

Regulation to amend the Regulation respecting the scale of fees and duties related to the development of wildlife*

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, s. 162, par. 10)

1. Section 10 of the Regulation respecting the scale of fees and duties related to the development of wildlife is amended by striking out the words “in the Plaisance Wildlife Sanctuary and”.

2. The word “Plaisance” and the corresponding “Species” and “Right of access per hunter” are struck out in Schedule III.

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

4896

Gouvernement du Québec

O.C. 173-2002, 20 February 2002

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 paragraphs 1, 2, 3.0.1, 3.1, 4, 6, 7, 8, 8.3, 10, 11, 12.1 and 14 of the first paragraph of section 244 of the Supplemental Pension Plans Act (R.S.Q., c. R-15.1), amended by section 162 of chapter 41 of the statutes of 2000, the Régie des rentes du Québec may, by regulation :

— determine the form and content of any document, certificate or attestation prescribed by the Act and the regulations ;

— determine the documents or information that must accompany every application for registration of a pension plan or amendment ;

— determine, for the purposes of section 60.1 of the Act, the rules applicable to the determination of an additional pension benefit ;

— determine the rules applicable to the establishment of the benefits of the member to whom a benefit has been paid under section 69.1 of the Act ;

— determine, for the purposes of section 92 of the Act, under what conditions a pension may be replaced, the terms and conditions of the replacement pension contract and the methods, assumptions, rules or factors applicable in computing the maximum annual amount of pension ;

— determine, for the application of section 98 of the Act, the plans or annuity contracts not governed by the act that are included in the expression “pension plan” and the norms applicable to such plans or contracts, or make all or part of this Act and the regulations applicable to them ;

— determine, for the purposes of section 108, 109 or 110 of the Act, the rules applicable to the determination of the benefits of the member and their value before and after partition of such benefits or payment of a compensatory allowance, and to the payment of benefits awarded to the spouse, in particular, the rules governing the transfer of the sums of money to which the spouse is entitled, the interest payable thereon and the information to be provided to the spouse within the prescribed time, and the obligations incumbent upon the person responsible for managing the sums thus transferred ;

— determine any document which may be examined pursuant to section 114 of the Act ;

— determine the information that must be contained in the annual statement referred to in section 161 of the Act as well as the attestations, certificates and documents it must be accompanied with ;

— determine the security which must be furnished by persons or bodies to whom or which a loan may be granted under section 177 of the Act ;

— determine the methods, assumptions, rules or factors that apply to or that are prohibited for the calculation of any contribution or pension benefit, any refund, interest rate or rate of return and, where relevant, the actuarial value thereof ;

* The Regulation respecting the scale of fees and duties related to the development of wildlife, made by Order in Council 1291-91 dated 18 September 1991 (1991, *G.O.* 2, 3908), was last amended by the Regulation made by Order in Council 954-2001 dated 23 August 2001 (2001, *G.O.* 2, 4858). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2001, updated to 1 September 2001.

— prescribe the information other than that required under section 230.2 of the Act which must be contained in any draft agreement sent by the employer to the pension committee concerning the apportionment of surplus assets;

— prescribe the fees payable for the financing of expenses incurred by the Régie for the administration of this Act and the regulations and for any formality prescribed by this Act or the regulations, including additional fees, not greater than twice the original fee, which may be imposed as an overdue charge;

WHEREAS in accordance with section 312 of the Act, amended by section 200 of chapter 41 of the statutes of 2000, the Régie may, prior to 1 January 2003, make by regulation any transitional provisions to ensure the application of the Act as amended on 1 January 2001;

WHEREAS the Régie, on 24 May 2001, made the Regulation to amend the Regulation respecting supplemental pension plans;

WHEREAS, pursuant to sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the regulation attached to this Order in Council was published in part 2 of the *Gazette officielle du Québec* on 26 September 2001 with a notice that it could be submitted to the Government for approval on expiry of a period of 45 days following its publication;

WHEREAS the Régie made the Regulation on 10 January 2002, with amendments taking into account comments made by interested parties;

WHEREAS it is expedient to approve the Regulation;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Social Solidarity and for Child and Family Welfare and Minister of Social Solidarity:

THAT the Regulation to amend the Regulation respecting supplemental pension plans attached to this Order be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting supplemental pension plans *

Supplemental Pension Plans Act
(R.S.Q., c. R-15.1, s. 244, 1st para., para. 1, 2, 3.0.1, 3.1, 4, 6, 7, 8, 8.3, 10, 11, 12.1 and 14 and s. 312;
S.Q. 2000, c. 41, s. 162 and 200)

1. Section 1 of the Regulation respecting supplemental pension plans is amended:

(1) by replacing paragraph 1 with the following paragraph:

“(1) the name of each employer party to the plan and the nature of the enterprise of the principal employer party to the plan;”;

(2) by striking out paragraphs 4 and 5 of the first paragraph;

(3) by replacing paragraph 6 of the first paragraph with the following paragraphs:

“(6) with respect to the active members:

(a) the number of those exercising included employment within the meaning of section 4 of the Pension Benefits Standards Act (Revised Statutes of Canada (1985), chapter 32, 2nd supplement), distributed by sex;

(b) the number of active members working outside Canada, distributed by sex;

(c) the number of the other active members, distributed by sex and, according to the place where the work is carried out, by Canadian province and territory;

(6.1) with respect to the non-active members and beneficiaries:

(a) their total number;

(b) the number of those among them who are referred to in section 12;”;

* The last amendment to the Regulation respecting supplemental pension plans, approved by Order in Council 1158-90, dated 8 August 1990 (*G.O.* 1990, 2, 2318), was made by the regulation approved by Order in Council 577-98, dated 29 April 1998 (*G.O.* 1998, 2, 1808). For the preceding amendments, see the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2001, updated to 1 September 2001.

(4) by the striking out the words “if that date is not 31 December” in paragraph 7 of the first paragraph;

(5) by striking out paragraphs 8 and 10 of the first paragraph;

(6) by replacing the second paragraph with the following paragraph:

“The signatory of the application must certify:

(1) that he is the administrator of the plan or that he is authorized to act on the administrator’s behalf;

(2) that the person who certified the copy of the plan that accompanies the application to be a true copy is qualified to do so;

(3) that the information contained in the application is exact to the best of his knowledge.”

2. Section 1.1 of the Regulation is amended:

(1) by adding the words “and the number of active plan members on that date” at the end of paragraph 2 of the second paragraph;

(2) by adding the following paragraphs after paragraph 3 of the third paragraph:

“(4) the person who certified the copy of the plan that accompanies the application to be a true copy is qualified to do so;

(5) the information contained in the application are exact to the best of his knowledge.”

3. Section 2 of the Regulation is amended:

(1) by replacing the words “of the certificate of registration of the plan issued” with the words “assigned to it” in paragraph 1 of the first paragraph;

(2) by replacing the words “the nature” with the words “the object” in paragraph 2 of the first paragraph;

(3) by replacing paragraph 5 of the first paragraph with the following paragraph:

“(5) a copy of the pertinent part of any collective agreement, arbitration award, order or decree under which the amendment was made.”;

(4) by replacing the second paragraph with the following paragraphs:

“The signatory of the application must certify:

(1) that he is the administrator of the plan or is authorized to act on the administrator’s behalf;

(2) that the person who certified the copy of the amendment that accompanies the application to be a true copy is qualified to do so;

(3) that the information contained in the application is exact to the best of his knowledge.

The application for registration shall also be accompanied with a declaration in conformity with the declaration provided in schedule 0.0.1.”.

4. Section 2.1 of the Regulation is amended:

(1) by replacing the words “of the certificate of registration issued” with the words “assigned to it” in paragraph 1 of the first paragraph;

(2) by replacing the words, “the nature” with the words “the object” in paragraph 2 of the first paragraph;

(3) by striking out the words “and the effective date of those provisions” at the end of paragraph 3 of the first paragraph;

(4) by adding the words “, adapted as required to take into account the fact that the application concerns an amendment to the plan”.

5. Section 3 of the Regulation is revoked.

6. Section 4 of the Regulation is replaced with the following section:

“**4.** A report referred to in section 119 of the Act shall, if it is referred to in section 5, contain the information and the declarations of the Actuary provided for in the procedure entitled “Standard of Practice for Valuation of Pension Plans” approved by the Canadian Institute of Actuaries on 20 January 1994 and the following information:

(1) the name of the plan and the number assigned to it by the Régie;

(2) the date of the actuarial valuation;

(3) the number of active members, the number of non-active members to whom no pension is being paid and the number of the other non-active members whose benefits are covered by the actuarial valuation;

(4) the value of the assets and of the plan's obligations determined on the basis of funding, as well as the methods or actuarial assumptions used to determine them.

(5) the current service contribution projection for the first fiscal year covered by the actuarial valuation and the rule used to determine the current service contributions for each of the fiscal years between the date of the valuation and the date of the next valuation required under subparagraph 3 of section 118 of the Act, with a mention of the share that must be paid respectively by the employer and the members;

(6) the employer contribution under the plan, where it is greater than the contribution provided for in sections 39 and 140 of the Act.

(7) for each unfunded liability not yet entirely amortized:

(a) its type according to section 126 of the Act;

(b) the date of its determination as well as the date of the end of the period provided for its amortization;

(c) the amortization amounts to be paid monthly until the end of the period and their present value;

(8) for each sum determined under subparagraph 4 of the second paragraph of section 137 of the Act:

(a) the date of its determination as well as the date of the end of the prescribed amortization period;

(b) the amortization amounts to be paid monthly until the end of the period and their present value;

(9) the value of the plan's assets and liabilities determined on the basis of solvency as well as the methods or actuarial assumptions used to determine them and the degree of the plan's solvency at the valuation date;

(10) the estimated amount of the administration costs referred to in the first paragraph of section 138 of the Act.

(11) where the plan provides for obligations to which the last sentence of the second paragraph of section 138 of the Act applies:

(a) a description of the obligations;

(b) the scenario used by the actuary to determine the plan's liabilities on the basis of solvency and, where that scenario results in liabilities less than the value of the

obligations arising from the plan in supposing that the plan is terminated on the date of the valuation in circumstances such that the benefits of the members must be estimated at their maximum value, such maximum value;

(12) the description of the approach used to estimate the premium referred to in the fourth paragraph of section 138 of the Act;

(13) where the plan's degree of solvency is less than 100%, the value of the amounts referred to in paragraphs 1 and 2 of the second paragraph of section 137 of the Act for each unfunded actuarial liability and each sum determined by the application of subparagraph 4 of the second paragraph of section 137;

(14) the liabilities, degree of solvency and date of application that results from the rule provided for in the fifth paragraph of section 138 of the Act;

(15) a description of the changes made by applying sections 133, 134 or 140 of the Act to the amortization amounts and periods mentioned in the last report on the valuation of the whole plan and in any later report prepared by the application of section 130 of the Act;

(16) the surplus assets determined on the basis of funding and that determined on the basis of solvency;

(17) the maximum amount referred to in section 146.2 of the Act, taking into account the rule set out in section 146.1 of the Act;

(18) a summary of the provisions of the plan that must be taken into account for the purposes of the valuation, including those bearing on contributions, normal retirement age, requirements to be met to be entitled to an early pension, pension indexation formula, assumptions used in accordance with the second paragraph of section 61 of the Act and the refunds and benefits payable for the purposes of a postponed pension, early pension and normal pension;

(19) a description of the contribution adjustments resulting from the application of the third paragraph of section 41 of the Act;

(20) the name of the signatory, his professional title, the name and address of his office and the date of signing.

In addition, a report to which the first paragraph applies, shall, where it determines the value of the additional commitments resulting from an amendment to the plan, contain the information referred to in section 5."

7. Section 5 of the Regulation is replaced with the following section:

“**5.** A report pertaining only to an actuarial valuation referred to in section 130 of the Act shall contain the following information:

(1) the name of the plan and the number assigned to it by the Régie;

(2) a summary of each amendment covered by the valuation and the effective date of the amendment;

(3) the valuation date;

(4) the value of the additional obligations resulting from the amendments referred to in paragraph 2 and the determination date for the value, indicating separately the value of the additional obligations, if any, that are the result of an amendment whose purpose is to temporarily facilitate the retirement of members and the value of the additional obligations that are the result of an amendment whose purpose is to increase the pensions paid to members or beneficiaries;

(5) the determination date for the improvement unfunded actuarial liability, the date of the end of the prescribed amortization period and the amortization amount to be paid until that date;

(6) the amount of the increase in the current service contribution that is a result of the amendments referred to in paragraph 2 and the rule used to determine the current service contribution for each of the fiscal years between the date of the actuarial valuation and the date of the valuation required under paragraph 3 of section 118 of the Act, with a mention of the share that must be paid respectively by the employer and the members;

(7) the employer contribution under the plan, if it is greater than the contribution provided for in sections 39 and 140 of the Act;

(8) an attestation that the value of the additional obligations and the changes in the current service contribution referred to in paragraphs 4 and 6 were determined by using the same actuarial assumptions and methods as those used for the most recent actuarial valuation of the whole plan or, where the first or second paragraph of section 130 of the Act so authorizes, a description of the changes made to those assumptions and methods;

(9) the attestations required, if any, under section 130 of the Act, the amount referred to in paragraph 2 of the third paragraph of that section and the assumptions used for the purposes of estimating the degree of solvency referred to in the fifth paragraph of that section;

(10) the maximum amount referred to in section 146.2 of the Act, taking into account the amendment made to the plan and the rule set out in section 146.1 of the Act;

(11) the name of the signatory, his professional title, the name and address of his office and the date of signing.”

