or de Civil Service Superannuation Plan

WHEREAS the first paragraph of section 66.2 of the Act respecting the Teachers Pension Plan (R.S.Q., c. R-11), enacted by section 31 of Chapter 7 of the Statutes of 1997 and amended by section 76 of Chapter 50 of the Statutes of 1997, provides that a teacher who meets the requirements of paragraph 1 of section 66.1 of the Act respecting the Teachers Pension Plan and who is eligible for a pension under Division VII of Chapter IV of that Act before 2 July 1997 may cease to participate in the plan, retire and avail himself of the provisions of that division not later than 2 July 1997 or if he has sent to the Commission administrative des régimes de retraite et d'assurances for the application of the measures provided for in that division, an application for an estimate of his pension, at the end of a 30-day period after the date of receipt of an estimate of his pension made by the Commission, whichever is later;

WHEREAS the first paragraph of section 99.23 of the Act respecting the Civil Service Superannuation Plan (R.S.Q., c. R-12), enacted by section 33 of Chapter 7 of the Statutes of 1997 and amended by section 95 of Chapter 50 of the Statutes of 1997, provides that an officer who meets the requirements of paragraphs 1 and 2 of section 99.22 of the Act respecting the Civil Service Superannuation Plan and who is eligible for a pension under Division II.2 of that Act may cease to participate in the plan, retire and avail himself of the provisions of that division not later than 2 July 1997 or if he has sent to the Commission, within 30 days from the date of receipt of a statement of his benefits under the plan sent by the Commission for the application of the measures provided for in that division, an application for an esti-

mate of his pension, at the end of a 30-day period after the date of receipt of an estimate of his pension made by the Commission, whichever is later;

WHEREAS the second paragraph of section 66.2 and of section 99.23 provides that the Government may, by regulation, determine in what cases and subject to what terms and conditions a teacher or an officer may avail himself of the provisions of Division VII of Chapter IV of the Act respecting the Teachers Pension Plan or Division II.2 of the Act respecting the Civil Service Superannuation Plan on a date subsequent at 2 July 1997;

WHEREAS under section 22 of Financial Administration Act (R.S.Q., c. A-6), the Conseil du trésor exercises the powers conferred upon the Government under the Act respecting the Teachers Pension Plan and the Act respecting the Civil Service Superannuation Plan;

WHEREAS it is expedient to make such regulation;

THE CONSEIL DU TRÉSOR PRESCRIBES:

THAT the Regulation respecting temporary measures for persons participating in the Teachers Pension Plan or the Civil Service Superannuation Plan, attached hereto, be made.

ROBERT CAVANAGH,
Clerk of the Conseil du trésor, ad interim

Regulation respecting temporary measures for persons participating in the Teachers Pension Plan or the Civil Service Superannuation Plan

An Act respecting the Teachers Pension Plan (R.S.Q., c. R-11, s. 66.2; 1997, c. 7, s. 31; 1997, c. 50, s. 76)

An Act respecting the Civil Service Superannuation Plan (R.S.Q., c. R-12, s. 99.23; 1997, c. 7, s. 33; 1997, c. 50, s. 95)

1. A person who, before 3 July 1997, could have availed himself of the provisions provided by Division VII of Chapter IV of the Act respecting the Teachers Pension Plan (R.S.Q., c. R-11), enacted by section 31 of Chapter 7 of the Statutes of 1997 amended by sections 75 to 77 of Chapter 50 of the Statutes of 1997, or

by Division II.2 of the Act respecting the Civil Service Superannuation Plan (R.S.Q., c. R-12), enacted by section 33 of Chapter 7 of the Statutes of 1997 and amended by sections 94 to 96 of Chapter 50 of the Statutes of 1997, as the case may be, may cease to participate in the plan, retire and avail himself of those provisions at the end of a 30-day period after the date of receipt of an estimate of his pension made by the Commission administrative des régimes de retraite et d'assurances, in the following cases:

1° a person at least 65 years of age before 3 July 1997 is eligible for a departure incentive program;

2° a person who has attained the age of 50 on 2 July 1997 has sent to the Commission an application for an estimate of his pension within 30 days after the date of receipt of a statement of his benefits under the plan sent by the Commission after 2 July 1997 for the application of those measures;

3° an employer has sent to the Commission, before 15 May 1997, an application for an estimate of the pension of a person for the application of those measures;

4° a person has sent to the Commission, before that date, an application for redemption of years or parts of a year made for the application of those measures;

5° a person has made an application for review, before 15 April 1998, of a decision of the Commission refusing him an application for redemption of years or parts of a year made for the application of those measures and that decision was invalidated by review or arbitration;

6° a person has made an application for redemption of years or parts of a year carried out as a lay teacher who has taught in a nursing school in hospital environment in Québec within 30 days after the date of receipt of a notice of the Commission informing him of the possibility of making such an application for redemption for the application of Division III.2 of the Act respecting the Teachers Pension Plan and has accepted the redemption proposal following up on his application within 30 days after the date of that proposal.

2. This Regulation comes into force on the date it is made.