

Regulations and other acts

Gouvernement du Québec

O.C. 721-2000, 15 June 2000

An Act respecting the Government and Public Employees Retirement Plan
(R.S.Q., c. R-10, s. 10.1)

Amendments to the Order in Council concerning the designation of classes of employees and the establishment of special provisions pursuant to section 10.1 of the Act respecting the Government and Public Employees Retirement Plan

WHEREAS the first paragraph of section 10.1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10) provides that the Government may, notwithstanding any inconsistent provision of that plan, except the provisions of Chapter VII.1 of the Act, establish special provisions with respect to classes of employees it designates;

WHEREAS the Government made Order in Council 245-92 dated 26 February 1992 concerning the designation of classes of employees and the establishment of special provisions pursuant to section 10.1 of the Act;

WHEREAS it is expedient to amend that Order in Council;

WHEREAS the second paragraph of section 10.1 of the Act provides that an order under the first paragraph of that section may have effect 12 months or less before it is made;

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

THAT the amendments to the Order in Council concerning the designation of classes of employees and the establishment of special provisions pursuant to section 10.1 of the Act respecting the Government and Public Employees Retirement Plan, attached to this Order in Council, be made;

THAT the Order in Council have effect from 1 January 2000.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Amendments to the Order in Council concerning the designation of classes of employees and the establishment of special provisions pursuant to section 10.1 of the Act respecting the Government and Public Employees Retirement Plan*

An Act respecting the Government and Public Employees Retirement Plan
(R.S.Q., c. R-10, s. 10.1)

1. Section 7 of the Order in Council concerning the designation of classes of employees and the establishment of special provisions pursuant to section 10.1 of the Act respecting the Government and Public Employees Retirement Plan is amended by inserting the following at the end of the first sentence of subparagraph 2 of the second paragraph: “and subject to paragraph 3 of section 6”.

2. Section 9 is amended by adding the following paragraph at the end:

“**9.1** Notwithstanding section 40 of the Act, a person entitled to a pension may request that it only become payable on a date indicated on the pension application where the date is later than would otherwise have been determined by section 40.

Notwithstanding the foregoing, a person who has reached age 69 may not request payment later than 31 December of the year of his 69th birthday.”.

3. Section 11 is amended by adding the following words at the end: “and if the person is subject to one of the provisions of paragraphs 1 to 11 of Schedule II, paragraph 3 of section 6 shall be taken into account”.

* Order in Council 245-92 dated 26 February 1992 (1992, *G.O.* 2, 1051) concerning the designation of classes of employees and the establishment of special provisions pursuant to section 10.1 of the Act respecting the Government and Public Employees Retirement Plan was last amended by Order in Council 987-99 dated 1 September 1999 (1999, *G.O.* 2, 2879). For previous amendments, refer to the *Tableau de modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 February 2000.

4. Section 15.1 is amended by inserting “as it read at the time of the person’s retirement” after the number “22” in subparagraph 2 of the first paragraph.

5. Section 18 is amended by deleting the fourth paragraph.

6. Section 20 is amended by inserting “or in accordance with Chapter II of Title IV.0.1 of the Act” after the word “Act” in the first sentence of the fourth paragraph.

7. Section 21 is amended

(1) by inserting: “and section 22”, after the words “in accordance with the provisions of that plan” in the second sentence of the first paragraph;

(2) by inserting “or if the person is subject to one of the provisions of paragraphs 1 to 11 of Schedule II, paragraph 3 of section 6 shall be taken into account” at the end of the second sentence of the first paragraph;

(3) by adding “or if the person is subject to one of the provisions of paragraphs 1 to 11 of Schedule II, paragraph 3 of section 6 shall be taken into account” at the end of the third paragraph.

8. Section 22 is amended by adding “and if the person is subject to one of the provisions of paragraphs 1 to 11 of Schedule II, by applying paragraph 2 of section 9” at the end.

9. Section 23 is amended

(1) by inserting “In the case of a total and permanent disability or” at the beginning of the first paragraph;

(2) by inserting “of a total and permanent disability or in the case” after the words “in the case” in the second sentence of the second paragraph.

10. The Order in Council is amended by inserting the following after section 25:

“**25.0.1.** Sections 4 and 5 of the Regulation respecting special provisions applicable to non-unionized employees who are members of the Government and Public Employees Retirement Plan, made by Order in Council 787-97 dated 18 June 1997, do not apply to employees who will be subject to this Order in Council and they will benefit from the provisions of this Regulation from the date on which they become subject to this Order in Council.”.

11. Section 25.2 is amended by inserting the words “received under the Act” after the word “credits”.

12. Section 26 is amended by inserting the words “, with respect to the pension credits received under the Act,” after the word “Act” in the first paragraph.

13. Schedule II is amended

(1) by substituting the words “, delegates of Québec to foreign countries and heads of post at a Bureau du Québec in Canada” for the words “and delegates of Québec to foreign countries” in paragraph 6;

(2) by substituting the following for paragraph 12:

“(12) for the education sector, the directors general and the assistant directors general and deputy directors general of the Commission scolaire de Montréal (CSDM), the Conseil scolaire de l’Île de Montréal (CSIM) and the Commission scolaire English-Montréal (CSEM);”.

14. Schedule III is amended by substituting the words “, delegates of Québec to foreign countries and heads of post at a Bureau du Québec in Canada” for the words “and delegates of Québec to foreign countries” in paragraph 6.

15. Sections 1, 3, 4 and 6 to 10 shall apply to an employee who ceased to participate in the plan on 31 December 1999 or after that date.

16. This Order in Council shall have effect from 1 January 2000.

3699

Gouvernement du Québec

O.C. 722-2000, 15 June 2000

An Act respecting the Government and Public Employees Retirement Plan
(R.S.Q., c. R-10, s. 220.1)

Amendments to the Order in Council concerning the determination of supplementary benefits in respect of certain classes of employees under section 220.1 of the Act respecting the Government and Public Employees Retirement Plan

WHEREAS under the first paragraph of section 220.1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), the Government may, with respect to classes of employees designated under the first paragraph of section 10.1 of the Act, establish a plan which provides for supplementary benefits payable from the date of retirement;