

Draft Regulation

Supplemental Pension Plans Act
(R.S.Q., c. R-15.1)

Pension plans
— Exemption of certain categories from
the application of the Act
— Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the exemption of certain categories of pension plans from the application of the Supplemental Pension Plans Act, the text of which appears below, may be made by the government upon the expiry of 45 days following this publication.

The draft Regulation makes changes to the simplified pension plan in order to allow an employer to stipulate that the right of a member to receive a refund of his not locked-in member contributions or to transfer them is deferred to the end of his active membership.

Further information may be obtained from Mr. Pierre Bégin, Régie des rentes du Québec, Place de la Cité, 2600, boulevard Laurier, Québec (Québec) G1V 4T3; tel.: 418 657-8732 ext. 3914; fax: 659-8985; e-mail: pierre.begin@rrq.gouv.qc.ca

Any person having comments to make on this matter is asked to send them in writing, before the expiry of the period mentioned above, to Mr. Pierre Prémont, President and General Manager of the Régie des rentes du Québec, Place de la Cité, 2600, boulevard Laurier, 5^e étage, Québec (Québec) G1V 4T3. Comments will be forwarded by the Régie to the Minister of Employment and Social Solidarity, who is responsible for the application of the Supplemental Pension Plans Act.

MICHELLE COURCHESNE,
Minister of Employment and Social Solidarity

Regulation to amend the Regulation respecting the exemption of certain categories of pension plans from the application of provisions of the Supplemental Pension Plans Act*

Supplemental Pension Plans Act
(R.S.Q., c. R-15.1, s. 2, 2nd para.)

1. The Regulation respecting the exemption of certain categories of pension plans from the application of provisions of the Supplemental Pension Plans Act is amended by adding, after section 11, the following section:

“**11.0.1** The employer may stipulate that the right of a member, provided for in paragraph 5.1 of section 10, to receive a refund of his not locked-in member contributions or to transfer them is deferred to the end of his active membership. Such stipulation covers service rendered before and after its coming into effect.

The stipulation shall provide that the member may, nevertheless, transfer, in whole or in part, such contributions to a registered retirement savings plan to establish a home buyer’s plan or a lifelong learning plan. The member must declare in writing to the financial institution that he is transferring the contributions for that sole purpose.

Where the employer makes the stipulation after joining the plan, the financial institution that administers the plan shall notify the members 90 days before the coming into force of the stipulation.”

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

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* The last amendments to the Regulation respecting the exemption of certain categories of pension plans from the application of provisions of the Supplemental Pension Plans Act, approved by Order in Council 1160-90, dated 8 August 1990 (*G.O.* 1990, 2, 2333), were made by the regulation made by Order in Council 436-2004, dated 6 May 2004 (*G.O.* 2004, 2, 1615). For the preceding amendments, see the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2005, updated to 1 September 2005.