

Treasury Board

Gouvernement du Québec

T.B. 200583, 20 January 2004

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

Amendment to Schedule II.1

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

Amendment to Schedule III

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

WHEREAS, under paragraph 3 of section 2 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), the plan applies to an employee who is released without pay by his or her employer for union activities and who is in the employ of a body designated in Schedule II.1 if the employee belongs to the class of employees mentioned in that schedule in respect of that body;

WHEREAS, under section 16.1 of the Act, the pensionable salary of an employee who is released with pay for union activities is the salary paid to the employee by the employer and the salary, if any, paid to the employee by a body designated in Schedule II.1 and the body concerned must pay its employer's contributory amount and deduct the contributions from the pensionable salary it pays to such an employee;

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

WHEREAS, under paragraph 6 of section 2 of the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1), the Pension Plan of Management Personnel applies, to the extent provided for in Chapter I of the Act, to an employee appointed or engaged to hold, with the corresponding classification, non-unionizable employment designated in Schedule I, who is released without pay by an employer and who, while released without pay, holds non-unionizable employment designated in paragraph V of Schedule I with an organization designated in Schedule III;

WHEREAS, under section 27 of the Act, the pensionable salary of an employee who is released with pay to hold pensionable employment under the plan with an association representing the management personnel or for union activities is the salary paid to the employee by an employer and the salary, if any, paid to the employee by a body designated in Schedule III or, as the case may be, by a body designated in Schedule II.1 of the Act respecting the Government and Public Employees Retirement Plan and the body concerned must pay its employer's contributory amount and deduct the contributions from the pensionable salary it pays to such an employee;

WHEREAS, under the first paragraph of section 207 of the Act, the Government may, by order, amend Schedule III 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), the Conseil du trésor shall, after consulting the Minister of Finance, exercise the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except the powers set out in paragraphs 1 to 6 of that provision;

WHEREAS the Minister of Finance has been 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 subparagraph 25 of the first paragraph of section 134 of that Act, the conditions which permit a body, according to the category determined by the 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 former Act, as the regulations and orders made under the corresponding provisions of the former 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, as a regulation made under subparagraph 25 of the first paragraph of section 196 of the latter Act;

WHEREAS the Association des directeurs et directrices de succursale de la Société des alcools du Québec, the Fédération du personnel de soutien de l'enseignement supérieur (F.P.S.E.S.) (C.S.Q.) and the Syndicat de l'enseignement de la région de Vaudreuil meet the conditions prescribed by that Regulation;

THEREFORE, THE CONSEIL DU TRÉSOR DÉCIDES :

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

ALAIN PARENTEAU,
Clerk of the Conseil du trésor

Amendments to Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan* and to Schedule III 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.)

An Act respecting the Pension Plan of Management Personnel
(R.S.Q., c. R-12.1, s. 207, 1st par.)

1. Schedule II.1 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 alphabetical order:

(1) the Fédération du personnel de soutien de l'enseignement supérieur (F.P.S.E.S.) (C.S.Q.);

(2) the Syndicat de l'enseignement de la région de Vaudreuil.

2. Schedule III to the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1) is amended by inserting "the Association des directeurs et directrices de succursale de la Société des alcools du Québec" in alphabetical order.

3. This Decision comes into force on the date it is made by the Conseil du trésor and has effect from the date set out opposite each of the following bodies:

(1) the Association des directeurs et directrices de succursale de la Société des alcools du Québec	12 months before the date on which this Decision is made;
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(2) the Fédération du personnel de soutien de l'enseignement supérieur (F.P.S.E.S.) (C.S.Q.)	12 months before the date on which this Decision is made;
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(3) the Syndicat de l'enseignement de la région de Vaudreuil	1 September 2003.
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* Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan has been amended, since the Revised Statutes of Québec were last updated to 1 April 2003, by T.B. 199903 dated 3 June 2003 (2003, G.O. 2, 1946), 200157 dated 9 September 2003 (2003, G.O. 2, 2951), 200158 dated 9 September 2003 (2003, G.O. 2, 2954), 200478 dated 9 December 2003 (2003, G.O. 2, 3809) and 200479 dated 9 December 2003 (2003, G.O. 2, 3810).

** Schedule III to the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1) has not been amended since the Revised Statutes of Québec were last updated to 1 April 2003.