

Treasury Board

Gouvernement du Québec

T.B. 200156, 9 September 2003

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

Schedule I

— Amendment

An Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1)

Schedule II

— Amendment

CONCERNING Amendments to Schedule I 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, VI and VII 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 (R.S.Q., c. R-12.1) and any 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, 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 the said 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 paragraphs 1 to 6 of that provision;

WHEREAS the Minister of Finance was consulted;

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

WHEREAS, 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 the Act respecting the Pension Plan of Management Personnel, 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 must be considered, for the purposes of the Act respecting the Pension Plan of Management Personnel, to be a regulation made under subparagraph 25 of the first paragraph of section 196 of that Act;

WHEREAS the Syndicat de l'Enseignement de la Mauricie (S.E.M.) meets the conditions prescribed in the Regulation;

THE CONSEIL DU TRÉSOR DECIDES :

THAT the Amendments to Schedule I 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 Schedule I 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, first 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, first par. ; 2002, c. 30, s. 153)

1. Schedule I to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10) is amended by inserting “the Syndicat de l'Enseignement de la Mauricie (S.E.M.)” in alphabetical order in paragraph 1.

2. Schedule II to the Act respecting the Pension Plan of Management Personnel (2001, c. 31) is amended by inserting “the Syndicat de l'Enseignement de la Mauricie (S.E.M.)” in alphabetical order in paragraph 1.

3. This Decision comes into force on the date it is made by the Conseil du trésor but has effect 12 months before that date.

5936

* Schedule I to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10) has been amended since the Revised Statutes of Québec were updated to 1 April 2002, by T.B.198080 dated 16 April 2002 (2002, G.O. 2, 2303), 198513 dated 25 June 2002 (2002, G.O. 2, 3962), 198941 dated 22 October 2002 (2002, G.O. 2, 5831) and 199356 dated 11 February 2003 (2003, G.O. 2, 1035), as well as by section 71 of chapter 30 of the Statutes of 2002.

** Schedule II to the Act respecting the Pension Plan of Management Personnel (2001, c. 31) came into force on 1 January 2001 and has been amended by T.B. 197299 dated 20 November 2001 (2001, G.O. 2, 6165), 197300 dated 20 November 2001 (2001, G.O. 2, 6166), 197301 dated 20 November 2001 (2001, G.O. 2, 6168), 197302 dated 20 November 2001 (2001, G.O. 2, 6170), 197303 dated 20 November 2001 (2001, G.O. 2, 6172), 197373 dated 4 December 2001 (2001, G.O. 2, 6451), 197375 dated 4 December 2001 (2001, G.O. 2, 6452), 197464 dated 18 December 2001 (2002, G.O. 2, 257), 198080 dated 16 April 2002 (2002, G.O. 2, 2303), 198513 dated 25 June 2002 (2002, G.O. 2, 3962), 198941 dated 22 October 2002 (2002, G.O. 2, 5831) and 199356 dated 11 February 2003 (2003, G.O. 2, 1035), as well as by section 156 of chapter 30 of the Statutes of 2002.