

**Regulation respecting the repeal of the Regulation respecting the establishment of the amount that certain employers and government bodies must pay for the payment of administrative expenses of certain pension plans in the public and parapublic sectors\***

An Act respecting the Government and Public Employees Retirement Plan  
(R.S.Q., c. R-10, ss. 158.8 and 158.13)

1. The Regulation respecting the establishment of the amount that certain employers and government bodies must pay for the payment of administrative expenses of certain pension plans in the public and parapublic sectors, made by Order in Council 1402-97 dated 29 October 1997, is repealed.

2. This Regulation comes into force on the date on which it is made by the Conseil du trésor but has effect from 1 January 2000.

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Gouvernement du Québec

**T.B. 195703, 19 December 2000**

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

**Regulation**  
— **Amendments**

Regulation to amend the Regulation respecting the application of the Act respecting the Pension Plan of Certain Teachers

WHEREAS under paragraph 1.1 of section 41.8 of the Act respecting the Pension Plan of Certain Teachers (R.S.Q., c. R-9.1), enacted by section 4 of chapter 32 of the Statutes of 2000, the Government may establish by regulation, for the purposes of section 35.9 of the Act

respecting the Pension Plan of Certain Teachers, the limits applicable to a pension amount added under section 35.9 and sections 73.1 and 73.2 of the Act respecting the Government and Public Employees Retirement Plan and the manner in which an amount that exceeds the limits is to be adjusted;

WHEREAS under section 41.8, the Government shall make the Regulation after consultation by the Commission administrative des régimes de retraite et d'assurances with the Comité de retraite established under section 163 of the Act respecting the Government and Public Employees Retirement Plan;

WHEREAS the Comité de retraite was consulted;

WHEREAS the Government made the Regulation respecting the application of the Act respecting the Pension Plan of Certain Teachers by Order in Council 708-94 dated 18 May 1994;

WHEREAS it is expedient to amend the Regulation;

WHEREAS under section 40 of the Public Administration Act (2000, c. 8), the Conseil du trésor shall, after consulting with the Minister of Finance, exercise the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, with the exception of certain powers;

WHEREAS the Minister of Finance was consulted;

THEREFORE, THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation respecting the application of the Act respecting the Pension Plan of Certain Teachers, attached to this decision, be made.

ALAIN PARENTEAU,  
*Clerk of the Conseil du trésor*

\* The Regulation respecting the establishment of the amount that certain employers and government bodies must pay for the payment of administrative expenses of certain pension plans in the public and parapublic sectors, made by Order in Council 1402-97 dated 29 October 1997 (1997, G.O. 2, 5445), has not been amended since it was made.

## Regulation to amend the Regulation respecting the application of the Act respecting 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, par. 1; 2000, c. 32, s. 4)

1. The Regulation respecting the application of the Act respecting the Pension Plan of Certain Teachers is amended by inserting the following division before section 1:

### “DIVISION 0.1 LIMITS TO ADDED PENSION AMOUNTS

**0.1.** For the purposes of section 35.9 of the Act respecting the Pension Plan of Certain Teachers, the sum of the amounts that a person may add to their pension may not exceed the amount “M” which corresponds to “M<sub>1</sub>”, “M<sub>2</sub>” or “M<sub>3</sub>”, whichever is lowest, calculated as follows:

$$M_1 = (F \times N \times 2.0\% \times TM) - CR_{RR}$$

$$M_2 = F \times N \times (1.1\% \times TM + \$230)$$

$$M_3 = \text{maximum } [0; (F \times 70\% \times TM) - (CR_{RR} + BR_{SR})]$$

**0.2.** The amount added to the person’s pension shall correspond to the sum of the following amounts:

(1) the amount “MO” which corresponds to “MO<sub>1</sub>”, “MO<sub>2</sub>” or “MO<sub>3</sub>”, whichever is lowest, calculated as follows:

i.  $MO_1 = [F \times N \times [(2.0\% \times TM) - (0.7\% \times \text{minimum}(TM; MGA))]] - CR_{RR}$

ii.  $MO_2 = F \times N \times 1.1\% \times TM$

iii.  $MO_3 = \text{maximum } [0; [F \times [(70\% \times TM) - (NN \times 0.7\% \times \text{minimum}(TM; MGA))]] - (CR_{RR} + BR_{CO_{SR}})]$   
where  $NN = NA + ((70 - (1.6 \times NA)) / 2)$

(2) the difference between the amount “M” determined in section 0.1 and the amount “MO” determined in paragraph 1, if the person is under 65 years of age when the pension becomes payable. That amount shall be paid until the end of the month during which the pensioner reaches 65 years of age.

