

in Schedule VIII to the Act respecting the Pension Plan of Management Personnel, in force on the date the application is received at the Commission and computed from that date until the date of the transfer. In the event of death, that amount accrued with the interest is paid to the spouse or, if there is no spouse, to the successors.”.

2. Section 6 is amended by replacing the last two sentences in the first paragraph by “That value bears interest at the rate computed in accordance with the fourth paragraph of section 5. In the event of death, that value accrued with interest is paid to the spouse or, if there is no spouse, to the successors.”.

3. Section 8 is amended

(1) by replacing “compounded annually at the rate determined for each period by Schedule VI to the Act respecting the Government and Public Employees Retirement Plan. The interest runs from the date of the transfer and, where applicable, of the reimbursement” in the first paragraph by “, compounded annually, at the rates determined in Schedule VI to the Act respecting the Government and Public Employees Retirement Plan from the date of the transfer and, where applicable, the date of the reimbursement until the date the application is received at the Commission and at the rate determined in Schedule VII to that Act from the day following the latter date”;

(2) by replacing the second paragraph by the following:

“For the purposes of the first paragraph, where a person was a member of the Government and Public Employees Retirement Plan or the Pension Plan of Management Personnel before the date of the transfer and the person holds or again holds employment under either of those plans, the years or parts of a year of service that were credited before the date of the transfer are credited under the plan of which the person is a member after that date, and the interest rates are those of that plan, namely the rates determined in Schedules VI and VII to the Act respecting the Government and Public Employees Retirement Plan or the rates determined in Schedules VII and VIII to the Act respecting the Pension Plan of Management Personnel.”.

4. This Regulation comes into force on 1 June 2005.

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T.B. 202422, 24 May 2005

An Act respecting the Pension Plan of Peace Officers in Correctional Services
(R.S.Q., c. R-9.2; 2004, c. 39)

Regulation — **Amendments**

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

WHEREAS, under paragraph 10 of section 130 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., c. R-9.2), amended by section 47 of the Act to amend the Act respecting the Pension Plan of Peace Officers in Correctional Services and other legislative provisions (2004, c. 39), the Government may, by regulation, establish, for the purposes of section 132.2 of the Act respecting the Pension Plan of Peace Officers in Correctional Services, the limit applicable to the pensionable salary, the limit applicable to the service credited, the rules and procedures for computing the pension, and the conditions for applying those limits, rules and procedures;

WHEREAS, under paragraph 11 of that section 130, the Government may establish, for the purposes of section 132.3 of the Act, the periods of absence that may be credited for each type of absence and in total;

WHEREAS, under paragraph 14 of that section 130, the Government may establish, for the purposes of section 143.19 of the Act, the procedures for the computation of the annual basic salary;

WHEREAS, under section 284 of the Act to amend the Act respecting the Pension Plan of Peace Officers in Correctional Services and other legislative provisions, the first regulation made under section 143.19 of the Act respecting the Pension Plan of Peace Officers in Correctional Services may have effect from 1 January 2005;

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 and its subsequent amendments;

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 Decision, is hereby made.

SERGE MARTINEAU,
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, s. 130, pars. 10, 11 and 14; 2004, c. 39, s. 47, pars. 8 and 9 and s. 284)

1. Section 8.1 of the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services is amended

(1) by inserting “in which the employee was not a member of a pension plan within the meaning of the Income Tax Act (Statutes of Canada)” in the first paragraph after “January 1990”;

(2) by replacing “(Statutes of Canada) for the year in which the redemption proposal is made to the employee” in the first paragraph by “(Statutes of Canada) for the year in which the application for redemption is received at the Commission administrative des régimes de retraite et d’assurances”;

(3) by replacing “applicable for the year in which the redemption proposal is made to the employee” in the first paragraph by “applicable for the year in which the application for redemption is received at the Commission”.

* 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 Conseil du trésor Decision T.B. 201440 dated 24 August 2004 (2004, *G.O.* 2, 2611). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 March 2005.

2. Section 8.2 is amended by replacing “parts of years prior to 1 January 1990 that were” in the first paragraph by “parts of a year prior to 1 January 1990 in which the employee was not a member of a pension plan within the meaning of the Income Tax Act (Statutes of Canada) and that were”.

3. The heading of Chapter X is replaced by the following:

“PERIODS OF ABSENCE THAT MAY BE CREDITED UNDER THE PENSION PLAN OF PEACE OFFICERS IN CORRECTIONAL SERVICES (s. 130, par. 11)”.

4. Section 8.3 is amended by replacing “, except those during which he is eligible for salary insurance and those” in the first paragraph by “after 31 December 1991, except the periods during which the employee was exempt from any contribution under section 18 or 19 of the Act and the periods”.

5. The following is inserted after section 8.3:

8.3.1. An employee may be credited under the plan with each period of absence without pay prior to 1 January 1990, without exceeding two years of service except in the case of a period of absence related to total disability, educational leave, sabbatical leave, maternity leave, paternity leave or adoption leave.

8.3.2. Despite section 8.3.1, an employee may be credited under the plan, without exceeding three years of service, with each period of absence prior to 1 January 1990 during which the employee held employment with the Government of Canada, the government of another province, a union, an association representing management personnel, a charitable organization or an educational institution if no contribution concerning that period has been accumulated in another plan.

CHAPTER X.1 ANNUAL BASIC SALARY (s. 130, par. 14)

8.3.3. If the total service credited to the employee is reduced under section 16 of the Act to which section 143.18 of the Act refers, the annual basic salary of the employee or person, for the years 1989 to 1992, corresponds to the pensionable salary received for the year concerned divided by the service credited for that year.

The salary must not exceed, for each of the years concerned, the maximum of the salary scale for peace officers in correctional services applicable for the years 1989 to 1992 respectively.”.

6. This Regulation comes into force on the date it is made by the Government. However, Chapter X.1 of the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services, enacted by section 5, has effect from 1 January 2005.

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