8. Section 6 of the Regulation is repealed.

9. Sections 12 and 13 of the Regulation are replaced with the following sections:

“**12.** For the purposes of paragraphs 2, 3 and 4 of sections 13.0.1, 13.0.2 and 13.0.3, only members and beneficiaries in respect of whom the Régie may exercise the powers granted to it by the Act or an act of delegation shall be taken into consideration.

13. The following applications for registration shall, at the time they are filed with the Régie, be accompanied with the fees indicated with respect thereto:

(1) an application concerning a standard contract for a life income fund referred to in section 19 or a locked-in retirement account referred to in section 29: \$1 000;

(2) an application concerning a simplified pension plan referred to in Division IV of the Regulation respecting plans exempted from the application of certain provisions of the Supplemental Pension Plans Act, made by Order in Council 1160-90, dated 8 August 1990, with respect to the provisions common to all the employers party to the plan: \$1 000 to which is added \$4.50 for each active plan member on the date of the application;

(3) an application concerning a pension plan that is not referred to in paragraph 2 or 4: \$250 or, in the case of a plan to which chapter X of the Act applies: \$500, to which shall be added \$7 for each plan member or beneficiary on the date of the application, to a maximum of \$100 000;

(4) an application concerning a flexible pension plan referred to in Division VII of the Regulation respecting plans exempted from certain provisions of the Supplemental Pension Plans Act: \$1 000 plus fees calculated in accordance with paragraph (3);

(5) an application concerning an amendment to a pension plan referred to in section 31 of the Regulation respecting plans exempted from certain provisions of the Supplemental Pension Plans Act: \$1000.

13.0.1. The annual statement provided for in section 161 of the Act shall, when transmitted to the Régie, be accompanied with fees determined as follows:

\$250 or in the case of a plan to which chapter X of the Act applies: \$500, to which shall be added \$7 for each plan member or beneficiary on the ending date of the fiscal year to which the statement pertains, to a maximum of \$100 000.

However, where the annual statement concerns a simplified pension plan, the fees are determined as follows: \$1 000 plus \$4,50 for each active plan member on the ending date of the fiscal year to which the statement pertains.

13.0.2. From 31 December 2002, the amount payable for an active member or for a member or beneficiary under paragraph 2, 3 or 4 of section 13 or pursuant to the first paragraph of section 13.0.1 shall be adjusted on 31 December of each year by multiplying the amount payable before that date by the ratio that the average, for the 12-month period ending on 30 June of the current year, of the average weekly salaries and wages for the Industrial Composite in Canada for each of the months comprised in that period, as published by Statistics Canada pursuant to the Statistics Act bears to the average, for the 12-month period ending at the end of June of the year immediately preceding the current year, of the average weekly salaries and wages for the Industrial Composite in Canada, as published by Statistics Canada pursuant to the Statistics Act. The product of the multiplication shall be increased or decreased to the next multiple of \$0,05.

The amount thus determined may not be less than the amount that was payable before the adjustment.

The Régie gives public notice of the result of the adjustment made under this section in Part 1 of the *Gazette officielle du Québec* and, if the Régie deems it to expedient, by any other means.

The adjustment provided for in the first paragraph applies to any annual statement pertaining to a fiscal year ending during the 12-month period for which the adjustment is made.

13.0.3. The termination report referred to in section 207.2 of the Act shall, when it is transmitted to the Régie, be accompanied with fees determined as follows: \$250 or, in the case of a plan to which chapter X of the Act applies, \$500, plus, for each plan member and beneficiary on the date which precedes the termination date, an amount equal to twice the amount set for a member or beneficiary under paragraph 3 of section 13 and section 13.0.2 for the period in which the plan is terminated, to a maximum of \$100 000.

The termination report provided for in paragraph 2 of section 15 of the Regulation respecting plans exempted from the application of certain provisions of the Supplemental Pension Plans Act, shall when it is submitted to the Régie, be accompanied by fees of \$1 000.”.

10. Section 13.1 of the Regulation is amended:

(1) by striking out the word “totally” in the first paragraph;

(2) by adding the words “without however exceeding the surplus assets,” in the first paragraph, after “\$500”.

11. Section 14 of the Regulation is replaced with the following section:

“**14.** In the event of failure to produce a document referred to in section 13.0.1 or 13.0.3, additional fees equal to 10% of the fees initially due pursuant to the relevant provision must be paid for each complete month of delay, to a maximum of the fees initially due.

In the event of failure to pay the fees that must accompany a document referred to in the first paragraph, additional fees equal to 10% of the unpaid balance at the expiry of the time allotted for submitting the document to the Régie must be paid for each complete month of delay, to a maximum of the said balance.

No additional fee is due pursuant to the second paragraph with respect to a month for which additional fees must be paid in application of the first paragraph. Moreover, in the event of failure to submit a termination report or failure to pay the fees that must accompany it, no additional fee is due with respect to a period prior to the latest of the following dates:

(1) the date of expiry of the time allotted in section 207.2 of the Act;

(2) the date that falls 90 days after the date of the plan’s termination.”.

12. Section 14.1 of the Regulation is replaced with the following section:

“**14.1.** A financial institution shall pay the Régie, before 31 December of each year, fees of \$250 for each standard contract for a life income fund or locked-in retirement account registered in its name. In case of failure to pay, additional fees equal to 10% of the balance owing at that date shall be paid to the Régie.”.

13. Section 15 of the Regulation is amended by replacing the sum “\$5” with the sum “\$20.”

14. The Regulation is amended by adding the following division after section 15:

**“DIVISION II.0.1
ADDITIONAL PENSION BENEFIT**

15.0.1. For the purposes of applying the first paragraph of section 60.1 of the Act:

(1) the value of the member contributions referred to by A is determined by taking into account the value of the pension resulting from the member’s credited service for any period of work during which the rules set out in section 60 of the Act apply to him by supposing that he is entitled, under the plan, to a pension whose value is determined in accordance with the second paragraph of section 60.1 of the Act for service credited to him for any period of work during which the indexation provided for in that section applies to him;

(2) the value of the member contributions referred to by B is determined by taking into account the value of the pension to which the member is entitled for service credited to him for any period of work during which, under the provisions of the plan, the rules set out in section 60 of the Act apply to him.

15.0.2. The additional pension benefit to which the member is entitled under section 60.1 of the Act is determined at the date on which the member ceased to be an active member, in the form of a life annuity whose amount may not exceed, as provided for in the plan, one or the other of the following amounts:

(1) the amount that corresponds to the difference between the amount of the maximum life annuity determined in accordance with the provisions of the Taxation Act (R.S.Q., c. I-3) that prescribe the maximum pension benefits that may be paid under a registered pension plan defined in section 1 of that act and the amount of the life pension provided for by the plan;

(2) the maximum amount that may be set without resulting in the determination of a past service pension adjustment within the meaning of paragraph 1 of section 248 of the Income Tax Act (R.S.C., (1985), c. 1, 5th supplement).

The portion of the value of the additional pension benefit that may not be used to purchase a life annuity, if any, by reason of a maximum set in accordance with the first paragraph is paid to the member in a lump sum, at the date on which he ceased to be an active member.

Notwithstanding the second paragraph of section 5 of the Act, the pension plan may not provide that a member who, in the 90 days following receipt of the statement provided for in section 113 of the Act, exercises his right to transfer the amount that corresponds to the value of any pension benefit to which he is entitled, may exclude from such amount the value of the additional pension benefit.

15.0.3. The life annuity purchased with the additional pension benefit is determined, on the date on which the member ceased to be an active member, using the assumptions referred to in section 61 of the Act that are used at that date to determine the value of the pension benefits to which section 60 of the Act applies and to which entitlement is obtained on that date.”

15. Section 15.3 of the Regulation is amended:

(1) by replacing the words “actuarial assumptions and method” with the words “the assumptions referred to in section 61 of the Act”;

(2) by replacing the words “that are identical to those which, as at that date, are used” with the words “which are used at that date” in the second paragraph.

16. Section 16 of the Regulation is amended:

(1) by replacing the word “paragraph” with the words “and third paragraphs” in the first paragraph;

(2) by adding, at the end of the second paragraph, the following sentence: “The fourth paragraph of section 85 of the Act applies, *mutatis mutandis*, with respect to the spouse.”

17. Section 19 of the Regulation is amended:

(1) by striking out paragraph 3 of the first paragraph;

(2) by replacing paragraph 5 of the first paragraph with the following paragraph:

“(5) that the spouse of the purchaser who is a former member or beneficiary may, by giving notice in writing to the financial institution, waive his entitlement to receive the pension benefit provided for in paragraph 4 above or the life pension provided for in paragraph 2 of the second paragraph of section 23 and may, in the case of the pension benefit, revoke such a waiver by giving notice in writing to the financial institution to that effect before the death of the purchaser and, in the case of the life pension, before the date of conversion, in whole or in part, of the life income fund;”;

(3) by replacing paragraph 6 of the first paragraph with the following paragraph:

“(6) that the spouse of the purchaser who is a former member or a member ceases to be entitled to the pension benefit provided for in paragraph 2 of the second paragraph of section 23 upon separation from bed and board, divorce, annulment of marriage or, in the case of an unmarried spouse, upon cessation of the conjugal relationship, unless the purchaser has transmitted to the financial institution the notice provided for in section 89 of the Act;”;

(4) by adding the following paragraph after paragraph 6 of the first paragraph:

“(6.0.1) that the seizable portion of the balance of the fund may be paid in a lump sum in execution of a judgment rendered in favour of the purchaser’s spouse that gives entitlement to a seizure for unpaid alimony;”;

(5) by replacing paragraph 7 of the first paragraph with the following paragraph:

“(7) that the purchaser may transfer, in whole or in part, the balance of the fund to a pension plan governed by the Act or referred to in paragraph 1, 2, 3.1, 4 or 5 of section 28, unless the agreed to term of the investments has not expired;”;

(6) by adding, after paragraph 7 of the first paragraph, the following paragraph:

“(7.1) that the purchaser may, provided the agreed to term of the investments has not expired, require that the total balance of the fund be paid to him in a lump sum if he has not resided in Canada since at least two years;”;

(7) by replacing, in paragraph 10.1 of the first paragraph, the words “balance of the fund shall be determined without taking into account the payment of the surplus portion, unless such payment is attributable to a false declaration of the purchaser” with the words “purchaser may, unless the payment is attributable to a false declaration by him, require that the financial institution pay him, as a penalty, a sum equal to the surplus income paid”;

(8) by replacing, in the French version, the words “de la loi” with the words “d’une loi” in paragraph 13 of the first paragraph;

(9) by adding, at the end of the second paragraph, the following sentence: “The registration of a standard contract may, in addition, be cancelled where no contract

establishing a life income fund in conformity with it exists and where the financial institution attests that it no longer intends to make any contracts in conformity with that standard contract.”.

18. Section 23 of the Regulation is amended:

(1) by replacing paragraph 1 of the second paragraph with the following paragraph:

“(1) the insurer guarantees payment of that pension in periodic, equal amounts that may not vary unless each of them is uniformly increased in accordance with an index or rate provided for in the annuity contract or uniformly adjusted by reason of a seizure effected on the purchaser’s benefits, a redetermination of the purchaser’s pension, a partition of the purchaser’s benefits in favour of his spouse, the payment of a temporary pension in accordance with the conditions provided for in section 91.1 of the Act or the option provided for in subparagraph 3 of the first paragraph of section 93 of the Act;”;

(2) by replacing the words “the pension that the purchaser was receiving” with the words “purchaser’s pension, including, during the replacement period, the amount of any temporary pension” in paragraph 2 of the second paragraph;

(3) by striking out paragraph 3 of the second paragraph.

19. Section 24 of the Regulation is amended:

(1) by replacing the words “at the beginning of the preceding fiscal year” with the words “indicated on the previous statement pertinent thereto” in paragraph 1 of the first paragraph;

(2) by adding the words “a life” before the word “income” in paragraph 3 of the first paragraph.

20. Section 25 of the Regulation is amended by replacing the word “assigns” with the word “successors”.

21. Section 27 of the Regulation is amended:

(1) by replacing the word “paragraph” with the words “and third paragraphs” in the first paragraph;

(2) by adding, at the end of the second paragraph, the following sentence: “The fourth paragraph of section 85 of the Act applies, *mutatis mutandis*, with respect to the spouse referred to in this section.”.

22. Section 28 of the Regulation is amended:

(1) by replacing the words “under sections 98 and 100” with the words “under section 98” in the passage that precedes paragraph 1;

(2) by replacing paragraph 3 with the following paragraph:

“(3) for sums that may be refunded to the member or paid to him in a lump sum, with accrued interest, a registered retirement savings plan;”.

