

Treasury Board

Gouvernement du Québec

T.B. 200718, 9 March 2004

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

**Partition and assignment between spouses of benefits accrued under a pension plan
— Recovery of certain administrative expenses and of certain other expenses
— Revocation**

Regulation to revoke the Regulation respecting the recovery of certain administrative expenses and of certain other expenses within the framework of the partition and assignment between spouses of benefits accrued under a pension plan

WHEREAS, under section 158.7 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), the Government may, by regulation, provide for the recovery by the Commission administrative des régimes de retraite et d'assurances of certain administrative expenses and certain other expenses incurred by the Commission in connection with applications concerning pension plans administered by the Commission or pension plans payment of the benefits of which is a responsibility of the Commission, submitted in connection with family mediation proceedings or proceedings for the partition or transfer between spouses of benefits accrued under a pension plan. The Government may also provide that such expenses, if not paid on the date specified in the regulation, bear interest computed in the manner prescribed in the regulation and at the rates fixed in Schedule VI;

WHEREAS, under section 158.13 of the Act, government regulations under section 158.7 shall be made after the Commission has consulted with the pension committees referred to in sections 164 and 173.1 of the Act and, for the purposes of the consultation, the draft regulations must be submitted to the committees at least 30 days before they are adopted;

WHEREAS, under subparagraph 22.1 of the first paragraph of section 134 of the Act, the Government may, by regulation, after the Commission has consulted the Comité de retraite referred to in section 164 of the Act,

make, for the purposes of section 158.7, provisions for the recovery of certain administrative expenses and certain other expenses incurred by the Commission;

WHEREAS the Regulation respecting the recovery of certain administrative expenses and of certain other expenses within the framework of the partition and assignment between spouses of benefits accrued under a pension plan was made by Order in Council 352-91 dated 20 March 1991;

WHEREAS it is expedient to revoke the Regulation;

WHEREAS the pension committees referred to in sections 164 and 173.1 of the Act have been consulted in relation to the draft Regulation to revoke the Regulation respecting the recovery of certain administrative expenses and of certain other expenses within the framework of the partition and assignment between spouses of benefits accrued under a pension plan;

WHEREAS, under 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 certain powers;

WHEREAS the Minister of Finance has been consulted;

WHEREAS, in accordance with the Regulations Act (R.S.Q., c. R-18.1), the Regulation was published as a draft in Part 2 of the *Gazette officielle du Québec* of 22 October 2003 with a notice that it could be made by the Conseil du trésor at the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

THEREFORE, THE CONSEIL DU TRÉSOR DECIDES :

THAT the Regulation to revoke the Regulation respecting the recovery of certain administrative expenses and of certain other expenses within the framework of the partition and assignment between spouses of benefits accrued under a pension plan, attached hereto, is hereby made.

ROBERT CAVANAGH,
Deputy clerk of the Conseil du trésor

**Regulation to revoke the Regulation
respecting the recovery of certain
administrative expenses and of certain
other expenses within the framework
of the partition and assignment between
spouses of benefits accrued under
a pension plan***

An Act respecting the Government and
Public Employees Retirement Plan
(R.S.Q., c. R-10, s. 134, 1st par., subpar. 22.1
and s. 158.13)

- 1.** The Regulation respecting the recovery of certain administrative expenses and of certain other expenses within the framework of the partition and assignment between spouses of benefits accrued under a pension plan is revoked.
- 2.** This Regulation comes into force on the date it is made, but has effect from 1 April 2003.

6211

* The Regulation respecting the recovery of certain administrative expenses and of certain other expenses within the framework of the partition and assignment between spouses of benefits accrued under a pension plan, made by Order in Council 352-91 dated 20 March 1991 (1991, *G.O.* 2, 1314), was last amended by the regulation made by Order in Council 402-95 dated 29 March 1995 (1995, *G.O.* 2, 1129). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 September 2003.