

Treasury Board

Gouvernement du Québec

T.B. 201440, 24 August 2004

An Act respecting the Pension Plan of Peace Officers in Correctional Services
(R.S.Q., c. R-9.2)

Regulation

— Amendments

Regulation to amend the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services

WHEREAS, under section 66.4 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., c. R-9.2), the Government may, by regulation, provide for the payment of supplementary benefits to be added to the amount of the pension and determine the rules, terms and conditions relating to the supplementary benefits as well as the applicable limits;

WHEREAS, under section 66.9 of the Act, a regulation enacted under Division III.2, which includes section 66.4, may have effect 12 months or less before its adoption;

WHEREAS the Government made the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services by Order in Council 1842-88 dated 14 December 1988;

WHEREAS it is expedient to amend the Regulation;

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;

THEREFORE, THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services, attached to this Order in Council, is hereby made.

ROBERT CAVANAGH,
Deputy Clerk of the Conseil du trésor

Regulation to amend the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services*

An Act respecting the Pension Plan of Peace Officers in Correctional Services
(R.S.Q., c. R-9.2, ss. 66.4 and 66.9)

1. Section 3 of the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services is amended by replacing “of the Act respecting the Government and Public Employees Retirement Plan” in the first paragraph of subparagraph *B* of subparagraph II by “of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10)”.

2. Section 7.17 is amended by adding the following paragraph at the end:

“Where the amount of the supplementary benefits has been reduced pursuant to the first paragraph, the limits referred to in that paragraph, established on the date on which the employee retires and under which the reduction is made, are indexed according to the rate of increase in the Pension Index within the meaning of the Act respecting the Québec Pension Plan (R.S.Q., c. R-9) on 1 January of each year during which those benefits are paid to the employee. The first index adjustment of the amount is made proportionately to the number of days for which the benefit was or would have been paid during the year in which the employee ceased to participate in this plan in relation to the total number of days in that year. The supplementary benefits shall be recomputed in the manner prescribed by this Chapter to take the index adjustment into account.”

3. The following is inserted after section 7.17:

* The Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services, made by Order in Council 1842-88 dated 14 December 1988 (1988, *G.O.* 2, 4149), was last amended by the regulation made by Decision 200520 of the Conseil du trésor dated 16 December 2003 (2004, *G.O.* 2, 21). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2004, updated to 1 March 2004.

“7.17.1. Division I of this Chapter applies to an employee who, on 1 January 2002, belonged to the subclass referred to in paragraph 9 of Division III of the Schedule to the Regulation respecting the designation of classes or subclasses of employees and the determination of special provisions applicable to employees of the Institut Pinel, made by Order in Council 1443-92 (1992, *G.O.* 2, 4663). For the purposes of paragraph 5 of section 7.10, the contributions are those that the employee paid or the contributions the employee was exempted from paying to the Government and Public Employees Retirement Plan.

Division II of this Chapter applies to an employee referred to in the first paragraph. For the purposes of section 7.12, the term “plan” refers to the Government and Public Employees Retirement Plan.”.

4. This Regulation comes into force on the day it is made but has effect from 1 September 2003.