

Regulations and other acts

Gouvernement du Québec

O.C. 572-98, 29 April 1998

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

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

Temporary measures

Regulation respecting temporary measures for members of the Pension Plan of Certain Teachers and of the Government and Public Employees Retirement Plan

WHEREAS the first paragraph of section 35.2 of the Act respecting the Pension Plan of Certain Teachers (R.S.Q., c. R-9.1), enacted by section 9 of Chapter 50 of the Statutes of 1997, provides that a person who meets the requirement of paragraph 1 of section 35.1 of the Act respecting the Pension Plan of Certain Teachers and who is eligible for a pension before 2 July 1997 under Division II.2 of Chapter V 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 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 85.23 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), enacted by section 28 of Chapter 7 of the Statutes of 1997 and amended by section 35 of Chapter 50 of the Statutes of 1997, provides that an employee who meets the requirements of subparagraphs 1 to 3 of the first paragraph of section 85.22 of the Act respecting the Government and Public Employees Retirement Plan and who is eligible for a pension before 2 July 1997 under the provisions of Chapter V.2 of Title I of the Act may cease to participate in the plan, retire and avail himself of the provisions of that chapter 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 pro-

vided for in that chapter, 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 215.11.2 of the Act respecting the Government and Public Employees Retirement Plan, enacted by section 53 of Chapter 50 of the Statutes of 1997, provides that an employee who meets the requirements of subparagraphs 1 to 3 of the first paragraph of section 215.11.1 of the Act respecting the Government and Public Employees Retirement Plan and who is eligible for a pension before 1 October 1997 under Title IV.1.1 of that Act may cease to participate in the retirement plan provided for in that Act, retire and avail himself of the provisions of that title not later than 1 October 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 and an estimate of his pension sent by the Commission for the application of the measures provided for in that title, an application for redemption of years or parts of years of service, at the end of a 30-day period after the date of receipt of a new estimate of his pension with a redemption proposal made by the Commission, whichever is later;

WHEREAS the second paragraphs of sections 35.2, 85.23 and 215.11.2 provide that the Government may, by regulation, determine the cases, terms and conditions according to which a person or an employee may avail himself of the provisions of section III.2 of Chapter V of the Act respecting the Pension Plan of Certain Teachers or of Chapter V.2 of Title I of the Act respecting the Government and Public Employees Retirement Plan on a date subsequent to 2 July 1997, or the provisions of Title IV.1.1 of that Act on a date subsequent to 1 October 1997;

WHEREAS it is expedient to make such a regulation;

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

THAT the Regulation respecting temporary measures for members of the Pension Plan of Certain Teachers and of the Government and Public Employees Retirement Plan, attached hereto, be made.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

Regulation respecting temporary measures for members of the Pension Plan of Certain Teachers and of the Government and Public Employees Retirement Plan

An Act respecting the Pension Plan of Certain Teachers (R.S.Q., c. R-9.1, s. 35.2; 1997, c. 50, s. 9)

An Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10, s. 85.23 and 215.11.2; 1997, c. 7, s. 28; 1997, c. 50, ss. 35 and 53)

1. A person who could have availed himself, before 3 July 1997, of the provisions of section III.2 of the Act respecting the Pension Plan of Certain Teachers (R.S.Q., c. R-9.1), enacted by section 9 of Chapter 50 of the Statutes of 1997 or of Chapter V. 2 of Title I of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), enacted by section 28 of Chapter 7 of the Statutes of 1997 and amended by sections 34 to 39 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 these provisions not later than 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 who was at least 65 years of age before 3 July 1997 and is eligible for a departure incentive program;

(2) a person who turned 50 on 2 July 1997 and who applied to the Commission for an estimate of his pension not later than 30 days after the receipt of a statement of his benefits under the plan sent by the Commission after 2 July 1997 for the purposes of these provisions;

(3) an employer who sent to the Commission, before 15 May 1997, an application for the estimate of an employee's pension for the purposes of these provisions;

(4) a person who sent to the Commission, before that date, an application for redemption of years or parts of years of service within the scope of these provisions;

(5) a person who made an application, before 15 April 1998, for the review of a decision by the Commission rejecting an application for redemption of years or parts of years of service within the scope of these provisions and where the decision was reversed by means of review or arbitration;

(6) a person who filed an application for redemption of years or parts of years of service carried out as a lay teacher in a hospital nursing school in Québec within 30 days of the receipt of a notice from the Commission informing him that an application for redemption could be made pursuant to section III.2 of the Act respecting the Pension Plan of Certain Teachers and who agreed to the resulting redemption proposal within 30 days;

2. A person who could have availed himself, before 2 October 1997, of the provisions of Title IV.1.1 of the Act respecting the Government and Public Employees Retirement Plan, enacted by section 53 of Chapter 50 of the Statutes of 1997, may cease to participate in the plan, retire and avail himself of the provisions not later than at the end of a 30-day period after the date of receipt of an estimate of his pension by the Commission if he made an application, before 15 April 1998, for the review of a decision of the Commission rejecting an application for redemption of years or parts of years of service within the scope of these provisions and where the decision was reversed by means of review or arbitration.

3. This Regulation comes into force on the date it is made by the Government.

2235

Gouvernement du Québec

O.C. 577-98, 29 April 1998

Supplemental Pension Plans Act
(R.S.Q., c. R-15.1)

Supplemental pension plans — Amendments

IN THE MATTER OF the Regulation to amend the Regulation respecting supplemental pension plans

WHEREAS in accordance with paragraph 4 of the first paragraph of section 244 of the Supplemental Pension Plans Act (R.S.Q., c. R-15.1), amended by section 16 of the Act to amend the Act respecting the Québec Pension Plan and the Supplemental Pension Plans Act in order to facilitate phased retirement and early retirement (1997, c. 19), the Régie des rentes du Québec may, by regulation, determine for the application of section 92 of the Act, the conditions for replacing a pension, the terms and conditions of the contract constituting the replacement pension as well as the methods, assumptions, rules and factors applicable to the calculation of the maximum annual amount of the replacement pension;