

**11.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

7214

Gouvernement du Québec

**O.C. 1008-2005, 26 October 2005**

An Act respecting retirement plans for the mayors and councillors of municipalities (R.S.Q., c. R-16)

**Determination of the rate of interest applicable to the retirement plan**

Regulation respecting the determination of the rate of interest applicable to the retirement plan for the mayors and councillors of municipalities

WHEREAS, under subparagraph *a* of the first paragraph of section 42 of the Act respecting retirement plans for the mayors and councillors of municipalities (R.S.Q., c. R-16), amended by section 128 of chapter 28 of the Statutes of 2005, the Government may make a regulation to determine the rates of interest for which the Act provides for the fixing by regulation and, as the case may be, the rules governing the computing of the interest;

WHEREAS the Government made the Regulation on the setting of the interest rate by Order in Council 2507-83 dated 6 December 1983;

WHEREAS it is expedient to replace the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation respecting the determination of the rate of interest applicable to the retirement plan for the mayors and councillors of municipalities was published in Part 2 of the *Gazette officielle du Québec* of 13 July 2005 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the Commission administrative des régimes de retraite et d'assurances received no comment on the draft Regulation within that period;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Regions:

THAT the Regulation respecting the determination of the rate of interest applicable to the retirement plan for the mayors and councillors of municipalities, attached to this Order in Council, be made.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

**Regulation respecting the determination of the rate of interest applicable to the retirement plan for the mayors and councillors of municipalities**

An Act respecting retirement plans for the mayors and councillors of municipalities (R.S.Q., c. R-16, s. 42, 1st par., subpar. *a*, and 2nd par.; 2005, c. 28, s.128)

**1.** For the purposes of the Act respecting retirement plans for the mayors and councillors of municipalities (R.S.Q., c. R-16), the annual rate of interest is determined by computing the geometric mean of the annual rates of return for the three-year period ending on 31 December of the year preceding the reference year, according to the formula in Schedule I. The first rate of interest determined applies from the first day of the month following the date of its publication in the *Gazette officielle du Québec* and, thereafter, as of 1 June of each year.

The annual rate of return is the rate determined by the Caisse de dépôt et placement du Québec on 31 December of each year for the specific fund of the retirement plan established by the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., c. R-9.3), after deduction of the management expenses.

**2.** This Regulation replaces the Regulation on the setting of the interest rate, made by Order in Council 2507-83 dated 6 December 1983.

**3.** This Regulation comes into force on the first day of the month following the date of its publication in the *Gazette officielle du Québec*.

**SCHEDULE I****COMPUTATION OF THE RATE OF INTEREST**

The formula for the computation of the rate of interest for the reference year is the following :

$$i_y = ((1 + T_{y-1}) (1 + T_{y-2}) (1 + T_{y-3}))^{1/3} - 1$$

where

$T_{y-1}$  is the rate of return for the year preceding the reference year

$T_{y-2}$  is the rate of return for the year preceding the reference year by two years

$T_{y-3}$  is the rate of return for the year preceding the reference year by three years.

7215

Gouvernement du Québec

**O.C. 1009-2005, 26 October 2005**

An Act respecting the Pension Plan of Elected Municipal Officers  
(R.S.Q., c. R-9.3)

**Regulation  
— Amendments**

Regulation to amend the Regulation respecting the application of the Act respecting the Pension Plan of Elected Municipal Officers

WHEREAS, under subparagraph 1 of the first paragraph of section 75 of Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., c. R-9.3), the Government may make a regulation to determine the rates of interest which must be fixed by regulation pursuant to the Act and, where that is the case, the rules governing the computation of the interest;

WHEREAS, under subparagraph 6 of the first paragraph of section 75 of the Act, the Government may make a regulation to determine the procedure for the establishment of any redemption cost referred to in section 63.0.3 or 63.0.8 of the Act;

WHEREAS the Government made the Regulation respecting the application of the Act respecting the Pension Plan of Elected Municipal Officers by Order in Council 1742-89 dated 15 November 1989, which was last amended by the regulation made by Order in Council 577-2004 dated 30 June 2004;

WHEREAS it is expedient to again amend the Regulation to modify the rules governing the computation of the interest applicable under the Act respecting the Pension Plan of Elected Municipal Officers to contribution refunds and to modify, in connection with the establishment of the procedure for computing a redemption referred to in section 63.0.3 or 63.0.8 of the Act, the rate of interest specifically applicable to redemption costs paid by instalments;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation to amend the Regulation respecting the application of the Act respecting the Pension Plan of Elected Municipal Officers was published in Part 2 of the *Gazette officielle du Québec* of 13 July 2005 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the Commission administrative des régimes de retraite et d'assurances received no comment on the draft Regulation within that period;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Regions:

THAT the Regulation to amend the Regulation respecting the application of the Act respecting the Pension Plan of Elected Municipal Officers, attached to this Order in Council, be made.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

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