23. Section 29 of the Regulation is amended:

(1) by adding the number “, 3.1” in paragraph 1 of the second paragraph, after the word and numbers “paragraph 1, 2”;

(2) by replacing, in the English version, the word and number “subparagraphs 3,” with the words and number “paragraphs 3 and” in paragraph 2 of the second paragraph;

(3) by replacing, in paragraph 2 of the second paragraph, “adjusted by reason of an index or a rate provided for in the contract, by reason of the partition of the benefits of the purchaser with his spouse or by reason of the election provided for in subparagraph 3 of the first paragraph of section 93 of the Act” by “increased by reason of an index or a rate provided for in the contract or uniformly adjusted by reason of a seizure effected on the benefits of the purchaser, a redetermination of the purchaser’s pension, partition of the purchaser’s benefits with his spouse, the payment of a temporary pension under the conditions provided for in section 91.1 of the Act or the election provided for under paragraph 3 of the first paragraph of section 93 of the Act”;

(4) by replacing the word “assigns” with the word “successors”, in paragraph 3 of the second paragraph;

(5) by replacing the words “pension to which the purchaser was entitled before his death” with the words “purchaser’s pension, including, during the replacement period, the amount of any temporary pension”, in paragraph 5 of the second paragraph;

(6) by replacing paragraph 6 of the second paragraph with the following paragraph:

“(6) that the purchaser’s spouse may, by giving written notice to the financial institution, waive his right to receive the payment provided for in paragraph 3 or the pension provided for in paragraph 5 and may revoke such a waiver by transmitting to the financial institution

a written notice to that effect before, in the case referred to in paragraph 3, the death of the purchaser or, in the case referred to in paragraph 5, the date of conversion, in whole or in part, of the balance of the account into a life pension;”;

(7) by replacing the words “except in the cases and under the conditions provided for in subparagraphs 1 and 2 of” with the words “unless the purchaser has transmitted to the financial institution the notice provided for in” in paragraph 7 of the second paragraph;

(8) by adding the following paragraph after paragraph 7 of the second paragraph:

“(7.1) that the seizable portion of the balance of the fund may be paid in a lump sum in execution of a judgment rendered in favour of the purchaser’s spouse that gives entitlement to a seizure for unpaid alimony;”;

(9) by adding the following paragraph after paragraph 8 of the second paragraph:

“(8) that the purchaser may transfer, in whole or in part, the balance of the account to a pension plan governed by the Act or referred to in paragraph 1, 2, 3.1, 4 or 5 of section 28, provided the agreed to term of the investments has not expired;

(8.1) that the purchaser may, provided that the agreed to term of the investments has not expired, require that the total balance of the fund be paid to him in a lump sum if he has not resided in Canada since at least two years;”;

(10) by replacing, in paragraph 10.1 of the second paragraph, the words “balance of the account shall be determined without taking into account the irregular payment, unless such payment is attributable to a false declaration by the purchaser” with the words “purchaser may, unless the payment is attributable to a false declaration by him, require that the financial institution pay him, as a penalty, a sum equal to the irregular payment”;

(11) by replacing, in the French version, the words “de la Loi” with the words “d’une loi” in paragraph 13 of the second paragraph;

(12) by adding, at the end of the third paragraph, the following sentence:

“The registration of a standard contract may, in addition, be cancelled where no contract establishing a life income fund in conformity with it exists and where the financial institution attests that it no longer intends to make any contracts in conformity with that standard contract.”.

24. Section 30 of the Regulation is amended:

(1) by replacing the words “paragraph 1, 2” by the words “paragraphs 1, 2, 3.1” in paragraph 1;

(2) by replacing, in paragraph 2, the words “uniformly adjusted by reason of an index or a rate provided for in the contract, by reason of the partition of the benefits of the purchaser with his spouse or by reason of the election provided for in subparagraph 3 of the first paragraph of section 93 of the Act” by the words “increased by reason of an index or rate provided for in the contract or uniformly adjusted by reason of a seizure effected on the benefits of the purchaser, a redetermination of the purchaser’s pension, the partition of the benefits of the purchaser with his spouse, the payment of a temporary pension under the conditions provided for in section 91.1 of the Act or the election provided for in subparagraph 3 of the first paragraph of section 93 of the Act”;

(3) by replacing, in paragraph 3, the words “assigns are entitled to a benefit at least equal to the capital transferred to the insurer, with accrued interest at the rate prescribed in subparagraph 2 of section 61 of the Act” with the words “successors are entitled to a benefit at least equal to the capital transferred to the insurer with interest accrued at the rate obtained monthly on 5-year personal term deposits in chartered banks, as compiled by the Bank of Canada”;

(4) by replacing the words “the pension to which the purchaser was entitled before his death” with the words “the purchaser’s pension, including, during the period of replacement, the amount of any temporary pension”, in paragraph 4;

(5) by replacing paragraph 5 with the following paragraph:

“(5) the spouse of the purchaser may, by giving written notice to the insurer, waive his entitlement to receive the benefit provided for in paragraph 3 or the pension provided for in paragraph 4 and may revoke such a waiver by giving written notice to that effect to the insurer before, in the case of the benefit, the death of the purchaser or, in the case of the pension, the beginning of payment of the purchaser’s life pension;”;

(6) by replacing the words “except in the cases and under the conditions provided for in paragraphs 1 and 2 of” with the words “, unless the purchaser has transmitted to the insurer the notice provided for in” in paragraph 6;

(7) by adding, after paragraph 6, the following paragraphs:

“(7) where the pension paid to the purchaser was determined by taking into account his spouse’s entitlement to the pension provided for in paragraph 4, the purchaser may, if the spouse is no longer entitled to that pension pursuant to paragraph 6, require that his pension be replaced by another pension, which has the same characteristics as the replaced pension, with the exception of the benefit granted to the spouse under paragraph 4, and whose value is equal to the value that pension commuted to the date of the purchaser’s application for replacement;

(8) the seizable portion of the capital accrued to pay the pension may be paid in a lump sum in execution of a judgment rendered in favour of the purchaser’s spouse that gives entitlement of a seizure for unpaid alimony.”.

25. Section 31 of the Regulation is amended by replacing paragraph 1 with the following paragraph:

“(1) the purchaser may transfer, in whole or in part, the commuted value of the pension that he receives or his deferred pension to a pension plan governed by the Act or referred to in paragraph 1, 2, 3.1, 4 or 5 of section 28;”.

26. The Regulation is amended by adding, after section 31, the following division:

**“DIVISION IV.1
TRANSFER, PARTITION AND SEIZURE OF THE
PURCHASER’S BENEFITS**

31.1. The benefits accrued in behalf of the purchaser in a life income fund or a locked-in retirement account or under an annuity contract referred to in section 30, which, following their partition or transfer in the cases and under the conditions referred to in sections 107 and 110 of the Act, are granted to the spouse of the purchaser, are paid by transferring their value to a plan governed by the Act or referred to in paragraph 1, 2, 3.1, 4 or 5 of section 28.

A sum granted to the spouse of the purchaser following a seizure for unpaid alimony effected on the benefits or sums accrued on behalf of the purchaser in a life income fund or a locked-in retirement account or under an annuity contract referred to in section 30 shall be paid in a lump sum. That sum may, moreover, be paid without taking into account any conditions or time periods related to the purchaser’s benefits.”.

27. Section 33 of the Regulation is amended:

(1) by replacing, in the definition of “pension benefits”, the words “in the form of pension benefits” by the words “in the form of refunds, pensions or other benefits”;

(2) by striking out, in the definition of “period of membership”, the words “first” and “last”;

(3) by adding, at the end, the following paragraph:

“The period of membership defined in the first paragraph may, if the pension plan so stipulates, be determined in days instead of months. In such case, this section as well as sections 35, 35.2, 39 to 42 and 44 apply by substituting the word “days” for the word “months”.”.

28. Section 34 of the Regulation is replaced by the following section:

“**34.** The application for the statement provided for in section 108 of the Act shall contain the following documents and information:

(1) the name and address of the member or of his spouse;

(2) in the case of married spouses, a proof of the date of their marriage and either a proof of the date on which proceedings were instituted or, where the application is made on the occasion of a mediation, a joint declaration of the date of cessation of their conjugal relationship;

(3) in the case of *de facto* spouses, an attestation from the member as to his spousal status as well as an attestation from the member and his spouse of the dates on which their conjugal relationship began and ended and, if they lived in a conjugal relationship for at least one year but less than three years, a proof of one or the other of the cases referred to in paragraph 2 of the first paragraph of section 85 of the Act.

The application made on the occasion of a mediation shall also contain the written confirmation of an accredited mediator to the effect that he received a mandate within the context of a family mediation.”.

29. Section 35 of the Regulation is amended:

(1) by replacing the number “90” with the number “60” in the first paragraph;

(2) by adding the words “is divided into two parts, the first of which” after the word “statement” in the second paragraph preceding paragraph 1;

(3) by striking out the word “first” in paragraph 1 of the first paragraph;

(4) by striking out paragraph 3 of the second paragraph;

(5) by replacing subparagraphs *a*, *b* and *c* of paragraph 4 of the second paragraph with the following subparagraphs:

“(a) the value of the benefits accrued during the marriage, distributed according to their nature as capital benefits or pension benefits;

(b) accept where the value referred to in subparagraph *a* is calculated in accordance with paragraph 1 of the first paragraph of section 39, the number of months in the period of membership which began on the date on which the member joined the plan concerned as well as the number of those months in the period of the marriage and, where such information is available, the number of months in the period of membership in any other plan from which benefits or assets were transferred as well as the number of such months in the period of marriage;”;

(6) by replacing the third paragraph with the following paragraph:

“The first part of the statement shall be signed by the person who prepared it. Unless it the Court is shown that the benefits and periods appearing on the statement must be corrected or that the values appearing on the statement were not determined according to the rules provided for in this Division, the statement shall constitute proof of its content.”.

30. The Regulation is amended by adding, after section 35, the following sections:

“**35.1.** The second part of the statement shall contain the following information:

(1) the name of the plan and the number assigned to it by the Régie;

(2) in the case of married spouses, the date of marriage of the member and his spouse and the date of institution of proceedings or, where the application is made on the occasion of a mediation, the date of they ceased living together;

(3) in the case of unmarried spouses, the dates of the beginning and end of the conjugal relationship of the member and his spouse;

(4) the date on which the member joined the plan;

(5) the personnel information relative to a member and his spouse and taken into account in determining the first part of the statement, with a mention that it may be in their interest to have the information corrected if it is erroneous;

(6) the name and address of the person to be contacted for any information concerning the plan;

(7) the terms, conditions and periods applicable to payment of the share that goes to the spouse, taking into account in particular, the plan's degree of solvency;

(8) the rules governing the calculation of the interest that is added to the amount granted to the spouse

(9) in the event that the member's benefits include benefits or assets transferred from another plan and where the pension committee does not have the information required for the application of section 41, a mention of the fact that the value of the member's benefits given in the statement could be different if the committee was provided with the lacking information;

(10) the rules set out in section 89.1 of the Act.

35.2. For the purposes of a statement required on the occasion of a mediation, the rules provided for in this section apply by replacing the date of institution of proceedings with the date on which the spouses ceased living together.

However, in the event that the pension committee does not have information related to the value of the member's benefits at the date on which the spouses ceased living together, the date on which proceedings were instituted is replaced by the date on which the spouses ceased living together for the sole purpose of determining the number of months in the period of membership from the date of the marriage. For any other purpose the said date is replaced by the date of the application for the statement.

Moreover, in the case referred to in the second paragraph, the following rules apply:

(1) the value of the capital benefits accrued during the marriage is determined in the manner provided for in paragraph 2 of the first paragraph of section 39 or, if the benefits have already been the object of a partition or transfer, in the manner provided for in section 42;

(2) for the purposes of paragraph 1 of the second paragraph of section 35,7 the value of the aggregate benefits of the member are represented by the "E" in the following formula:

$$V \times \frac{p}{X} = E$$

"V" represents the value determined pursuant in section 37;

"p" represents the number of months of the period of membership related to those benefits included between the date on which the member's membership began and the date on which the spouses ceased living together;

"X" represents the number of months of the period of membership related to those benefits included between the date on which the member's membership began and the date of the application for the statement;

(3) for the purposes of paragraph 4 of the second paragraph of section 35, the value of the benefits accrued during the marriage is determined by using the value of the member's total benefits at the date of the application for the statement, without taking into account the rule provided for in paragraph 2."

31. Section 36 of the Regulation is amended:

(1) by striking out paragraph 1 of the second paragraph;

(2) by replacing the words "entitled neither to a refund nor" with the words "not entitled" in paragraph 3 of the second paragraph;

(3) by adding, after paragraph 3 of the second paragraph, the following paragraph:

"(4) to any other benefit or to any refund to which he would then be entitled.";

(4) by replacing the third paragraph with the following paragraph:

"Where the member's benefits correspond to a pension, pension benefits include:

(1) benefits relative to excess member contributions, with accrued interest, up to the ceiling set in section 60 of the Act;

(2) benefits relative to the additional pension benefit provided for in section 60.1 of the Act."

32. Section 37 of the Regulation is amended:

(1) by replacing the words "actuarial assumptions and methods identical to those" by the words "assumptions referred to in section 61 of the Act" in the second paragraph;

(2) by adding, after the second paragraph the following paragraphs:

“Where the benefits of the member correspond to a deferred pension whose payment has not begun, the value of the pension to which the member is entitled is determined according to the following formula:

$$\frac{O + P}{2}$$

“O” represents the value of the pension to which the member is entitled and the benefits resulting therefrom by supposing that payment of the pension begins on date on which the member reaches the normal retirement age;

“P” represents the value of the pension to which the member is entitled and the benefits resulting therefrom by supposing that the member acts so as to maximize it.

However, in the case of a member whose benefits correspond to a deferred pension in accordance with paragraph 3 of the second paragraph of section 36, the value of the benefits referred to in the third paragraph of this section is determined by supposing that the value of the deferred pension to which the member is entitled in accordance with the terms of paragraph 1 of the first paragraph of section 60 of the Act and, for the purpose of calculating element “B” of section 60.1 of the Act, is, with respect to the member’s recognized service related to the period during which section 60 of the Act applied with respect to him, the value determined according to the formula provided for in the third paragraph of this section.”

33. Section 39 of the Regulation is amended by replacing, in paragraph 2 of the first paragraph, the words “the period of membership” with the words “the period of membership relative to those benefits”.

34. Section 40 of the Regulation is amended by replacing the words “period of membership” with the words “period of membership relative to those benefits”.

35. Section 41 of the Regulation is amended by adding, in the passage of that section that precedes the formula and after the words “benefits transferred”, the words “, as well as the period of membership related thereto,”.

