

Treasury Board

Gouvernement du Québec

T.B. 198941, 22 October 2002

An Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10; 2001, c. 31; 2002, c. 30)

Schedules I and II.1 — Amendments

An Act respecting the Pension Plan of Management Personnel (2001, c. 31; 2002, c. 30)

Schedule II — Amendments

Amendments to Schedules I and II.1 to the Act respecting the Government and Public Employees Retirement Plan and to Schedule II to the Act respecting the Pension Plan of Management Personnel

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

WHEREAS, under the first paragraph of section 220 of the Act, amended by section 358 of chapter 31 of the Statutes of 2001 and by section 68 of chapter 30 of the Statutes of 2002, the Government may, by order, amend Schedules I, II, II.1, II.2, III, III.1 and VI, and where the Government amends Schedule I or II, it must also amend to the same effect Schedule II to the Act respecting the Pension Plan of Management Personnel and such order may have effect 12 months or less before it is made;

WHEREAS, under the first paragraph of section 1 of the Act respecting the Pension Plan of Management Personnel (2001, c. 31), the Pension Plan of Management

Personnel applies to employees and persons appointed or engaged on or after 1 January 2001 to hold, with the corresponding classification, non-unionizable employment designated in Schedule I and referred to in Schedule II;

WHEREAS, under the second paragraph of section 1 of that Act, the plan also applies to the extent provided for in Chapter I of that Act, from 1 January 2001, to employees and persons referred to in Schedule II, appointed or engaged before that date to hold, with the corresponding classification, non-unionizable employment designated in Schedule I, to the extent that, on 31 December 2000, they were members of the Government and Public Employees Retirement Plan as employees governed by the special provisions enacted under Title IV.0.1 of the Act respecting the Government and Public Employees Retirement Plan, and to the extent that, on 1 January 2001, they would have maintained their membership in the plan under such special provisions if those provisions had not been replaced by the Act respecting the Pension Plan of Management Personnel;

WHEREAS, under the first paragraph of section 207 of that Act, amended by section 153 of chapter 30 of the Statutes of 2002, the Government may, by order, amend Schedule II, but only to the extent provided for in section 220 of the Act respecting the Government and Public Employees Retirement Plan, and any such order may have effect 12 months or less before it is made;

WHEREAS, in accordance with section 40 of the Public Administration Act (R.S.Q., c. A-6.01), amended by section 394 of chapter 31 of the Statutes of 2001, the Conseil du trésor shall, after consulting the Minister of Finance, exercise the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except the powers referred to in subparagraphs 1 to 6 of that provision;

WHEREAS, by Order in Council 1109-2002 dated 25 September 2002, the Minister of Finance shall thenceforth be Minister of Finance, the Economy and Research;

WHEREAS the Minister of Finance, the Economy and Research was consulted;

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

WHEREAS, under the first paragraph of section 416 of the Act respecting the Pension Plan of Management Personnel, the regulations and orders made under the provisions of the Act respecting the Government and Public Employees Retirement Plan that are in force on 20 June 2001 shall be considered, for the purposes of that Act, as regulations and orders made under the corresponding provisions of that Act and they shall apply, with the necessary modifications, until they are replaced by regulations and orders made under such corresponding provisions;

WHEREAS the Regulation under the Act respecting the Government and Public Employees Retirement Plan has not been replaced and shall be considered, for the purposes of the Act respecting the Pension Plan of Management Personnel, as a regulation made under paragraph 25 of the first paragraph of section 196 of that Act;

WHEREAS the Syndicat de l'enseignement de la Pointe-de-L'Île, the Syndicat des enseignantes et enseignants du CEGEP de l'Abitibi-Témiscamingue, the Syndicat du personnel de soutien en éducation (S.P.S.É.) and the Syndicat du personnel enseignant du Collège de Sherbrooke-CSN meet the conditions provided for in that Regulation;

THEREFORE, THE CONSEIL DU TRÉSOR DECIDES :

THAT the Amendments to Schedules I and II.1 to the Act respecting the Government and Public Employees Retirement Plan and to Schedule II to the Act respecting the Pension Plan of Management Personnel, attached to this Decision, be made.