**0.3.** For the purposes of sections 0.1 and 0.2:

$BR_{SR}$  represents the pension granted under section 19 of the Act increased by the amounts provided for in section 20 of the Act taking into account any applicable actuarial reduction;

$BR_{CO_{SR}}$  represents  $BR_{SR}$  less the amount of the pension reduction applicable from the month following the person’s sixty-fifth birthday in accordance with section 24 of the Act;

$CR_{RR}$  represents:

(1) the amount of the pension credit on the date of retirement including the increase referred to in sections 89 and 107.1 of the Act respecting the Government and Public Employees Retirement Plan and takes into account any applicable actuarial reduction;

(2) the amount of the paid-up annuity certificate indicated on the statement of benefits taking into account, if applicable, an actuarial reduction of 0.5% per month calculated for each month included between the date of retirement and the person’s sixty-fifth birthday;

(3) the value of the pension credit attributed to the amounts corresponding to the years or parts of years recognized for purposes of eligibility and transferred into a locked-in retirement account (LIRA) calculated as follows:

(balance of the LIRA on the date of designation of the employer in Schedule I to the Act respecting the Government and Public Employees Retirement Plan x (5))

(value of a \$10 annual pension credit payable monthly as of age 65 according to Schedule V to the Act and taking into account the age of the employee on the date of designation of the employer in Schedule I to the Act.)

The value attributed to the pension credit shall include the rate of any increase referred to in section 89 of the Act respecting the Government and Public Employees Retirement Plan, between the date of designation of the employer in Schedule I and the date of retirement and taking into account, if applicable, an actuarial reduction of 0.5% per month calculated for each month between the date of retirement and the person’s sixty-fifth birthday;

F represents 1 less the percentage of the actuarial reduction applicable to the pension of the person;

\* The Regulation respecting the application of the Act respecting the Pension Plan of Certain Teachers was made by Order in Council 708-94 dated 18 May 1994 (1994, G.O. 2, 2046).

MGA represents the average Maximum Pensionable Earnings within the meaning of the Act respecting the Québec Pension Plan (R.S.Q., c. R-9);

N represents the number of years or parts of years referred to in the first paragraph of section 35.9 of the Act;

NA represents the number of years giving entitlement to 1.6% of the pensionable salary under section 20 of the Act;

NN represents the number of years necessary to reach the limit provided for in the first paragraph of section 22 of the Act;

TM represents the average pensionable salary determined in accordance with section 9 of the Act.”.

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

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Gouvernement du Québec

**T.B. 195704**, 19 December 2000

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

**Regulation**  
— **Amendments**

Regulation to amend the Regulation under the Act respecting the Government and Public Employees Retirement Plan

WHEREAS, under subparagraph 9.1 of the first paragraph of section 134 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), enacted by section 28 of chapter 32 of the Statutes of 2000, the Government may, by regulation, establish for the purposes of section 73.4 of the Act respecting the Government and Public Employees Retirement Plan, the limits applicable to a pension amount added under sections 73.1 and 73.2 of the Act and the manner in which an amount that exceeds the limits is to be adjusted;

WHEREAS under the first paragraph of that section, the Government shall make the regulation after consultation by the Commission administrative des régimes de retraite et d'assurances with the Comité de retraite referred to in section 164 of the Act;

WHEREAS the Comité de retraite was consulted;

WHEREAS the Government made the Regulation under the Act respecting the Government and Public Employees Retirement Plan by Order in Council 1845-88 dated 14 December 1988 and its subsequent amendments;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, under section 40 of the Public Administration Act (2000, c. 8), the Conseil du trésor shall, after consulting the Minister of Finance, exercise the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, with the exception of certain powers;

WHEREAS the Minister of Finance was consulted;

THEREFORE, THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation under the Act respecting the Government and Public Employees Retirement Plan, attached to this decision, be made.

ALAIN PARENTEAU,  
*Clerk of the Conseil du trésor*

**Regulation to amend the Regulation under 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. 134, 1st par., subpar. 9.1; 2000, c.32, s. 28)

1. The Regulation under the Act respecting the Government and Public Employees Retirement Plan is amended by inserting the following division after section 12.2:

\* The Regulation under the Act respecting the Government and Public Employees Retirement Plan, made by Order in Council 1845-88 dated 14 December 1988 (1988, *G.O.* 2, 4154), was last amended by the Regulation made by Order in Council 1400-99 dated 15 December 1999 (1999, *G.O.* 2, 5127). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 February 2000.