36. Section 42 of the Regulation is amended by replacing paragraphs 1 and 2 with the following paragraphs:

“(1) where the residual value of the capital benefits or the amount of the residual pension resulting from the partition or transfer is known, it corresponds to the amount “N” in the following formula:

$$[G - R] \times \frac{M}{Q} = N$$

“G” represents the total residual value of the capital benefits or, in the case of pension benefits, the value of the total residual pension, accrued to the date on which proceedings were instituted;

“R” represents the residual value of capital benefits at the date on which proceedings were instituted or on which the spouses ceased living together that led to the last partition or transfer, increased by interest calculated at the rate provided for in the second paragraph of section 39, for the period between that date and the date on which proceedings were instituted. In the case of pension benefits, this variable represents the value, at the date on which proceedings were instituted, of the residual pension at the date on which proceedings were instituted or on which the spouses ceased living together that lead to the last partition or transfer;

“M” represents the number of months of membership in the period of the last marriage;

“Q” represents the number of months of membership between the date on which proceedings were instituted or on which the spouses stopped living together that led to the last partition or transfer and the date on which proceedings were instituted;

(2) where the residual value of the capital benefits or the amount of the residual pension resulting from that partition or transfer is not known, it is deemed to be equal to the total residual value, as the case may be, of the capital benefits or pension benefits, adjusted pro rata to the number of months of the last marriage in the period of membership over the total number of months elapsed before and during that marriage and in that period of membership.”

37. Section 43 of the regulation is amended by adding the words “by substituting the residual value of the benefits for the value of the benefits” at the end.

38. Section 44 of the Regulation is replaced with the following section:

“**44.** Where the Court decides that the value of the patrimony that may be partitioned or transferred between the spouses shall be determined as at the date on which they ceased living together, the value of the member’s accrued benefits is the value shown on the statement referred to in section 35.2.

In the absence of the said statement, the value of the benefits accrued by the member is determined according

to sections 36 to 43. If the pension committee has the information related to the value of the member's benefits as at the date on which the spouse's ceased to live together, those sections apply by replacing the date of the institution of proceedings by the date on which the spouses ceased living together. Otherwise, the following rules apply:

(1) sections 36 to 43 apply by replacing the date of the institution of proceedings with the date on which the spouses ceased living together for the sole purpose of determining the number of months in the membership period from the date of the marriage;

(2) the value of the capital benefits accrued during the marriage is determined in the manner provided for in paragraph 2 of the first paragraph of section 39 or, where the benefits have already been the object of a partition or transfer, section 42;

(3) where the value liable to partition or transfer between the spouses has to be determined so as to include the benefits accrued to the member from the date on which he became a member of the pension plan, prior to the marriage, the value of the member's total benefits corresponds to the amount "G" in the following formula:

$$V \times \frac{p}{Y} = G$$

"V" represents the value determined in accordance with section 37;

"p" represents the number of months of the period of membership relative to those benefits included between the date on which the member joined the pension plan and the date on which the spouses ceased living together;

"Y" represents the number of months of membership relative to those benefits included between the date on which the member joined the plan and the date on which proceedings were instituted.

(4) where the value liable to partition or transfer between the spouses has to be determined so as to include only the benefits accrued during the marriage, the value of those benefits shall be determined by using the value of the total benefits at the date on which proceedings were instituted, without taking into account the rule provided for in paragraph 3."

39. Section 46 is amended by replacing paragraph 3 with the following paragraph:

"(3) the certificate of non-appeal;"

40. Section 48 of the Regulation is replaced with the following:

"48. Where the partitioned or transferred benefits were part of the capital benefits, interest calculated at the rates provided for in the second paragraph of section 39 fits or, where the benefits were part of the pension benefits, at the rate used to determine their value, must be added to the amount granted to the spouse

In the case of partition of benefits between married spouses, interest accrues from the date of institution of proceedings or, where the Court decides that the value of the patrimony that may be partitioned or transferred is determined as at the date on which the spouses ceased living together, from the latter date, until the date of execution of partition or transfer. In the case of partition of benefits between unmarried spouses, interest accrues from the date of cessation of their conjugal relationship."

41. Section 50 of the Regulation is replaced with the following section:

"50. The pension committee shall, within 60 days following either receipt of a joint application concerning partition or execution of a transfer, or the expiry of the period provided for in the second paragraph of section 47 and, except in the latter case, unless it has been notified of the spouse's waiver or of a judicial opposition to the partition or transfer of the member's benefits take, with respect to the sum corresponding to the benefits granted to the spouse, one of the following measures:

(1) transfer the sum to another pension plan of which the spouse is a member or to a plan referred to in paragraph 3.1, 4 or 5 of section 28;

(2) where the plan so allows, transfer the sum to the account of the spouse who is already a member of the plan or grant to the spouse, who then is deemed to be a member, benefits under the plan;

(3) pay the sum to the spouse or transfer it to a plan referred to in paragraphs 3 of section 28, in the following cases:

(a) the benefits in question correspond to a refund to which the member would have been entitled on the date of institution of proceedings, it being understood that subject to subparagraph b and c, the benefits granted to the spouse may not be paid to the spouse in a proportion greater than for which the member's benefits could have been refunded to the member;

(b) the value of such benefits is less than 20% of the Maximum Pensionable Earnings determined under the Act respecting the Québec Pension Plan for the year in which the transfer or partition is carried out;

(c) the spouse has ceased to live in Canada since at least two years.

Failing an indication by the spouse to the pension committee, prior to the expiry of the period in which it must act in accordance with the first paragraph, the payment method selected from among those mentioned in that paragraph, the pension committee shall transfer the sum to be paid to one of the plans referred to, as the case may be, in paragraph 1, 2 or 3 of the first paragraph.”.

42. Section 51 of the Regulation is repealed.

43. Section 52 of the Regulation is amended by adding, at the end, the following paragraph:

“For the purposes of applying section 145 of the Act, the minimum sum that must be paid or transferred to the spouse or to the spouse’s account must bear to the sum granted to the spouse, the same proportion that the contributions, amounts and interest referred to in section 145 bear to the total value of the member’s benefits.”.

44. Section 53 of the Regulation is amended by replacing the number “462.11” with the number “424”.

45. Section 54 of the Regulation is amended:

(1) by replacing, in the first paragraph, the words “at the date of execution of the partition or transfer of pension benefits, establish” with the words “where no pension is being paid to the member at the date of execution of the partition or transfer of pension benefits, determine at that date”;

(2) by replacing the second paragraph with the following paragraphs:

“Where the pension benefits correspond to a postponed pension, the amount provided for in first paragraph is determined on the basis of the value of the retirement pension recalculated at the date of execution of the partition or transfer in accordance with section 79 of the Act.

In every case, the amount provided for in the first paragraph is determined by using the assumptions provided for in the second paragraph of section 37.”.

46. Section 55 of the Regulation is amended:

(1) by replacing the word “were” with the word “are” in paragraph 1;

(2) by replacing the word “were” with the word “are” in the passage of paragraph 2 that precedes the first bulleted passage;

(3) by replacing the first bulleted passage of paragraph 2 with the following bulleted passage:

“• any pension of which payment has begun shall, after having been, where required, re-determined under section 89.1 of the Act, be reduced by the proportion represented by the value of the benefits attributed to the spouse at the date of execution of the partition or transfer over the value that the pension paid to the member would have had on the day preceding the effective date of the judgment, it being understood that the latter value is determined by using the same assumptions as those used to determine the value of the benefits attributed to the spouse;”;

(4) by replacing, in the third bulleted passage of paragraph 2, the words “any refund that must be paid must be reduced” by the words “any benefit or refund that must be paid or transferred must be reduced, up to its amount or value.”.

(5) by adding, at the end, the following paragraph:

“The pension plan may provide for reducing the member’s benefits in a different manner, provided that manner leads to a lesser reduction of such benefits.”.

47. The Regulation is amended by adding, after section 56, the following division:

“DIVISION V.1 SEIZURE OF THE MEMBER’S BENEFITS

56.0.1. This division applies with respect to a seizure referred to in the second paragraph of section 109 of the Act that is effected by the member’s spouse or on his behalf.

56.0.2. The value of the benefits accrued by the member at the date on which the seizure is carried out is determined pursuant to sections 36 and 37, which are applied by replacing the date of institution of proceedings with the date of seizure.

56.0.3. Where the benefits attributed to the spouse are paid from the benefits of the member that are pension benefits within the meaning of section 33 and no pension is being paid to the member at the date on which the seizure is effected, the pension committee shall determine at that date the amount of the portion of the normal

pension that, determined according to the value of the benefits attributed to the spouse, would have been paid to the member by the plan for that pension. The pension committee must conserve a mention of that amount in its records.

Where the pension benefits correspond to a postponed pension, the amount provided for in the first paragraph is determined on the basis of the value of the pension recalculated at the date of the seizure, pursuant to section 79 of the Act.

In every case, the amount provided for in the first paragraph shall be determined by using the same assumptions as those used to determine the value of the member's benefits at the date of the seizure.

56.0.4. Where the member's benefits include both entitlement to a refund and entitlement to receive a pension benefit, both of them must be reduced in the proportion that represents the value of the benefits attributed to the spouse upon seizure over the total value of those benefits.

56.0.5. Subject to section 56.0.4 and any contrary provision of the pension plan, capital benefits within the meaning of section 33 are the first to be used to pay the benefits attributed to the spouse.

56.0.6. The benefits allocated to the spouse may be paid without taking into account the conditions or time periods that affect the member's benefits. Such payment reduces the member's benefits in the following manner:

(1) where the benefits attributed to the spouse are paid from capital benefits, the value of the capital benefits is reduced by the amount paid;

(2) where the benefits attributed to the spouse are paid from pension benefits:

— any pension of which payment has begun is reduced in proportion to the amount paid to the spouse over the value of the pension being paid at the date of the seizure;

— any pension of which payment begins after the payment to the spouse must be reduced by the amount referred to in section 56.0.3 or, where the payment of the pension begins on a date other than the date of the normal retirement age, by a sum equal to the amount of the payment to the spouse;

— any other pension benefit, except for a pension benefit referred to in section 69.1 of the Act, as well as any benefit or refund that must be paid or transferred must be reduced, up to its amount or its value, by the value of the pension of which the amount is referred to in section 56.0.3.

The pension plan may provide for reducing the member's benefits in a different manner, provided that manner leads to a lesser reduction of such benefits.”

48. The Regulation is amended by adding, after the title of Division VI, the following sections:

“**56.1.** The summary of the pension plan provided for in section 111 of the Act must contain, in addition to the information provided for in that section, the following information:

(1) the index or rate provided for in the plan for indexation of the pension before and during its payment;

(2) the rules applicable to the transfer of the member's benefits to another pension plan;

(3) the plans referred to by any general agreement allowing the member's benefits or assets to be transferred to them;

(4) the nature of the fees that may be charged to the member;

(5) the rules that apply where members decide investments that may be made with the plan's assets;

(6) in the case of a plan to which chapter X of the Act applies, a mention that for members who cease to be active members, only those whose benefits are not paid before the plan's termination or who cease to be active members less than three years prior to that date remain members for the purposes of the eventual allocation of surplus assets upon the plan's termination.

56.2. The annual statement provided for in section 112 of the Act shall have two parts, of which the first concerns the benefits of the member or beneficiary to whom the statement is sent and the second the financial situation of the pension plan.”

49. Section 57 of the Regulation is amended:

(1) by replacing the word “The” with the words “The first part of the” in the passage that precedes paragraph 1;

(2) by replacing the words “of the certificate of registration issued by the Régie for the plan” with the words “that the Régie assigned to it” in paragraph 2;

(3) by replacing paragraph 4 with the following paragraph:

“(4) the name and address of the person to contact for any information concerning the plan;”;

(4) by replacing paragraph 6 with the following paragraph:

“(6) the name of any person entered in the records of the plan as the spouse or beneficiary of the member or, where necessary, a mention of the absence of an entry related to either of those capacities;”;

(5) by striking out the word “first” in paragraph 7;

(6) by striking out paragraph 8;

(7) by replacing paragraphs 10 and 11 with the following paragraph:

“(10) the member contributions and the additional voluntary contributions entered in the member’s account during the fiscal year as well as the total of such contributions, distributed by type, with the interest accrued since the member joined the plan up to the end of the said fiscal year, less, in the case of contributions paid under a defined contribution pension plan or under provisions similar to those of such a plan contained in a defined benefit plan, any sums applied to payment of an early pension benefit or the execution of a seizure, transfer or partition of benefits;”.

(8) by replacing the word “paid to” with the word “entered in” in paragraph 12;

(9) by adding, at the end of paragraph 12, the words “, less any sums applied to payment of an early pension benefit or to the execution of a seizure, transfer or partition of benefits”;

(10) by replacing paragraph 13 with the following:

“(13) the benefits and sums transferred to the member’s account and the sums paid into the account during the fiscal year to purchase past service, the total of such benefits and sums thus transferred or paid to the member’s account since the date on which he became a member of the plan, with accrued interest, and distributed according as the benefits or amounts must or must not be used to constitute a pension as well as any credited service added or the amount of the normal pension constituted with such benefits and sums;”;

(11) by replacing paragraph 15 with the following paragraph:

“(15) in the case of any plan other than a defined contribution plan:

(a) the service, including that referred to in paragraph 13, credited to the member for the calculation of the normal pension and appearing in the records of the plan at the end of the fiscal year;

(b) the annual amount of the normal pension that would be payable to the member for his recognised credited service at the end of the fiscal year;

(c) the amount of the reduction of that pension resulting from the payment, if any, of an early pension benefit or the execution of a seizure, a transfer or a partition of benefits;

(d) where the normal pension is determined on the basis of the member’s annual remuneration or average remuneration, the remuneration or, where necessary, the average remuneration that the committee took into account to determine the amount provided for in subparagraph *b.*”;

(12) by striking out paragraphs 16 and 17;

(13) by adding at the end the following paragraph:

“At least once every three years, the first part of the statement sent to a person who, as an active member of a pension plan other than a defined contribution plan would have been entitled to transfer the value of his benefits at the end of the preceding fiscal year if he had then ceased to be an active member, shall also include the following information:

(1) the value of the benefits that the member would have been able to transfer at the end of that fiscal year, accompanied with a mention explaining that the value is provided for information purposes and that the value of the benefits is subject to large variations by reason in particular of fluctuations in the interest rates used to determine the value as well as the payment conditions of the pension benefits;

(2) the latest date on which the member will be able to cease to be an active member and still have a transfer right;

(3) the personal information relative to the member and his spouse which were taken into account in determining the value referred to in paragraph 1, with a mention that it may be in the interest of the member and his spouse to have that information correct if it is erroneous.”.