ALAIN PARENTEAU,
Clerk of the Conseil du trésor

Amendments to Schedules I and II.1 to the Act respecting the Government and Public Employees Retirement Plan* and to Schedule II to the Act respecting the Pension Plan of Management Personnel**

An Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10, s. 220, 1st par.; 2001, c. 31, s. 358; 2002, c. 30, s. 68)

An Act respecting the Pension Plan of Management Personnel
(2001, c. 31, s. 207, 1st par.; 2002, c. 30, s. 153)

I. Schedule I to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10) is amended by inserting the following bodies in paragraph 1 and in alphabetical order:

* Schedule I to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10) was amended, since the Revised Statutes of Québec were last updated to 1 April 2001, by T.B. 196698 dated 26 June 2001 (2001, *G.O.* 2, 4033), T.B. 196963 dated 21 August 2001 (2001, *G.O.* 2, 4911), T.B. 197036 dated 11 September 2001 (2001, *G.O.* 2, 5707), T.B. 197037 dated 11 September 2001 (2001, *G.O.* 2, 5108), T.B. 197300 dated 20 November 2001 (2001, *G.O.* 2, 6166), T.B. 197301 dated 20 November 2001 (2001, *G.O.* 2, 6168), T.B. 197302 dated 20 November 2001 (2001, *G.O.* 2, 6170), T.B. 197303 dated 20 November 2001 (2001, *G.O.* 2, 6172), T.B. 197373 dated 4 December 2001 (2001, *G.O.* 2, 6451), T.B. 197375 dated 4 December 2001 (2001, *G.O.* 2, 6452), T.B. 197464 dated 18 December 2001 (2002, *G.O.* 2, 257), 198080 dated 16 April 2002 (2002, *G.O.* 2, 2303) and T.B. 198513 dated 25 June 2002 (2002, *G.O.* 2, 3962), and by section 361 of chapter 31 of the Statutes of 2001 and section 71 of chapter 30 of the Statutes of 2002.

Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan was amended, since the Revised Statutes of Québec were last updated to 1 April 2001, by T.B. 197037 dated 11 September 2001 (2001, *G.O.* 2, 5108), T.B. 197302 dated 20 November 2001 (2001, *G.O.* 2, 6170), T.B. 197303 dated 20 November 2001 (2001, *G.O.* 2, 6172) and T.B. 197375 dated 4 December 2001 (2001, *G.O.* 2, 6352), and by section 49 of chapter 32 of the Statutes of 2000 and section 363 of chapter 31 of the Statutes of 2001.

** Schedule II to the Act respecting the Pension Plan of Management Personnel (2001, c. 31) came into force on 1 January 2001 and was amended by T.B. 197299 dated 20 November 2001 (2001, *G.O.* 2, 6165), T.B. 197300 dated 20 November 2001 (2001, *G.O.* 2, 6166), T.B. 197301 dated 20 November 2001 (2001, *G.O.* 2, 6168), T.B. 197302 dated 20 November 2001 (2001, *G.O.* 2, 6170), T.B. 197303 dated 20 November 2001 (2001, *G.O.* 2, 6172), T.B. 197373 dated 4 December 2001 (2001, *G.O.* 2, 6451), T.B. 197375 dated 4 December 2001 (2002, *G.O.* 2, 6452), T.B. 197464 dated 18 December 2001 (2002, *G.O.* 2, 257), T.B. 198080 dated 16 April 2002 (2002, *G.O.* 2, 2303) and T.B. 198513 dated 25 June 2002 (2002, *G.O.* 2, 3962), and by section 156 of chapter 30 of the Statutes of 2002.

(1) The Syndicat des enseignantes et enseignants du CEGEP de l'Abitibi-Témiscamingue; and

(2) The Syndicat du personnel enseignant du Collège de Sherbrooke-CSN.

2. Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan is amended by inserting the following bodies in alphabetical order:

(1) the Syndicat de l'enseignement de la Pointe-de-L'Île; and

(2) the Syndicat du personnel de soutien en éducation (S.P.S.É.).

3. Schedule II to the Act respecting the Pension Plan of Management Personnel (2001, c. 31) is amended by inserting the following bodies in paragraph 1 and in alphabetical order:

(1) the Syndicat des enseignantes et enseignants du CEGEP de l'Abitibi-Témiscamingue; and

(2) the Syndicat du personnel enseignant du Collège de Sherbrooke-CSN.

4. This Decision comes into force on the day it is made by the Conseil du trésor but has effect on the dates indicated for each of the following bodies:

(1) Syndicat de l'enseignement de la Pointe-de-L'Île 1 July 2002;

(2) Syndicat des enseignantes et enseignants du CEGEP de l'Abitibi-Témiscamingue 12 months before this Decision is made;

(3) Syndicat du personnel de soutien en éducation (S.P.S.É.) 12 months before this Decision is made;

(4) Syndicat du personnel enseignant du Collège de Sherbrooke-CSN 12 months before this Decision is made.