

32. 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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M.O., 2002

Order of the Minister of Social Solidarity dated 25 January 2002

Supplemental Pension Plans Act
(R.S.Q., c. R-15.1; 2000, c. 41)

IN THE MATTER OF the Regulation amending the regulation entitled “Limits to the expenses for a transfer of benefits between spouses”

THE MINISTER OF SOCIAL SOLIDARITY,

CONSIDERING the first paragraph of section 108 of the Supplemental Pension Plans Act (R.S.Q., c. R-15.1; 2000, c. 41), which prescribes that, upon presentation of an application for separation from bed and board, divorce, annulment of marriage or payment of a compensatory allowance, the member and his spouse are entitled to obtain, upon application in writing to the pension committee, a statement of the benefits accumulated by the member under the plan and the value thereof at the date of the institution of the action;

CONSIDERING the third paragraph of section 108 of the Act, which prescribes that in the course of a mediation carried out prior to family proceedings, the member and his spouse are also entitled to obtain, upon written application to the pension committee, a statement showing the information prescribed by regulation;

CONSIDERING the first paragraph of section 110 of the Act, which prescribes that where the conjugal relationship between a member and his *de facto* spouse ends, they may, in the following year, agree in writing to partition between themselves the benefits accruing to the member under the pension plan;

CONSIDERING the second paragraph of section 110 of the Act, which prescribes that the member and his spouse are entitled to obtain, upon written application to the pension committee, the statement provided for in section 108, established at the date on which they ceased to live together in a conjugal relationship;

CONSIDERING the first paragraph of section 110.1 of the Act, which prescribes that the cost of producing the statement referred to in section 108 and the expenses incurred for effecting the transfer of benefits between spouses may be claimed from them only up to the limit fixed by the Minister, after consultation with the Régie, and published in the *Gazette officielle du Québec*, which limit may vary according to the type of plan;

CONSIDERING that the regulation entitled “Limits to the expenses for a transfer of benefits between spouses” was made by Order of the Minister of Income Security on 29 June 1996;

CONSIDERING that it is expedient to amend that regulation;

CONSIDERING sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1);

CONSIDERING the publication of a draft Regulation to amend the regulation entitled “Limits to the expenses for a transfer of benefits between spouses” in section 2 of the *Gazette officielle du Québec* on 10 October 2001;

CONSIDERING that the Minister consulted the Régie des rentes du Québec with respect to this matter;

ORDERS as follows:

The Regulation to amend the regulation entitled “Limits to the expenses for a transfer of benefits between spouses”, attached to this order, is made.

Québec, 25 January 2002

JEAN ROCHON,
Minister of Social Solidarity

Regulation to amend the regulation entitled “Limits to the expenses for a transfer of benefits between spouses”*

Supplemental Pension Plans Act
(R.S.Q., c. R-15.1, s. 110.1)

1. The title of the regulation entitled “Limits to the expenses for a transfer of benefits between spouses” is replaced with the following title:

* The regulation entitled “Limits to the expenses for a transfer of benefits between spouses” was made by an Order of the Minister of Income Security dated 29 June 1996 (*G.O.* 1996, 2, 3162) and has not been amended since.

“Regulation fixing the limits to the expenses for a transfer of benefits between spouses”.

2. Section 1 of the regulation is amended:

(1) by replacing the words “first application for” in subparagraph (1) with the words “issuance of”;

(2) by striking out subparagraph (2).

3. This regulation comes into force on the fifteenth day following its publication in the *Gazette officielle du Québec*.

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