50. Section 57.1 of the Regulation is modified by replacing, in paragraph 2, the words “of the certificate of registration for the plan issued by the Régie” with the words “that the Régie assigned to it”.

51. Sections 58 and 59 of the Regulation are replaced with the following sections:

“**58.** The statement referred to in the first paragraph of section 113 of the Act shall, in addition to what is

stated in that paragraph with respect to a refund, the pension benefit or other benefits provided for under the pension plan, contain the following information :

(1) the date on which the member ceased to be an active member ;

(2) the amount that may be refunded to him ;

(3) for the period elapsed since the end of the fiscal year covered by the last annual statement sent to the member affected until the date on which he ceased to be an active member, the information provided for in paragraphs 1 to 15 of the first paragraph of section 57 ;

(4) in the event that the member is entitled to payment of a retirement pension in respect of which he exercised an option provided for in the plan, the following information :

(a) the date on which payment of the retirement pension began ;

(b) the amount of that pension, excluding the amounts referred to in subparagraphs *c* to *h* ;

(c) the amount by which that pension is reduced by reason of payment of an early pension benefit or execution of a seizure, a transfer or partition of benefits, as well as the amount of any adjustments related to joint and survivor rights, an early pension, a postponement or the exercise of an option provided for in section 93 of the Act ;

(d) in the case of a temporary pension or pension fraction, the amount thereof and the date on which it will cease to be paid ;

(e) the member contributions which exceed the maximum set in section 60 of the Act and the amount of the additional pension constituted with that excess ;

(f) the value of the additional pension benefit to which the member is entitled pursuant to section 60.1 of the Act, the amount of the pension constituted with that benefit and the portion, if any, of the value of the additional pension benefit that must be paid to him in a lump sum ;

(g) the amount of the additional pension constituted with the member's additional voluntary contributions or contributions paid during the period of postponement of the pension and the interest accrued thereon ;

(h) the amount of the pension constituted following a transfer of benefits or assets or a purchase of past service for the member ;

(5) where the member is entitled to payment of a retirement pension without exercising the choices provided for under the plan, the following information :

(a) the date on which payment of the retirement pension may begin ;

(b) the amount of that pension, excluding pension amounts referred to in subparagraphs *c* to *g*, with a mention of the adjustments made following payment of an early pension benefit or execution of a seizure, transfer or partition of benefits and the adjustments related to integration, early payment or postponement of the normal pension ;

(c) a description of the choices provided for under the plan ;

(d) the member contributions that exceed the maximum set in article 60 of the Act, and the amount of the additional pension constituted with that excess ;

(e) the value of the additional pension benefit to which the member is entitled in accordance with section 60.1 of the Act, the amount of the pension constituted with that benefit and the portion, if any, of the value of the additional pension benefit that must be paid to him in a lump sum ;

(f) the amount of the additional pension constituted with the member's additional voluntary contributions and the interest accrued thereon ;

(g) the amount of any pension constituted following a transfer of benefits or assets or the purchase of past service to the advantage of the member ;

(6) where the member is entitled to payment of a disability pension, the information referred to in subparagraphs *e* to *h* of paragraph 4, as well as the following information :

(a) the date on which payment of the disability pension begins ;

(b) the amount of the disability pension or the amount of the payment or series of payments resulting from the option provided for in paragraph 4 of the first paragraph of section 93 of the Act, with, the latter case, the due date of each payment ;

(c) the amount of the reduction of the disability pension resulting from payment of an early pension benefit or execution of a seizure, transfer or partition of benefits ;

(d) in the case of a temporary pension or pension fraction, the amount thereof and the date on which it will cease to be paid ;

(7) in the event of the member's death, the nature and amount of the death benefit;

(8) in all other cases, the following information :

(a) the value of the deferred pension vested to the member;

(b) the member contributions that exceed the maximum set in section 60 of the Act;

(c) the value of the additional pension benefit to which the member is entitled pursuant to section 60.1 of the Act, the amount of the pension constituted with that benefit and the portion, if any, of the value of the additional pension benefit that must be paid to the member in a lump sum;

(d) the value and amount, if any, of the pension constituted following a transfer of benefits or assets or the purchase of past service to the advantage of the member;

(e) the amount of the reduction of the deferred pension resulting from payment of an early pension benefit or execution of a seizure, transfer or partition of benefits;

(9) the pension plan's degree of solvency determined at the date of the last actuarial valuation of the entire plan;

(10) the personal information related to the member and his spouse, which was taken into account in determining the amounts shown on the statement, with a mention that it may be in the member's interest to have any erroneous information corrected.

59. The first part of the annual statement referred to in section 112 of the Act and sent to a non-active member must contain the following information :

(1) that provided for in paragraphs 1 to 6 of the first paragraph of section 57;

(2) where a member has begun receiving a retirement pension :

(a) the amount of the pension;

(b) where a pension must be reduced to take into account, in whole or in part, benefits payable under a public plan, the beginning date of the reduction and its amount;

(c) in the case of a pension or a fraction of a temporary pension, the date on which payment will cease;

(d) the nature of the death benefit payable by supposing that the member had died on the date of the statement.

(3) where a member has begun receiving a disability pension, the information referred to in subparagraphs *a* and *c* of paragraph 2, *mutatis mutandis* where the pension is not a life pension, as well as, in the latter case, the anticipated date of the final payment;

(4) where a member is entitled to a deferred pension :

(a) the date on which he ceased to be an active member;

(b) the anticipated amount of the pension, where the plan is not a defined contribution plan;

(c) the amount of the reduction of the pension resulting from payment of an early pension benefit or execution of a seizure, transfer, or partition of benefits;

(d) the amount of the member contributions and employer contributions paid under the plan where the plan is a defined contribution plan, or under provisions similar to those of a defined contribution plan where the plan is a defined benefit plan, with accrued interest;

(e) the amount of the member contributions that exceed the ceiling set in section 60 of the Act and the amount of the additional voluntary contributions, with, in each case, accrued interest;

(f) the amount of the pension constituted with the additional pension benefit to which the member is entitled under section 60.1 of the Act;

(g) the benefits and sums transferred to the member's account and the sums paid to his account for the purchase of past service during the fiscal year, the total of the benefits and sums thus transferred or paid to the member's account since the date on which he became a member of the plan, with accrued interest, distributed according as they must or must not be used to constitute a pension and any credited service added or the amount of the normal pension constituted with such benefits and sums;

(h) the rate applied or the method used during the fiscal year to calculate the interest referred to in subparagraphs *d* to *g*;

(5) where the value of the member's benefits has been paid only in part by the application of section 142 or 143 of the Act, the balance owing and an indication of each year in which a payment will be made.

At least once every three years, the first part of the statement sent to a non-active member who is entitled to a deferred pension under a plan other than a defined contribution plan and who, on a date subsequent to the sending of the statement, will be able to transfer the value of his benefits to another pension plan, shall also contain the following information :

(1) the value, at the end of the fiscal year, of the benefits that may be transferred, accompanied with a mention explaining that the value is provided for information purposes and that the value of the benefits is subject to large variations by reason in particular of fluctuations in the interest rates used to determine the value as well as the payment conditions of the deferred pension ;

(2) the latest date on which the member will be able to exercise his transfer right ;

(3) the personnel information relative to a member and his spouse and taken into account in determining the value referred to in paragraph 1 with a mention that it may be in the their interest to have the information corrected if it is erroneous.”.

52. The Regulation is amended by adding, after section 59, the following sections :

“**59.0.1.** The first part of the annual statement referred to in section 112 of the Act and sent to the beneficiary must contain the following information :

(1) the beneficiary’s name ;

(2) the information provided for in paragraphs 2 to 5 of the first paragraph of section 57 ;

(3) the amount of the pension benefit paid ;

(4) where there is provision for a reduction of the pension benefit, the amount of the reduction and the date on which the reduction may be effective ;

(5) in the case of a temporary pension benefit, the date on which the benefit will cease to be paid ;

(6) the index or rate used for the indexation of the pension benefit.

59.0.2. The second part of an annual statement referred to in section 112 of the Act shall, where the statement is sent to a member or beneficiary of a pension plan to which chapter X of the Act applies, contain the following information :

(1) the degree of solvency of the pension plan determined at the date of the most recent actuarial valuation of the whole plan, and where the degree is less than 100%, the measures taken to bring it up to 100% ;

(2) the lesser of the pension plan’s surplus assets determined on a funding basis and those assets determined on a solvency basis on the occasion the last actuarial valuation of the whole plan ;

(3) the employer contribution that the employer paid during the fiscal year concerned ;

(4) the member contributions paid by the members during the fiscal year concerned ;

(5) the portion of the plan’s excess assets used to pay the employer contribution during the fiscal year and the portion used during that year to fund additional commitments resulting from an amendment to the plan.

Where the statement is sent to a member or beneficiary not referred to in the first paragraph, this part must indicate the plan’s surplus assets and the portion thereof used to pay the employer contribution during the fiscal year.”.

53. Section 59.1 of the Regulation is amended :

(1) by striking out the words “, other than investment expenses”, in the first paragraph ;

(2) by striking out the second paragraph.

54. Section 60 of the Regulation is amended :

(1) by replacing paragraph 7 with the following paragraphs :

“(7) the documents referred to in paragraph 3 of section 24 of the Act ;

(7.1) in the case of an insured pension plan, any report prepared by the insurer relative to the plan ;”.

(2) by striking out paragraph 9.

55. Section 61 of the Regulation is amended :

(1) by striking out the words “or a pledge” in subparagraph *a* of paragraph 2 ;

(2) by replacing, in subparagraph *b* of paragraph 2, the words “the pledge of an evidence referred to in article 981*o* of the Civil Code of Lower Canada” with the word “a hypothec of an investment presumed sure and referred to in section 1339 of the Civil Code” ;

(3) by replacing the words “the pledge” with the words “the hypothec” in subparagraph *c* of paragraph 2.

56. This Regulation is amended by adding, after section 61, the following division:

**“DIVISION VII.1
MERGER OF THE ASSETS AND LIABILITIES OF
SEVERAL PENSION PLANS**

61.1. The notice provided for in section 196 of the Act must contain:

(1) the name of the absorbed plan and the number assigned to it by the Régie;

(2) the name of the absorbing plan and the number assigned to it by the Régie;

(3) the number of members and beneficiaries of the absorbed plan at the effective date of the amendment intended to merge the assets and liabilities of the affected plans;

(4) where a merger does not include the total assets of the absorbed plan, a description of the group constituted by the members and beneficiaries whose benefits would be transferred to the absorbing plan and their number;

(5) the provisions of the affected plans relative to the allocation of the surplus assets determined upon termination and, where one of the plans has no provisions of that nature, a mention of that fact and of the rule set out in the second paragraph of section 288.1 of the Act;

(6) in the case provided for in the fourth paragraph of section 196 of the Act, a mention of the rule therein set out, the identity of those whose consent is required under section 146.5 of the Act for an amendment to the absorbed plan and a mention that the consents have or have not already been obtained;

(7) where the Régie authorizes a merger, a mention that only the provisions of the absorbing plan will apply, with respect to the employer’s entitlement to appropriate the surplus assets of the plan to the payment of his contributions as well as the allocation of surplus assets upon termination in respect of the members and beneficiaries of the absorbed plan who are affected by the merger;

(8) a mention that the members and beneficiaries whose benefits may be transferred from the absorbed plan to the absorbing plan may, within 60 days following receipt of the notice or of the publication, if any, of

the notice provided for in the second paragraph of section 230.4 of the Act, according to the latest of them, to make known in writing to the pension committee their opposition to the merger of the plans;

(9) the address of the pension committee;

(10) the name of the signatory, the attestation that he is duly authorized by the pension committee to give the notice and the date of signing.”

57. Divisions VIII and VIII.1 of the Regulation are replaced with the following divisions:

**“DIVISION VIII
LIQUIDATION OF THE BENEFITS OF THE
MEMBERS AND BENEFICIARIES**

62. The report provided for in the second paragraph of section 202 of the Act must contain the following information:

(1) the name of the plan and the number assigned to it by the Régie;

(2) the effective date of the amendment giving rise to the withdrawal and the name of the affected employer;

(3) the value of the plan’s assets at the date of the valuation of the members’ and beneficiaries’ benefits;

(4) the employer and member contributions required and those paid for the period between the date of the plan’s last fiscal year and the year of the withdrawal, distinguishing the contributions relative to the affected employer from the total contributions of the other employers;

(5) the assets allocated to the group constituted of the benefits of the affected members and beneficiaries and the assets allocated to all the other groups, in accordance with sections 220 to 227 of the Act as well as the description and method used;

(6) where required, the assumptions and methods used to determine the value of the assets and of the benefits of the plan’s members and beneficiaries;

(7) the value of the benefits of the members and beneficiaries not affected by the withdrawal;

(8) the names of the members and beneficiaries affected by the withdrawal, grouped according to the categories provided for in paragraph 2 of section 201 of the Act, as well as the nature and the value of their benefits at the date of their valuation;

(9) the degree of solvency of the plan at the date of the valuation of the members' and beneficiaries' benefits;

(10) where, with respect to the employer and the members and beneficiaries affected by the withdrawal, the contributions paid are less than the contributions required, the report must, in addition, indicate the distribution of the total contributions required and the total contributions paid among those members and beneficiaries, with a mention for each of them of the portion related to employer contributions, member contributions and additional voluntary contributions;

(11) the debt, if any, of the employer affected by the withdrawal, a description of the measures put into effect to ensure the collection of the debt and its distribution among the members and beneficiaries affected by the withdrawal;

(12) where, at the date of withdrawal, the assets allocated to the group consisting of the benefits of the members and beneficiaries affected by the withdrawal is, after deducting any contribution relative to that group and referred to in section 227 of the Act, less than the value of the benefits of those members and beneficiaries, the amount of the reduction in benefits that each of them will sustain if the employer's debt and the unpaid contributions are not collected;

(13) a description of the payment methods offered to each category of members and beneficiaries affected by the withdrawal;

(14) a certificate by the author of the report that it was prepared in conformity with the provisions of the Act and the Regulation;

(15) the name and address of the author of the report, his professional title and the date of signing.

