

Treasury Board

Gouvernement du Québec

T.B. 200671, 24 February 2004

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

Amendments to Schedules I and II.1

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

Amendments to Schedule II

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 paragraph 3 of section 2 of the Act, 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 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 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 the extent provided for in Chapter I of that Act, 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 first paragraph of section 207 of that Act, 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 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 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 Syndicat des professionnelles et professionnels du milieu de l'éducation de Montréal (SPPMEM) meets the conditions prescribed by that Regulation in order to be designated in Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan;

WHEREAS the Syndicat des travailleurs de l'enseignement de l'Est du Québec (STEEQ) meets the conditions prescribed by that Regulation in order to be designated in Schedule I to the Act respecting the Government and Public Employees Retirement Plan and in Schedule II to the Act respecting the Pension Plan of Management Personnel;

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, are hereby 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.)

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

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 des travailleurs de l’enseignement de l’Est du Québec (STEEQ)” in alphabetical order in paragraph 1.

2. Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan is amended by inserting “the Syndicat des professionnelles et professionnels du milieu de l’éducation de Montréal (SPPMEM)” in alphabetical order.

3. Schedule II to the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1) is amended by inserting “the Syndicat des travailleurs de l’enseignement de l’Est du Québec (STEEQ)” in alphabetical order in paragraph 1.

* 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 last updated to 1 April 2003, by T.B. 200156 dated 9 September 2003 (2003, *G.O.* 2, 2949), 200157 dated 9 September 2003 (2003, *G.O.* 2, 2951), 200158 dated 9 September 2003 (2003, *G.O.* 2, 2954) and 200479 dated 9 December 2003 (2003, *G.O.* 2, 3810).

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 II to the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1) has been amended, since the Revised Statutes of Québec were last updated to 1 April 2003, by T.B. 200156 dated 9 September 2003 (2003, *G.O.* 2, 2949), 200157 dated 9 September 2003 (2003, *G.O.* 2, 2951), 200158 dated 9 September 2003 (2003, *G.O.* 2, 2954) and 200479 dated 9 December 2003 (2003, *G.O.* 2, 3810).

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

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|---|---|
| (1) Syndicat des professionnelles et professionnels du milieu de l'éducation de Montréal (SPPMEM) | 1 July 2003; |
| (2) Syndicat des travailleurs de l'enseignement de l'Est du Québec (STEEQ) | 12 months before this decision is made. |

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Gouvernement du Québec

T.B. 200683, 24 February 2004

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

Regulation — Amendments

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

Regulation — Amendments

Regulation to amend the Regulation under the Act respecting the Government and Public Employees Retirement Plan and the Regulation to amend the Regulation under the Act respecting the Pension Plan of Management Personnel

WHEREAS, under subparagraph 22 of the first paragraph of section 134 and section 217 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), the Government may, by regulation, establish, based on the rate of return of certain categories of amounts contemplated in section 127 and designated by regulation, the rules and terms governing the computation of interest;

WHEREAS the Government made the Regulation under the Act respecting the Government and Public Employees Retirement Plan by Order in Council 1845-88 dated 14 December 1988;

WHEREAS sections 45 and 46 of that Regulation establish the rules and terms governing the computation of interest and it is expedient to amend them;

WHEREAS, under the first paragraph of section 134 of the Act respecting the Government and Public Employees Retirement Plan, the Government may make the regulation after the Commission administrative des régimes de retraite et d'assurances has consulted the Comité de retraite referred to in section 164 of the Act;

WHEREAS the Comité de retraite has been consulted;

WHEREAS, under subparagraph 21 of the first paragraph of section 196 and section 204 of the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1), the Government may, by regulation, establish, based on the rate of return of certain classes of amounts referred to in section 177 and designated by regulation, the rules and procedure governing the computation of interest;

WHEREAS the Government made the Regulation under the Act respecting the Pension Plan of Management Personnel by Decision of the Conseil du trésor T.B. 197327 dated 27 November 2001;

WHEREAS sections 2 and 3 of that Regulation establish the rules and procedures governing the computation of interest and it is expedient to amend them;

WHEREAS, under subparagraph 4 of the first paragraph of section 196 of the Act respecting the Pension Plan of Management Personnel, the Government may, by regulation, determine the bonuses, allowances, compensations or other additional remuneration that are included in the basic salary referred to in section 25;

WHEREAS it is expedient to replace Division I.2 of the Regulation under the Act respecting the Pension Plan of Management Personnel introduced by the Regulation to amend the Regulation under the Act respecting the Pension Plan of Management Personnel made by Decision of the Conseil du trésor T.B. 200524 dated 16 December 2003 (2004, *G.O.* 2, 24), in order to correct a numbering mistake;

WHEREAS, under the first paragraph of section 196 of the Act respecting the Pension Plan of Management Personnel, the Government may make the regulation after the Commission administrative des régimes de retraite et d'assurances has consulted the Comité de retraite referred to in section 173.1 of the Act respecting the Government and Public Employees Retirement Plan;