

mined date, or for each month between the date on which he retired and the date on which that amount of pension begins to apply, if the pensioner retired on the determined date or thereafter.

If the amount of pension credit obtained pursuant to the first paragraph begins to apply after the determined date but before the date of the pensioner's 65th birthday, it shall be increased by 0.50 % per month, calculated for each month between the determined date and the date on which the amount of pension credit begins to apply.

If the amount of pension credit obtained pursuant to the first paragraph begins to apply on the date of the pensioner's 65th birthday or after that date, it shall be increased by 0.50 % per month, calculated for each month between the determined date and the date of his 65th birthday, and by 0.75 % per month, calculated for each month between the latter date and the date on which the amount of pension credit begins to apply."

7. The following paragraph is substituted for the last two paragraphs of section 20:

"The amount of pension credit obtained pursuant to the first paragraph shall be increased, for each month between the date of assessment and the date on which it begins to apply, by 0.50 % for each month before the date of the pensioner's 65th birthday and by 0.75 % for each month after that date."

8. The following is substituted for section 24:

"**24.** Any refund of contributions to be made following a death shall be reduced by the sums awarded to the spouse with interest compounded annually at the rate determined for each period under Schedule VI to the Act and accrued from the date of assessment to the date on which the refund is made, except for the period during which a pension is paid.

Notwithstanding the foregoing, no interest shall be calculated on the portion of those sums that relates to years or parts of years of service under the Teachers Pension Plan or the Civil Service Superannuation Plan, if those sums come from an entitlement to a refund of contributions. A separate calculation shall be made for the refund of the sums paid for the purchase of a pension credit."

9. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec* but has effect from 1 January 1996.

Gouvernement du Québec

O.C. 1429-98, 27 November 1998

An Act respecting the Pension Plan of Certain Teachers (R.S.Q., c. R-9.1)

Partition and assignment of benefits accrued — Certain teachers — Amendment

Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of Certain Teachers

WHEREAS under paragraphs 1 to 5 of section 41.8 of the Act respecting the Pension Plan of Certain Teachers (R.S.Q., c. R-9.1), the Government may, after consultation with the Comité de retraite, make regulations on the matters mentioned therein;

WHEREAS pursuant to paragraphs 1 to 5 of that section, the Government made the Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of Certain Teachers by Order in Council 840-91 dated 19 June 1991, amended by the Regulation made by Order in Council 1190-95 dated 6 September 1995;

WHEREAS it is expedient to amend the Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of Certain Teachers in order to specify what conditions are to be met by a member of the Pension Plan of Certain Teachers and his spouse to obtain a statement of the benefits accrued under that plan for the purposes of mediation conducted prior to proceedings in family matters;

WHEREAS the Comité de retraite established within the Commission administrative des régimes de retraite et d'assurances has been consulted;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 19 March 1997 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS following that publication, no comments were made;

WHEREAS it is expedient to make that Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister for Administration and the Public Service and Chairman of the Conseil du trésor:

THAT the Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of Certain Teachers, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of Certain Teachers(*)

An Act respecting the Pension Plan of Certain Teachers (R.S.Q., c. R-9.1, s. 41.8, pars. 1 to 5)

1. The Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of Certain Teachers is amended at the beginning of subparagraph 3 of the first paragraph of section 1 by inserting the words “confirmation in writing from a certified mediator to the effect that he has obtained a family mediation mandate, or”.

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

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Gouvernement du Québec

O.C. 1430-98, 27 November 1998

Courts of Justice Act
(R.S.Q., c. T-16)

Partition and assignment of benefits accrued — Judges of the Court of Québec — Amendment

Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the pension plans of the judges of the Court of Québec

WHEREAS under section 246.22 of the Courts of Justice Act (R.S.Q., c. T-16), the Government may make regulations on the matters mentioned therein;

WHEREAS under paragraphs *a* to *d* of that section, the Government made the Regulation respecting the partition and assignment of benefits accrued under the pension plans of the judges of the Court of Québec by Order in Council 460-92 dated 1 April 1992 and amended by the Regulation made by Order in Council 1189-95 dated 6 September 1995;

WHEREAS under section 60 of Chapter 70 of the Statutes of Québec of 1995, it is expedient to amend the Regulation respecting the partition and assignment of benefits accrued under the pension plans of the judges of the Court of Québec in order to specify the conditions to be met by a participant in those pension plans and his spouse to obtain a statement of the benefits accrued under those plans for the purposes of mediation conducted prior to proceedings in family matters;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 19 March 1997 with a notice that it could be made by the Government upon the expiry of a 45-day period following that publication;

WHEREAS following that publication, no comments were made;

WHEREAS it is expedient to make the Regulation;

IT IS ORDERED, therefore, upon the recommendation of the Minister for Administration and the Public Service, Chairman of the Conseil du trésor:

THAT the Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the pension plans of the judges of the Court of Québec, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

* The Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of Certain Teachers, made by Order in Council 840-91 dated 19 June 1991 (1991, *G.O.* 2, 2114), was last amended by the Regulation made by Order in Council 1190-95 dated 6 September 1995 (1995, *G.O.* 2, 2816).