In the case provided for in paragraph 12 of the first paragraph, the value of the members' and beneficiaries' benefits affected by the withdrawal shall be distributed in accordance with each item of the payment order provided for in section 218 of the Act.

63. The termination declaration that the pension committee sends in application of section 207.1 of the Act must be in conformity with that provided in schedule II where the termination follows a notice by the employer and that provided in schedule III where the termination follows a decision of the Régie. The pension committee that sends a declaration in conformity with that provided in schedule II must attach to it a copy of the termination notice.

64. The termination report provided for in section 207.2 of the Act must contain the following information, subject to the adaptations required in the case of an insured plan or a plan referred to in paragraph 2 of section 116 of the Act:

(1) the name of the plan and the number assigned to it by the Régie;

(2) the plan's termination date;

(3) the value of the plan's assets at the date of termination, distributed according to the nature of each element of which it is constituted;

(4) the employer and member contributions required and those paid for the period between the end of the preceding fiscal year of the plan and the date of termination;

(5) in the case of a plan referred to in the second paragraph of section 230.0.1 of the Act:

(a) the assets allocated to each group of benefits, determined in accordance with sections 220 to 227 and 230.0.1 of the Act;

(b) the share of surplus assets, if any, allocated to each group of benefits and the proportion of the surplus assets at the termination date represented by that share;

(c) the description of the method used to determine the sums referred to in subparagraphs *a* and *b*;

(6) where required, the assumptions and methods used to determine the value of the assets and the value of the benefits of the plan's members and beneficiaries;

(7) the names of the members and beneficiaries affected by the termination, distributed by employer and according to the categories referred to in section 207 of the Act, as well as the nature and value of their benefits at the date of termination;

(8) the ratio of the assets to the liabilities, determined in accordance with section 212.1 of the Act;

(9) where, with respect to the employer affected by the termination, the contributions paid are less than the contributions required, a mention of the unpaid portion related to employer contributions, member contributions and additional voluntary contributions;

(10) the debt, if any, of each employer affected by the termination, determined in accordance with section 228 of the Act;

(11) where, at the date of termination, the assets allocated to a group of benefits of members and beneficiaries affected by the termination is, after reduction of any contribution relative to that group and referred to in section 227 of the Act, less than the value of the benefits of the those members and beneficiaries, the amount of the reduction of benefits that each of them will sustain if the employer's debt and the unpaid contributions are not collected;

(12) the list of the payment methods offered to each category of members and beneficiaries affected by the termination;

(13) a certificate by the author of the report:

(a) that the report was prepared in conformity with the provisions of the Act and the Regulation;

(b) where the report must be prepared by an actuary, that it is in conformity with the standards of the Canadian Institute of Actuaries;

(c) where the report may be prepared by the pension committee, that the author is a member of the committee or that he is mandated by the committee to prepare the report;

(14) the name of the author of the report, his professional title and the date of signing.

In the case provided for in paragraph 11 of the first paragraph, the value of the benefits of the affected members and beneficiaries shall be distributed in accordance with each item of the payment order provided for in section 218 of the Act.

65. The statement provided for in section 207.3 of the Act must contain, in addition to the information prescribed in that section, the following information:

(1) the information referred to in paragraphs 3 to 10 of section 58, determined or updated at the date of termination;

(2) the assets and liabilities as well as the surplus or deficiency of the pension plan's assets indicated in the termination report for the employer to whom the member or beneficiary to whom the statement is addressed is connected;

(3) where there is a deficiency of assets, the measures put into place to cause the amounts due to the pension fund to be paid by the employer concerned;

(4) the information referred to in paragraphs 9 to 11 of the first paragraph of section 64 relative to the member or beneficiary or to the employer with whom he is connected;

(5) where the plan's assets, in whole or in part, is allocated to the members and beneficiaries in application of the second or third paragraph of section 230.1 of the Act, the proportion of the surplus assets that is allocated to the participant or beneficiary.

66. The supplement to the termination report referred to in section 207.5 of the Act must contain the following information:

(1) the name of the pension plan and the number assigned to it by the Régie;

(2) the plan's surplus assets at the date of termination and at the latest date at which its value is known;

(3) a description of the method of apportionment for the surplus assets, in accordance with any declaration, agreement, arbitration decision referred to in the first paragraph of section 230.1 of the Act, or to any increase or allocation provided for in the second or third paragraph of section 230.1 of the Act or in section 230.3 or the Act;

(4) the name of each employer who is party to the plan and, for each of them, the surplus assets allocated to the group of benefits connected to each, the portion of the surplus assets granted to each at the dates referred to in paragraph 2 and the proportion that such portion represents at the same dates with respect to the total surplus assets of the plan;

(5) where a portion of the surplus assets is granted to persons who remain or who are considered to be members or beneficiaries under section 240.2, 308.3 or 310.1 of the Act, the actuarial assumptions and methods used to determine the presumed value of their benefits for the purposes of determining their share of the surplus assets;

(6) where a portion of the surplus assets is granted to the members or beneficiaries:

(a) their names;

(b) the share that each of them would have received had the surplus assets been allocated at the date of termination;

(c) an estimate of the share that each will receive, determined at the latest date referred to in paragraph 2;

(d) the methods for payment of the surplus assets thus allocated;

(7) the author's certificate :

(a) that the supplement to the termination report was prepared in conformity with the provisions of the Law and the Regulation;

(b) where the supplement must be prepared by an actuary, that it is in conformity with the standards of the Canadian Institute of Actuaries;

(c) where the supplement may be prepared by the pension committee, that the author is a member of the committee or that he is mandated by the committee to prepare the supplement;

(8) the name of the author, his professional title and the date of signing.

67. Except where otherwise indicated, the benefits of a member or beneficiary that are referred to in sections 62 to 66 do not include the share that he may have in the surplus assets.

67.1. The draft agreement referred to in section 230.1 of the Act must indicate, in addition to the information prescribed in that section, the following information :

(1) the name of the plan and the number assigned to it by the Régie;

(2) the date of termination of the plan;

(3) the name of each employer who is party to the draft agreement;

(4) the share of the surplus assets at the date of termination that would be granted to each employer who is party to the draft agreement;

(5) the share of the surplus assets at the date of termination that would be granted to the members and beneficiaries, as a whole, who are affected by the draft agreement;

(6) where the agreement does not allocate the total surplus assets that it covers to the employer and where persons remain or are deemed to be members or beneficiaries in accordance with section 240.2, 308.3 or 310.1 of the Act, the actuarial assumptions and methods used to determine the presumed value of the benefits of such persons for the purpose of determining the portion of the surplus due to them.

A draft agreement that does not cover the all the members and beneficiaries of the plan must stipulate that it covers only some of them.

Where the draft agreement proposes that the share of the surplus assets apportioned to a member or beneficiary be determined according to a method that has a distribution formula specific to a group members or beneficiaries determined in the report, the report must indicate the share of the surplus assets at the date of termination to be granted to each group.

67.2. The actuary's certificate required under the third paragraph of section 230.2 of the Act for a specific method of apportionment of the surplus assets must :

(1) define the group of members or beneficiaries that the method affects;

(2) describe the circumstances justifying that those members or beneficiaries receive a share of the surplus assets that is greater than that which they would have received pro rata;

(3) determine the portion of the surplus assets that results from those circumstances;

(4) be attached to the draft agreement so as to be a part thereof.

67.3. The notice provided for in section 230.4 of the Act must indicate, in addition to the information prescribed in that paragraph, the following information :

(1) the name of the pension plan and the number assigned to it by the Régie;

(2) in the case of a multi-employer plan, the surplus assets determined in application of section 230.0.1 of the Act with respect to each employer who is party to the draft agreement and the proportion of the surplus assets at the date of termination represented by that portion;

(3) the number of members and beneficiaries for the purposes of distributing the surplus assets referred to in the draft agreement as well as the value of their benefits;

(4) the plan's assets, the liabilities and the surplus indicated in the termination report provided for in section 207.2 of the Act;

(5) where the plan has no provision relative to allocation of surplus assets determined upon termination, a mention of that fact and of the rule set out in the second paragraph of section 288.1 of the Act;

(6) a mention of the rule set out in paragraph 1 or 2 of section 230.6 of the Act that applies to the draft agreement in view of the method of apportionment proposed;

(7) the address of the pension committee;

(8) the name of the signatory, the certificate that he is duly authorized by the pension committee to give the notice and the date of signing.

Where the draft agreement does not cover all plan's members and beneficiaries, the notice must contain the following additional information:

(1) the total number of members and beneficiaries for the purposes of apportioning the plan's surplus assets and the value of their benefits;

(2) where a portion of the surplus assets is not covered by the draft agreement but has already been apportioned in conformity with the Act, the proportion of the total surplus assets that was thus granted to any group members or beneficiaries and to any employer.

Where the draft agreement proposes that the share of the surplus assets apportioned to a member or beneficiary be determined according to a method that has a distribution formula specific to a group members or beneficiaries determined in the report, the report must indicate the share of the surplus assets at the date of termination to be granted to each group.

DIVISION VIII.1 ACTUARIAL ASSUMPTIONS

67.4. The assumptions referred to in the first paragraph of section 61 of the Act are those described in section 3 of the standard of practice entitled "Recommendations for the Computation of Transfer Values from Registered Pension Plans", approved by the Board of the Canadian Institute of Actuaries on 13 July 1993, it being understood that a sex-specific mortality table must be used.

These assumptions apply taking into account the rules set out in Part D of Section 2 of that standard of practice.

67.5. Where the value of the member's benefits for the purposes of section 66 or 66.1 of the Act is determined more than 90 days after the date on which the member received the statement referred to in section 113 of the Act but before payment of a pension to him begins, the assumptions referred to in section 61 of the Act that are used at the date of the application for a refund to determine the value of the pension benefits to which section 60 of the Act applies and to which entitlement is acquired at that date shall be used. That value is

increased by interest calculated at the rate used to determine it between the date of the application for a refund and the date of the refund.

67.6. For determining the value of the pension referred to in paragraph 1 of the first paragraph of section 86 of the Act, the assumptions referred to in section 61 of the Act that are used at the date of the member's death to determine the value of the pension benefits to which section 60 of the Act and to which entitlement was acquired at that date shall be used.

DIVISION VIII.2 SPOUSE'S WAIVER

67.7. The declaration provided for in section 88.1 of the Act is made in written form, signed by the waiving spouse and contains:

(1) the date of the declaration;

(2) the names and addresses of the member and the waiving spouse;

(3) the name of the member's pension plan and the number assigned to it by the Régie;

(4) the name of the member's employer;

(5) an indication of each benefit that the spouse declares to be waived, that is, the benefit provided for in section 86 of the Act or the pension provided for in section 87 or 88 of the Act.

DIVISION VIII.3 REPLACEMENT VALUE

67.8. The value of the replacement pension that the member elected to receive under section 92.1 of the Act must be at least equal to the value of the replaced pension, commuted to the date of replacement."

58. Section 69 of the Regulation is amended by striking out paragraph 2.

59. Section 70 of the Regulation is replaced with the following section:

"**70.** The provisions of section 87 of the Act, as it read as of 1 January 2001, that are relative to the bridge benefit do not apply to the spouse of a member where the member began to receive such a benefit prior to that date."

60. The Regulation is amended by adding, after section 70, the following section:

70.0.1. Where the application provided for in section 89.1 of the Act is made by a member referred to in section 300.4 of the Act, the amount of the pension resulting from the new determination is calculated in accordance with the following formula:

$$A \times \frac{B}{C}$$

“A” represents the amount of the being paid to the member at the date of the application;

“B” represents the amount of the pension that would be paid to the member at the date of the application if he had not had a spouse at the date on which payment of his pension began;

“C” represents the amount of the pension that would be paid to the member at the date of the application were no account take of the judgment or the cessations of the conjugal relationship following which the application was made as well as any partition or transfer of benefits that followed such judgment or cessation.”

61. Sections 71 and 72 of the Regulation are revoked.

62. Section 73 of the Regulation is amended by striking out, in the first paragraph, the words “and by the second paragraph of section 283 of the Act,”.

63. Section 74 of the regulation is amended:

(1) by replacing the first word “The” with the words “Subject to the provisions of section 45.1 of the Act, the”;

(2) by adding, after the number “44”, the word and number “or 45”.

64. Section 75 of the Regulation is replaced by the following section:

75. Where a member ceased to be an active member before 1 January 2001 and where, in application of the second paragraph of section 36, the member’s benefits are valued by supposing that he ceased to be an active member at a date following that date, the second paragraph of section 36 must be applied with respect to the service credited to the member before 1 January 1990 separately from that credited after that date, taking into account the transitional provisions of the Act and by supposing, for the application of section 293 of the Act as it read prior to 1 January 2001, that the period of continuous employment of the member ended at the date of institution of proceedings or, in the case of unmarried spouses, the date of cessation of the conjugal relationship.

