

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^(*)

Courts of Justice Act
(R.S.Q., c. T-16, s. 246.22, pars. a to d)

1. The Regulation respecting the partition and assignment of benefits accrued under the pension plans of the judges of the Court of Québec 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. 1431-98, 27 November 1998

An Act respecting the Pension Plan of Elected Municipal Officers
(R.S.Q., c. R-9.3)

Partition and assignment of benefits accrued — Elected municipal officers — Amendment

Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of Elected Municipal Officers

WHEREAS under the first paragraph of section 75 of the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., c. R-9.3), the Government may make regulations on the matters mentioned therein;

WHEREAS under subparagraphs 4.1 to 4.5 of the first paragraph of that section, the Government made the Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of Elected

Municipal Officers by Order in Council 1753-91 dated 18 December 1991, amended by the Regulation made by Order in Council 1188-95 dated 6 September 1995;

WHEREAS under section 14 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 Plan of Elected Municipal Officers in order to specify the conditions to be met by a participant in that pension plan and his spouse to obtain a statement of the benefits accrued under that pension plan 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 Plan of Elected Municipal Officers, 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 Elected Municipal Officers^(*)

An Act respecting the Pension Plan of Elected Municipal Officers
(R.S.Q., c. R-9.3, s. 75, 1st par., subpars. 4.1 to 4.5)

1. The Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of

^{*} The Regulation respecting the partition and assignment of benefits accrued under the pension plans of the judges of the Court of Québec, made by Order in Council 460-92 dated 1 April 1992 (1992, *G.O.* 2, 1945), was last amended by the Regulation made by Order in Council 1189-95 dated 6 September 1995 (1995, *G.O.* 2, 2814).

^{*} The Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of Elected Municipal Officers, made by Order in Council 1753-91 dated 18 December 1991 (1992, *G.O.* 2, 7), was last amended by the Regulation made by Order in Council 1188-95 dated 6 September 1995 (1995, *G.O.* 2, 2811).

Elected Municipal Officers 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. 1432-98, 27 November 1998

An Act respecting the Government and Public Employees Retirement Plan
(R.S.Q., c. R-10)

Partition and assignment of benefits accrued — Federal employees — Amendment

Amendment to the Order in Council respecting the partition and assignment of benefits accrued under the Pension plan for federal employees transferred to employment with the gouvernement du Québec

WHEREAS under the first paragraph of section 10.0.1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), as amended by section 27 of Chapter 71 of the Statutes of 1997, employees of the federal government who transfer to an employment that is pensionable employment under that plan within the framework of an agreement between the government of Canada and the gouvernement du Québec may elect, in accordance with the rules and conditions fixed by the Government, to become members of that plan or of a pension plan established by the Government in respect of those employees or of each group of employees affected by such an agreement and similar to the plan to which they formerly belonged;

WHEREAS by Order in Council 430-93 dated 31 March 1993, the Government made the Pension plan for federal employees transferred to employment with the gouvernement du Québec;

WHEREAS under section 10.2 of that Act, the Government may, for the purposes of partition of the family patrimony, render wholly or partly applicable to the plan established pursuant to section 10.0.1 of that Act the rules, adapted as required, prescribed in Chapter VII.1 of Title I of that Act or enacted by it under the provisions of that Chapter;

WHEREAS the Government made Order in Council 1193-95 dated 6 September 1995 respecting the partition and assignment of benefits accrued under the Pension plan for federal employees transferred to employment with the gouvernement du Québec;

WHEREAS section 122.1 of that Act was amended by section 34 of Chapter 70 of the Statutes of Québec of 1995 in order to provide that an employee or former employee and his spouse are also entitled to obtain a statement, upon application to the Commission administrative des régimes de retraite et d'assurances and according to the terms and conditions prescribed by regulation, for the purposes of mediation conducted prior to proceedings in family matters;

WHEREAS it is expedient to amend the Order in Council respecting the partition and assignment of benefits accrued under the Pension plan for federal employees transferred to employment with the gouvernement du Québec in order to provide for the conditions for obtaining a statement 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 Order in Council 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 Order in Council;

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

THAT the Amendment to the Order in Council respecting the partition and assignment of benefits accrued under the Pension plan for federal employees transferred to employment with the gouvernement du Québec, attached hereto, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif
