

8. This Plan comes into force on the date it is made by the Government and has effect from 1 January 2000.

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Gouvernement du Québec

**T.B. 195706, 19 December 2000**

An Act respecting the Teachers Pension Plan (R.S.Q., c. R-11)

**Teachers Supplementary Pension Plan**

WHEREAS under the first paragraph of section 75.1 of the Act respecting the Teachers Pension Plan (R.S.Q., c. R-11), enacted by section 64 of chapter 32 of the Statutes of 2000, the Government may, with respect to participants, establish a plan which provides for supplementary benefits as minimum benefits granted to the beneficiary of a pension and as benefits for physical or mental disability, within the meaning of the supplementary benefits plan;

WHEREAS under the fourth paragraph of section 75.1, an order under the first paragraph of that section may have effect up to 12 months before the date on which it is made;

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, except certain powers;

WHEREAS the Minister of Finance was consulted;

WHEREAS it is expedient to make the supplementary benefits plan;

THEREFORE, THE CONSEIL DU TRÉSOR DECIDES :

THAT the Teachers Supplementary Pension Plan, attached hereto, be made.

ALAIN PARENTEAU,  
*Clerk of the Conseil du trésor*

**Teachers Supplementary Pension Plan**

An Act respecting the Teachers Pension Plan (R.S.Q., c. R-11, s. 75.1 ; 2000, c. 32, s. 64)

**DIVISION I**

**MINIMUM BENEFITS GRANTED TO THE BENEFICIARY OF A PENSION**

1. Where a pension granted under the Act respecting the Teachers Pension Plan (R.S.Q., c. R-11), after ten years of credited service, except that granted to a child and those provided for in sections 50 and 53 of the Act, is less than the benefit calculated in accordance with section 2 of this Plan, the beneficiary shall be paid a benefit equal to the difference between the benefit fixed in section 2 and that which would have been paid under the Teachers Pension Plan.

2. For the purposes of section 1, the amount of the benefit on 1 January 2000 shall be \$5221.40. For each applicable year after that date and until the year when the pension becomes payable, the benefit shall be indexed at the time prescribed by section 119 of the Act respecting the Québec Pension Plan (R.S.Q., c. R-9) by the rate of increase in the Pension Index determined by that Act and, for the following years, it shall be indexed in the manner provided for in section 63 of the Act respecting the Teachers Pension Plan, reduced in accordance with section 38 or subparagraph 1 of the first paragraph of section 44 or paragraph 1 of section 45 of the Act, as the case may be, even if no pension was paid under the Act respecting the Québec Pension Plan.

Notwithstanding the foregoing, the calculation applies only to the part of the pension established pursuant to subparagraph 1 of the first paragraph of section 34 of the Act respecting the Teachers Pension Plan and the amount provided for in the first paragraph is multiplied by the fraction represented by the number of years of service credited before 1 January 1992 over the aggregate of years of service credited.

**DIVISION II**

**BENEFITS FOR PHYSICAL OR MENTAL DISABILITY**

3. A benefit shall be paid to a teacher with a physical or mental disability who does not receive a disability pension in accordance with subparagraph 6 of the first paragraph of section 32 of the Act respecting the Teachers Pension Plan. That supplementary benefit shall be equal to the difference between the pension that would have been payable if the teacher was entitled to a pension under that subparagraph and the pension to which the teacher is entitled under the Teachers Pension Plan.

4. For the purposes of section 3, a teacher has a physical or mental disability if that teacher suffers from a severe and prolonged medical condition.

A medical condition is severe if by reason thereof the teacher is totally incapable of performing the work required by his or her position for an extended period of time.

A medical condition is prolonged if it is expected to last indefinitely, that is, if it is unlikely that a cure is possible in the current state of medical knowledge.

5. The benefit provided for in section 3 shall be payable until the teacher is no longer disabled.

### **DIVISION III MISCELLANEOUS AND FINAL**

6. The relevant provisions of the Act, except those that are inconsistent, shall apply to a teacher who receives a benefit referred to in section 1 or 3, or, as the case may be, to the teacher's spouse or child, as if those benefits were granted under the Act. Notwithstanding the foregoing, those benefits shall be paid under this Plan.

7. The Regulation respecting the partition and assignment of benefits accrued under the Teachers Pension Plan provided for under the Act respecting the Teachers Pension Plan, made by decision of the Conseil du trésor T.B. 176506 (1991, *G.O.* 2, 1334), shall apply *mutatis mutandis* to the benefits provided for by this Plan.

8. This Plan comes into force on the date on which it is made by the Government and has effect as of 1 January 2000.

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Gouvernement du Québec

### **T.B. 195744, 21 December 2000**

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

#### **Government and Public Employees Retirement Plan — Amendments to Schedules I et II.1 to the Act**

Amendments to Schedules I and II.1 to the Act respecting the Government and Public Employees Retirement Plan

WHEREAS under section 1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), the retirement plan applies to employees and persons designated in Schedule I, and employees and persons designated in Schedule II who were not members of a retirement plan on 30 June 1973 or who were appointed or engaged after 30 June 1973;

WHEREAS under section 16.1 of the Act, the plan applies to an employee who is released with or without pay by his employer for union activities and who is in the employ of a body designated in Schedule II.1 if the employee belongs to the class of employees mentioned in that Schedule in respect of that body;

WHEREAS under the first paragraph of section 220 of the Act, the Government may, by order, amend Schedules I, II, II.1, II.2, III, III.1 and VI and any such order may have effect 12 months or less before it is made;

WHEREAS in accordance with 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, except the powers set out in that provision;

WHEREAS the Minister of Finance was consulted;

WHEREAS the Regulation under the Act respecting the Government and Public Employees Retirement Plan, made by Order in Council 1845-88 dated 14 December 1988 and its subsequent amendments, determines, in accordance with subparagraph 25 of the first paragraph of section 134 of the Act, the conditions which permit a body, according to the category determined by regulation, to be designated by order in Schedule I or II.1;

WHEREAS the Association des enseignants de l'ouest du Québec and the Syndicat de l'enseignement de la Haute Côte Nord meet those conditions;

WHEREAS it is expedient to amend Order in Council 965-2000 dated 16 August 2000 with respect to the date on which employees of the Syndicat de l'enseignement de l'Outaouais become covered by the Government and Public Employees Retirement Plan;

THE CONSEIL DU TRÉSOR DECIDES :

THAT the Amendments to Schedules I and II.1 to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), attached to this decision, be made;