Moreover, where the member is not entitled to a pension at the date on which he ceased or is considered to have ceased being an active member, his aggregate benefits correspond to a refund.”.

65. Sections 76 to 77 of the Regulation are revoked.

66. The Regulation is amended by adding, before schedule 0.1, schedule 0.0.1 attached to this regulation.

67. Schedule 0.1 of the Regulation is amended by adding the words “or the spouse”, at the end of the title.

68. Schedule 0.3 of the Regulation is amended:

(1) by adding the words “or the spouse”, at the end of the title;

(2) by replacing, in paragraph 1 of the declaration contained therein, the words “does not have to be converted” with the words “must be converted”.

69. Schedule 0.4 of the Regulation is amended by replacing the indication “(s. 19.1)” with the indication “(s.19.1 and 20.4)”.

70. Schedule 0.8 of the Regulation is amended:

(1) by replacing, in the English version, the indication “(s. 20.2)” with the indication “(s. 20.4)”;

(2) by replacing the words “does not have to be converted” with the words “must be converted”, in paragraph 1 of the declaration contained therein.

71. Schedule 0.9.1 of the Regulation is amended by replacing the indication “(s. 19.2)” with the indication “(s. 22.2)”.

72. The Regulation is amended by adding, after schedule I, schedules II and III attached to this regulation.

73. The regulation is amended by replacing forms 1 and 2 with forms 1 and 2 attached to this regulation.

74. Notwithstanding sections 9, 11 and 71:

(1) an annual declaration relative to a fiscal year ended before 31 December 2001 is prepared, in application of section 7 of the Regulation respecting supplemental pension plans, according to form 1 or 2 of the regulation as it read prior to the coming into force of this regulation;

(2) the exigible fees that must accompany the declaration as well as the additional fees added thereto in the event of delay are determined according to sections 12,

13 and 14 of the Regulation respecting supplemental pension plans, as they read prior to the coming into force of this regulation.

75. From 1 January 2001 until the date of the coming into force of this regulation, the determination of the value of the pension benefits to which sections 60 and 60.1 of the Act apply shall be made according to the assumptions described in section 3 of the standard of practice entitled “Recommendations for the Computation of Transfer Values from Registered Pension Plans”, approved by the Board of the Canadian Institute of Actuaries on 13 July 1993, it being understood that those assumptions apply by taking into account the rules set out in part D of section 2 of that standard and that a sex-specific mortality table must be used.

76. A contract establishing a life income fund or an agreement establishing a locked-in retirement account may, if it is in conformity with a standard contract registered with the Régie prior to the coming into force of this regulation, be validly made prior to 1 October 2002 even if it is not in conformity with a standard contract that contains, in the case of a contract, the provisions required, if any, under sections 19 to 19.3 and 23 of the Regulation respecting supplemental pension plans or, in the case of an agreement, by section 29 of that regulation, those sections to be read as amended by this regulation.

77. Any contract establishing a life income fund and any agreement establishing a locked-in retirement account made before 1 October 2002 and which is not in conformity with a standard contract registered with the Régie and that contains the pertinent provisions referred to in section 76 must be brought into conformity to such a standard contract before 31 December 2002, failing which the purchaser may, so long as the contract or agreement to which he is a party remains non-conform, exercise his right to transfer the fund or account balance, in whole or in part, without delay, condition or penalty.

78. A contract referred to in section 30 of the Regulation respecting supplemental pension plans, made prior to the date of the coming into force of this regulation remains valid, if it is in conformity with the provisions of that section as it read prior to that date, provided it is amended before 1 October 2002 to bring it into conformity with the provisions of that section as amended by section 24 of this regulation.”

79. This regulation comes into force on the fifteenth day following its publication in the *Gazette officielle du Québec*; nevertheless:

(1) section 59 has effect from 1 January 2001;

(2) section 48 to the extent that it introduces section 56.2, and sections 49 and 51 to 53 have effect from 31 December 2002.

SCHEDULE 0.0.1

(s. 2)

DECLARATION ACCOMPANYING THE APPLICATION FOR REGISTRATION OF AN AMENDMENT TO A PENSION PLAN

(The administrator of the pension plan affected by the application for registration or his mandatory must:

— either complete section A that follows;

— or have section B completed by an actuary who is a member of the Canadian Institute of Actuaries and has the title of “Fellow” or who has a status that the Institute deems to be equivalent.)

Section A

I, _____, declare that I have read the application for application attached herewith and I certify to the best of my knowledge that:

(Only one box may be checked.)

The report on the actuarial valuation of the plan attached to this declaration takes into account the amendment(s) made to the plan.

The amendment(s) made to the plan does not (do not) have the effect of changing the contribution required from the employer or the members or the other sums to be paid into the pension fund, nor the effect of changing the benefits or refunds payable by the fund.

The plan, as amended, is an uninsured plan under which the benefits of all the members and beneficiaries arise at all times from the sums credited to their accounts.

The plan, as amended, is an uninsured plan under which the benefits of the members and beneficiaries are constituted solely of benefits or refunds guaranteed at all times by an insurer and of benefits arising, at all times, solely from the sums credited to their accounts.

The plan as amended is an insured plan for which the insurer undertakes to assume all the costs and fees relative to its termination.

(signature)

(date)

Section B

I, _____, declare that I have read
(actuary FCIA)
the application for registration and the amendment(s) to
the plan cover thereunder and I certify that:

(Only one box may be checked.)

The effect of the amendment(s) has already been
valued in the report on the actuarial valuation of the plan
dated _____,

The amendment(s) does not give rise to any change
in the employer contribution, the member contribution,
if any, the liabilities or the assets of the plan as deter-
mined in the report dated _____ on the actuarial
valuation of the plan as at _____.

(signature) (date)

SCHEDULE II

(s. 63)

**DECLARATION OF TERMINATION OF
A PENSION PLAN**

(following notice given by the employer who is party to
the plan)

Name of the plan: _____

Number: _____

I, _____, being duly authorized
to act as the administrator or mandatary of the adminis-
trator of the plan mentioned above, declare that the plan
is being terminated and that the date of its termination is
_____.

I certify that:

(1) the termination follows a decision of the employer
who is party to the plan (or, in the case of a multi-
employer plan, the unanimous decision of the employers
who are parties to the plan);

(2) to the best of my knowledge, no agreement prevents
the employer or the employers from terminating the
plan;

(3) the employer or the employers communicated their
decision to terminate the plan by giving written notice, a
copy of which is attached hereto, that, to the best of my
knowledge, was transmitted to all the affected members
and beneficiaries (*that is, all the plan's members and
beneficiaries whose benefits were not paid in full before
the termination date and, if the termination resulted
from a division, merger, disposal or closure of the enter-
prise or a part of the enterprise, all the members whose
active membership ceased during the period between
the date on which the members were informed of the
event in question and the date of termination*), the ac-
credited association representing the members, the pen-
sion committee and the insurer, if any;

(4) the notice mentioned in paragraph 3 indicates the
plan's date of termination as well as the members and
beneficiaries affected;

(5) the date of termination mentioned above is not subse-
quent to the day preceding the day on which the benefits
of the plan's last member or beneficiary were paid in
full;

(6) to the best of my knowledge, the date of termination
(check, as appropriate, one of the following boxes):

is not prior to the date of the cessation of collection
of member contributions nor the date preceding by
30 days the transmittal of the notice of termination to the
active members;

is prior to the date of the cessation of collection of
member contributions or the date preceding by 30 days
the transmittal of the notice of termination to the active
members, but each of the members whose active member-
ship ended on the occasion of the termination or there-
after has consented in writing to the termination of the
plan at the date mentioned above and the pension com-
mittee is able to produce those consents at the request of
the Régie;

(7) the pension committee received the written notice of
termination from the employer (or employers) on

(signature) (date)

Attachment: notice of termination

SCHEDULE III

(s. 63)

**DECLARATION OF TERMINATION OF
A PENSION PLAN**
(following a decision of the Régie des rentes du Québec)Name of the plan: _____

Number: _____

I, _____, being duly authorized to act as administrator or as the mandatary of the administrator of the plan mentioned above, declare that I was notified of the decision of the Régie des rentes du Québec (the Régie) to terminate the plan at _____,

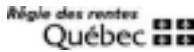
I certify that:

(1) the pension committee that administers the plan received a copy of the Régie's decision on _____;

(2) the pension committee transmitted a copy of the decision of the Régie to all the members and beneficiaries affected by the decision, the accredited association representing the members, the employer and the insurer, if any.

(signature)_____
(date)

Form 1 (s. 7)



Annual Information Return
Supplemental Pension Plan



1 Plan Number

--	--	--	--	--	--	--	--

2 End of the plan's fiscal year

Year	Month	Day

3 Name of the plan (usually found in the plan text)

4 Administrator of the plan (according to the plan text)

- a pension committee (complete **Appendix 1**).
- a person, a body or a group authorized by law to administer the plan (complete **Appendix 1**).
- an employer (not more than five active members).

5 Identification of the person who represents the plan administrator

Nr.	Family name	Given name	Telephone Area code
Nr.			Fax Area code
Name of the contact's employer, if applicable.			Email
Number	Street	Municipality	
Province	Country	Postal code	

6 Name of the employer that is a party to the plan

*If more than one employer participates in the plan, leave this space blank and complete **Appendix 2**.*

7 Statement of financial position and report on investments

*For an uninsured plan, complete **Appendix 3A** and **Appendix 4**.
For an insured plan, complete **Appendix 3B**.*

8 Annual meeting

Date of the plan's annual meeting held during the year covered by this return

Year	Month	Day

Were all the topics prescribed by the **Supplemental Pension Plans Act** dealt with at that meeting? Yes No

9 Changes in plan membership

Active members

Number of active members at the end of the preceding fiscal year 3

Number of members who joined the plan or became active again during the fiscal year 4

Total of lines 3 and 4 5

Number of cessations of active membership during the fiscal year that resulted from:

- a members' retirement, death or disability 6
- any other cause 7

Total of lines 6 and 7 8

Balance (line 5 less line 8) 9

Number of active members at the end of the fiscal year

Active members, non-active members and beneficiaries

Total number of active and non-active members at the end of the fiscal year 10

Number of active and non-active members and beneficiaries at the end of the fiscal year 11

Enter this amount on line 13 in Section 10.

10 Distribution of the number of active members, non-active members and beneficiaries

Employment under provincial jurisdiction by place of work	Active members		Total
	Men	Women	
Québec			
Alberta			
British Columbia			
Manitoba			
New Brunswick			
Nova Scotia			
Ontario			
Saskatchewan			
Newfoundland			
Northwest Territories			
Nunavut Territory			
Yukon Territory			
Number of non-active members and beneficiaries who fall under the 12 jurisdictions listed above			
Subtotal : Transfer this number to the first box of line 15, in section 11			=
Prince Edward Island			+
Employment under federal jurisdiction			+
Outside Canada			+
Number of non-active members and beneficiaries who fall under the 3 jurisdictions listed above			+
Total number of active members, non-active members and beneficiaries <i>(The total must correspond to the number of active members, non-active members and beneficiaries entered on line 11 of section 9.)</i>			=

12

13

11 Calculation of fees

Enter 500 \$ in the case of a plan to which chapter X of the applies at the end of the fiscal year; otherwise, enter 250 \$.

	\$
--	----

14

Number of active members, non-active members and beneficiaries (line 12)

--

X yearly rate

	\$
--	----

=

	\$
--	----

15

Total of lines 14 and 15

	\$
--	----

16

Required fees: *If the calculated fees on line 16 are greater than 100 000 \$, enter 100 000 \$ on line 17. Otherwise, enter on line 17 the fees calculated on line 16.*

	\$
--	----

17

Enclose a cheque made out to the Régie des rentes du Québec for the amount entered on line 17.

12 Certificate of the signatories

(If the plan is administered by a pension committee, or a body or group authorized by law, this return must be signed by two of its members. If the plan has no more than five active members and is administered by the employer (see section 4), one signature is sufficient.)

I certify that:

I am authorized to sign this return.

I have reviewed the information given on this form, **Appendixes 1, 2 and 4**, as well as in Sections 1 to 4 of **Appendix 3A** (Section 1 of Appendix 3B for an insured plan).

To the best of my knowledge,

- the information is true, exact and complete and faithfully represents in all essential points the plan's financial position;
- the plan was administered in accordance with the *Supplemental Pension Plans Act* and investments were made in accordance with all relevant laws and the plan's investment policy, except for any irregularities mentioned in this return.

The other members of the pension committee, or the body or group authorized by law to administer the plan, have received a copy of this return.

Signatory's full name (please print)

--

Signatory's full name (please print)

--

Capacity (please print)

--

Capacity (please print)

--

--

Signature

Date	Year	Month	Day

Signature

Date	Year	Month	Day

Appendix 2 Names of the employers that are parties to the plan

Please give the names of all employers that are parties to the plan in the space provided.

The information must be provided **as of the ending date of the fiscal year**. If more space is needed, use additional sheets and attach them to this form.

