



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 26

(2006, chapter 10)

**An Act to amend the Act respecting
the National Assembly and the Act
respecting the conditions of employment
and the pension plan of the Members of
the National Assembly**

Introduced 11 May 2006

Passage in principle 8 June 2006

Passage 9 June 2006

Assented to 9 June 2006

EXPLANATORY NOTES

This bill amends the Act respecting the National Assembly to provide that the President and Vice-Presidents of the National Assembly may receive the transition allowance provided for in the Act respecting the conditions of employment and the pension plan of the Members of the National Assembly from the date of the general election if, following the dissolution of the Assembly, they do not run as candidates in the general election or are defeated in that election.

The bill also amends the Act respecting the National Assembly to enable the Office of the National Assembly to make a regulation to pay certain allowances and repay certain expenses and other costs for a period extending from the day on which a Member's seat becomes vacant or the Assembly is dissolved to the thirtieth day or the sixtieth day after polling day in the election held to fill the vacancy or in the election held following the dissolution of the Assembly.

The bill amends the Act respecting the conditions of employment and the pension plan of the Members of the National Assembly to allow the retirement pension to be payable concurrently with the transition allowance. It also amends that Act to provide that the part of a pension relating to years of service subsequent to 31 December 1999 is to be indexed according to the more advantageous of the following two percentages: 50% of the rate of increase in the Pension Index determined under the Act respecting the Québec Pension Plan or the percentage by which the rate of increase in the Pension Index determined under that Act exceeds 3%.

LEGISLATION AMENDED BY THIS BILL:

- Act respecting the National Assembly (R.S.Q., chapter A-23.1);
- Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (R.S.Q., chapter C-52.1).

Bill 26

AN ACT TO AMEND THE ACT RESPECTING THE NATIONAL ASSEMBLY AND THE ACT RESPECTING THE CONDITIONS OF EMPLOYMENT AND THE PENSION PLAN OF THE MEMBERS OF THE NATIONAL ASSEMBLY

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 24 of the Act respecting the National Assembly (R.S.Q., chapter A-23.1) is amended by striking out the third paragraph.

2. Section 104 of the Act is amended by replacing “the fifteenth day, or the thirtieth day” in the third paragraph by “the thirtieth day, or the sixtieth day”.

3. Section 32 of the Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (R.S.Q., chapter C-52.1) is replaced by the following section:

“32. The retirement pension is payable at the latest from 31 December in the year in which the person attains 69 years of age, even if the person has not ceased to be a Member on that date.”

4. Section 33 of the Act is replaced by the following section:

“33. The retirement pension is payable to a person 60 years of age or more who ceases to be a Member from the date on which the person ceases to be a Member, regardless of the date of the application.

The retirement pension is payable to a person under 60 years of age who ceases to be a Member from either of the following dates:

(1) the date on which the application is received; or

(2) any date mentioned in the application and subsequent to the date on which the application is received, but not later than the date on which the person attains 60 years of age.

However, if the person described in the second paragraph applies for a retirement pension after the date on which the person attains 60 years of age, the retirement pension is payable from that date.”

5. Section 36 of the Act is replaced by the following section:

“36. A retirement pension is payable to a person who was a Member before 1 January 1983 from the date on which the person ceases to be a Member or, at the latest, from 31 December in the year in which the person attains 69 years of age.”

6. Section 42 of the Act is replaced by the following section:

“42. The pension becomes payable to the spouse or children from the day of the Member’s death or from the day on which payment of the retirement pension of the pensioner ceases.”

7. Section 46 of the Act is repealed.

8. Section 48 of the Act is amended by replacing the first paragraph by the following paragraph:

“48. Every pension is indexed annually, at the time prescribed under section 119 of the Act respecting the Québec Pension Plan (chapter R-9),

(1) for the part attributable to service subsequent to 31 December 1982 but prior to 1 January 2000, by the percentage corresponding to the rate of increase in the Pension Index determined under that Act less 3%; and

(2) for the part attributable to service subsequent to 31 December 1999, by the percentage determined under subparagraph 1 of this paragraph or by half the rate of increase in the Pension Index, whichever is more advantageous.”

9. Section 49 of the Act is amended by replacing the third paragraph by the following paragraph:

“The pension, recalculated, if necessary, to take into account pension credits accumulated by the Member, becomes again payable from the date on which the person again ceases to be a Member or, at the latest, from 31 December of the year in which the person attains 69 years of age.”

10. Section 55 of the Act is amended by striking out “regardless of the payment of the transition allowance” at the end of the first paragraph.

11. Section 66 of the Act is amended by replacing the first paragraph by the following paragraph:

“66. Every person who is a Member after 31 December 1991 shall be entitled to supplementary benefits payable on the same date as the retirement pension. The benefits shall be granted in respect of all the years and parts of a year for which the person is entitled to a pension credit under Division III of Chapter II.”

12. Decisions 1283 and 1284 made by the Office of the National Assembly on 8 December 2005 to enact the regulations made under the third paragraph of section 104 of the Act respecting the National Assembly are deemed to have been made under section 104 of that Act as amended by section 2 of this Act and to have effect from that date.

13. Section 8 has effect from 1 January 2000.

14. This Act comes into force on 9 June 2006.