1	Employer's name
2	Employer's name
3	Employer's name
4	Employer's name
5	Employer's name
6	Employer's name
7	Employer's name
8	Employer's name
9	Employer's name
10	Employer's name
11	Employer's name
12	Employer's name
13	Employer's name
14	Employer's name
15	Employer's name
16	Employer's name
17	Employer's name
18	Employer's name
19	Employer's name
20	Employer's name
21	Employer's name
22	Employer's name
23	Employer's name
24	Employer's name

3 Net assets			
3.1 Assets			
3.1.1 Cash			
Cash on hand			\$ 336
3.1.2 Investments			
Debt securities:			
Short term notes and securities and money market mutual funds		\$ 337	
Canadian bonds and other Canadian debt securities:			
- Bonds and other debt securities issued or guaranteed by Québec, Canada, a province or municipality		\$ 338	
- Corporate bonds and other corporate debt securities		\$ 339	
Foreign bonds and other foreign debt securities		\$ 340	
Bond mutual and fixed income funds		\$ 341	
Hypothecary (mortgage) mutual funds		\$ 342	
Hypothecary (mortgage) loans	acquisition cost \$ 343.1	\$ 343	
Deposits:			
- Amounts deposited in the general fund of an insurer		\$ 344	
- Other term deposits		\$ 345	
Equity securities:			Total of lines 337 to 345 \$ 346
Canadian shares:			
- Shares in real estate companies		\$ 347	
- Other		\$ 348	
Foreign shares		\$ 349	
Stock mutual funds and growth mutual funds:			
- Canadian shares		\$ 350	
- Foreign shares		\$ 351	
Immovables (real estate)	acquisition cost \$ 352.1	\$ 352	
Immovables (real estate) mutual funds		\$ 353	
Diversified securities and other investments:			Total of lines 347 to 353 \$ 354
Balanced mutual funds			\$ 355
Other investments (specify)			\$ 356
			\$ 357
			\$ 358
			\$ 359
			Total of lines 346, 354 to 358 \$ 359
3.1.3 Accounts receivable			
Contributions receivable:			
Member and additional voluntary		\$ 360	
Employer's current service contribution		\$ 361	
Amortization amounts related to unfunded liabilities		\$ 362	
Investment income receivable		\$ 363	
Other amounts receivable (specify)		\$ 364	
		\$ 365	
			Total of lines 360 to 365 \$ 366
3.1.4 Other assets			
Other (specify)		\$ 367	
		\$ 368	
			Total of lines 367 to 368 \$ 369
TOTAL ASSETS			Total of lines 336, 359, 366 and 369 \$ 370
3.2 Liabilities			
3.2.1 Accounts payable			
Hypothecary (mortgage) borrowings		\$ 371	
Other borrowings		\$ 372	
Refunds, transfers and pension benefits payable		\$ 373	
Expenses payable		\$ 374	
Other amounts payable (specify)		\$ 375	
Sums collected in advance (specify)		\$ 376	
		\$ 376.1	
		\$ 376.2	
			Total of lines 371 to 376.2 \$ 377
TOTAL LIABILITIES			
NET ASSETS			Balance (line 370 less line 377) \$ 378

Appendix 3B Statement of financial position of an insured plan

1 Premiums *(This section must be completed by the plan administrator.)*

Premium set by the insurer for the fiscal year:

Member contributions required

\$ 390

Employer contributions required

\$ 391

Total of lines 390 and 391 \$ 392

Premium paid to the insurer for the fiscal year:

Member contributions paid

\$ 393

Additional voluntary contributions paid

\$ 394

Employer contributions paid

\$ 395

Total of lines 393 to 395 \$ 396

Were any dividends, refunds or other advantages granted by the insurer and used to reduce the premium? If so, indicate the total amount granted.

Yes No

\$ 397

Premium payable to the insurer at the end of the fiscal year:

Member contributions receivable

\$ 398.1

Additional voluntary contributions receivable

\$ 398.2

Employer contributions receivable

\$ 398.3

Total of lines 398.1 to 398.3 \$ 399

2 Certificate of the insurer *(This section must be completed and signed by a person authorized by the insurer.)*

I certify that:

The plan is an insured plan within the meaning of the *Supplemental Pension Plans Act*.

The information given in this appendix is true, exact and complete.

Authorized person's full name (please print)

Authorized person's capacity (please print)

Insurer's company name and address (please print)

Name			
Number	Street	Municipality	
Province	Country	Postal code	
Signature		Date	
		Year	Month Day

Appendix 4 Report on investments

This appendix must be completed by the plan administrator.

Is there a written investment policy which includes the following elements: expected rate of return, liquidity requirements, allocation of assets, investment portfolio diversification measures, time schedule for evaluating the portfolio and rules for monitoring its management? Yes No 400

Give the date on which the investment policy was adopted, or if it has been revised, give the date of the most recent revision:

Year	Month	Day

 401

Have plan assets been used to make derivative instrument transactions during the fiscal year? Yes No 402

Have plan assets been used during the fiscal year to make any unsecured loans or any loans secured by a hypothec (mortgage) that is not a first hypothec (mortgage)? If so, what is the market value of such loans at the end of the fiscal year? Yes No \$ 403

Have plan assets been used to make securities loans during the fiscal year? Yes No 404

Have plan assets been used during the fiscal year to make private investments (to individuals or to corporations that are not listed on a stock exchange) other than in the form of loans or bonds secured by a first hypothec (mortgage)? If so, what is the market value of such investments at the end of the fiscal year? Yes No \$ 405

Have plan assets been invested in private real estate company securities during the fiscal year? Yes No 406

Are part of the plan assets invested in a master trust fund? If so, at the end of the fiscal year, what amount of the assets is invested in the master trust fund? Yes No \$ 407

Have plan assets been used during the fiscal year to secure any obligations other than obligations of the plan? Yes No 408

Have plan assets been pledged during the fiscal year as security except for an immovable hypothec (real estate mortgage)? Yes No 409

If there have been any borrowings for purposes other than hypothecary borrowings during the fiscal year, were they used solely for the payment of refunds, pension benefits and plan administration costs? Yes No n. a. 410

At the end of the fiscal year, who was the custodian of the pension fund's assets? (You can check more than one box.) 411

Insurer Bank Trust company

Others (specify)

Identify each investment whose market value represents as at the end of the fiscal year more than 5% of the plan's assets, either in one asset or with the same issuer.

Description of the investment	Name of the issuer	Market value
		\$ 413
		\$ 414
		\$ 415
		\$ 416
		\$ 417
		\$ 418
		\$ 419
		\$ 420
		\$ 421
		\$ 422
		\$ 423

At the end of the fiscal year, who was responsible for investment management and to what extent?

Plan administrator
 Plan members

Others (Name the five principal investment managers.):

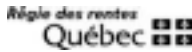
Proportion of the investments

%	424
%	425
%	426
%	427
%	428
%	429
%	430
%	431

The total on line 431 cannot be greater than 100%.

Total

Form 2 (s. 7)



Annual Information Return



<p>1 Plan number</p> <table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> </tr> </table>									<p>2 Fiscal year</p> <table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> </tr> </table>																											
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<p>4 Administrator of the plan Name and address of the financial institution that administers the plan:</p> <table border="1" style="width: 100%;"> <tr> <td colspan="4">Name</td> </tr> <tr> <td>Number</td> <td>Street</td> <td>Municipality</td> <td></td> </tr> <tr> <td>Province</td> <td>Country</td> <td>Postal code</td> <td></td> </tr> </table>		Name				Number	Street	Municipality		Province	Country	Postal code																								
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Province	Country	Postal code																																		
<p>5 Identification of the person to contact for any information concerning the plan</p> <table border="1" style="width: 100%;"> <tr> <td style="width: 2%;">Mr.</td> <td style="width: 2%;">Ms.</td> <td style="width: 40%;">Family name</td> <td style="width: 40%;">Given name</td> <td style="width: 12%;">Telephone Area code</td> <td style="width: 4%;"></td> <td style="width: 4%;"></td> <td style="width: 4%;"></td> <td style="width: 4%;"></td> <td style="width: 4%;"></td> <td style="width: 4%;"></td> </tr> <tr> <td colspan="10">Name of the contact's employer, if applicable.</td> <td style="width: 12%;">Fax Area code</td> <td style="width: 4%;"></td> <td style="width: 4%;"></td> <td style="width: 4%;"></td> <td style="width: 4%;"></td> <td style="width: 4%;"></td> </tr> </table> <p>Plan correspondence should be sent to: <input type="checkbox"/> the administrator's address indicated in section 4: <input type="checkbox"/> the following address</p> <table border="1" style="width: 100%;"> <tr> <td>Number</td> <td>Street</td> <td>Municipality</td> <td></td> </tr> <tr> <td>Province</td> <td>Country</td> <td>Postal code</td> <td></td> </tr> </table>		Mr.	Ms.	Family name	Given name	Telephone Area code							Name of the contact's employer, if applicable.										Fax Area code						Number	Street	Municipality		Province	Country	Postal code	
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<p>9 Calculation of fees</p> <p>Basic fee: _____</p> <p>Total number of active members (line 12): <table border="1" style="width: 100px; height: 20px;"></table> X 4.50 \$: _____</p> <p>Required fees: _____</p> <p>Total of lines 13 and 14</p> <table border="1" style="width: 100%; height: 40px;"> <tr> <td style="width: 60%; text-align: right;">1 000,00</td> <td style="width: 40%; text-align: center;">\$</td> </tr> <tr> <td style="width: 60%;"></td> <td style="width: 40%; text-align: center;">\$</td> </tr> <tr> <td style="width: 60%;"></td> <td style="width: 40%; text-align: center;">\$</td> </tr> </table>		1 000,00	\$		\$		\$	<p>13</p> <p>14</p> <p>15</p>																												
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<p>10 Certificate of the financial institution <i>(This return must be signed by a person authorized by the financial institution which administers the plan.)</i></p> <p>I certify that:</p> <p style="margin-left: 20px;">the information given in this return and sections 1 to 3 of Appendix 2 are true, exact and complete and faithfully represent the plan's financial position.</p> <p style="margin-left: 20px;">the plan was administered in accordance with the Supplemental Pension Plans Act and the Regulation respecting plans exempted from the application of certain provisions of the Supplemental Pension Plans Act, except for any irregularities mentioned in this return.</p> <p>Authorized person's full name (please print) _____ Authorized person's capacity (please print) _____</p> <table border="1" style="width: 100%;"> <tr> <td style="width: 50%; height: 30px; vertical-align: bottom;">Signature</td> <td style="width: 50%; height: 30px; vertical-align: bottom;">Date</td> </tr> </table>		Signature	Date																																	
Signature	Date																																			

Appendix 1 Names of the employers that are parties to the plan

Provide the names of all employers that are parties to the plan. If more space is needed, use additional sheets and attach them to this form.

1	Employer's name
2	Employer's name
3	Employer's name
4	Employer's name
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18	Employer's name
19	Employer's name
20	Employer's name
21	Employer's name
22	Employer's name
23	Employer's name
24	Employer's name

Appendix 2 Statement of financial position and report on plan investments

The information required in this appendix for the fiscal year must be determined according to generally accepted accounting principles.

Sections 1 to 3 of this appendix must be completed by the financial institution that administers the plan.

Section 4 of this appendix must be completed and signed by an accountant.

1 Statement of changes in the plan's net assets

1.1 Increase in assets

Income and net gains (or losses) on investments			\$ 201
Contributions:			
Member contributions		\$ 202	
Employer contributions		\$ 203	
		Total of lines 202 and 203	\$ 204
Transfers to the pension fund			\$ 205
Other sources of increase (specify)		\$ 206	
		\$ 207	
		Total of lines 206 and 207	\$ 208
TOTAL INCREASE IN ASSETS		Total of lines 201, 204, 205 and 208	\$ 209

1.2 Decrease in assets

Expenses related to the investments		\$ 210	
Costs of plan administration		\$ 211	
		Total of lines 210 and 211	\$ 212
Payments to members and assigns			\$ 213
Transfers from the pension fund			\$ 214
Other sources of decrease (specify)		\$ 215	
		\$ 216	
		Total of lines 215 and 216	\$ 217
TOTAL DECREASE IN ASSETS		Total of lines 212 to 214 and 217	\$ 218
CHANGE IN NET ASSETS		Balance (line 209 less line 218)	\$ 219
NET ASSETS AT BEGINNING OF FISCAL YEAR	(Indicate net assets at end of preceding fiscal year.)		\$ 220
NET ASSETS AT END OF FISCAL YEAR		Total of lines 219 and 220	\$ 221

2 Net assets			
2.1 Assets			
2.1.1 Cash			
Cash on hand:		\$	222
2.1.2 Investments			
Debt securities:			
Money market mutual funds		\$	223
Bonds and other debt securities issued or guaranteed by Québec, Canada or a Canadian province		\$	224
Fixed-income mutual funds:			
- Bond mutual funds		\$	225
- Hypothecary (mortgage) mutual funds		\$	226
Amounts deposited in the general fund of an insurer		\$	227
Term deposits guaranteed in whole or in part by the Régie de l'assurance-dépôts du Québec or a similar body		\$	228
	Total of lines 223 to 228	\$	229
Equity securities:			
Stock mutual funds		\$	230
Immovables (real estate) mutual funds		\$	231
	Total of lines 230 and 231	\$	232
Balanced mutual funds		\$	233
Other investments (specify)		\$	234
		\$	235
		\$	236
		\$	237
	Total of lines 229 and 232 to 237	\$	238
2.1.3 Accounts receivable			
Contributions receivable:			
Member contributions		\$	239
Employer contributions		\$	240
	Total of lines 239 and 240	\$	241
		\$	242
Investment income receivable			
Other amounts receivable (specify)		\$	243
		\$	244
	Total of lines 243 and 244	\$	245
2.1.4 Other assets			
Other (specify)		\$	246
		\$	247
	Total of lines 246 and 247	\$	248
TOTAL ASSETS	Total of lines 222, 238, 241, 242, 245 and 248	\$	249
2.2 Liabilities			
2.2.1 Accounts payable			
Payments and transfers payable		\$	250
Other amounts payable (specify)		\$	251
		\$	252
TOTAL LIABILITIES	Total of lines 250 to 252	\$	253
NET ASSETS	Balance (line 249 less line 253)	\$	254

