

Gouvernement du Québec

O.C. 798-2006, 22 August 2006

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

**Exemption of certain categories of pension plans
from the application of the Act
— Amendments**

IN THE MATTER of the Regulation to amend the Regulation respecting the exemption of certain categories of pension plans from the application of the Supplemental Pension Plans Act

WHEREAS in accordance with second paragraph of section 2 of the Supplemental Pension Plans Act (R.S.Q., c. R-15.1), the Government may, by regulation and on the conditions it determines:

— exempt any pension plan or category of pension plan it designates from the application of all or part of the Act, particularly by reason of the special characteristics of the plan or category or by reason of the complexity of the Act in relation to the number of members in the plan;

— prescribe special rules applicable to the plan or category;

WHEREAS pursuant to sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft regulation attached hereto was published in part 2 of the *Gazette officielle du Québec* on 17 May 2006 with a notice that it could be made by the Government upon expiry of a period of 45 days following that publication;

WHEREAS it is expedient to make the Regulation, with amendments to take into account comments made by interested parties;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Employment and Social Solidarity:

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 attached hereto be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

**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 par.)

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 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.

The plan shall provide:

(1) that a member may demand a lump-sum payment of the contributions referred to in this section, in accordance with the conditions set out in paragraph 11 of the first paragraph of section 10;

(2) that an active member is entitled to transfer such contributions in accordance with the conditions set out in paragraph 12 of the first paragraph of section 10.”

* 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, 2006, updated to 1 April 2006.

2. Paragraph 27 of the first paragraph of section 10 is amended by replacing the words “and the first paragraph of section 11” with the words “, the first paragraph of section 11 and section 11.0.1”.

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

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Gouvernement du Québec

O.C. 800-2006, 22 August 2006

An Act respecting collective agreement decrees (R.S.Q., c. D-2)

Automotive services industry

— Rimouski

— Amendments

CONCERNING the Decree to amend the Decree respecting the automotive services industry in the Rimouski region

WHEREAS the Government, in accordance with section 2 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), made the Decree respecting the automotive services industry in the Rimouski region (R.R.Q., 1981, c. D-2, r.49);

WHEREAS the contracting parties named in this Decree petitioned the Minister of Labour in accordance with section 6.1 of this Act, to have amendments made to this Decree;

WHEREAS sections 2 and 6.1 of this Act authorize the Government to amend a collective agreement decree;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and sections 5 and 6.1 of the Act respecting collective agreement decrees, a draft amendment decree was published in Part 2 of the *Gazette officielle du Québec* of April 19 2006 and, on this same date, in a French-language newspaper and an English-language newspaper, with a notice that it could be made by the Government upon the expiry of the 45 days following this publication;

WHEREAS no comment was brought forward concerning this project;

WHEREAS it is expedient to make this draft Decree without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour:

THAT the Decree to amend the Decree respecting the automotive services industry in the Rimouski region, attached hereto, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Decree to amend the Decree respecting the automotive services industry in the Rimouski region*

An Act respecting collective agreement decrees (R.S.Q., c. D-2, s. 2 and 6.1)

1. Section 1.01 of the Decree respecting the automotive services industry in the Rimouski region is amended by replacing subsection 4 by the following:

“4. “spouses”: either of two persons who:

(a) are married or in a civil union and are cohabiting;

(b) are of opposite sex or the same sex and are living together in a de facto union and are the father and mother of the same child;

(c) are of opposite sex or the same sex and have been living together in a de facto union for at least one year;”.

2. Section 2.02 of the Decree is replaced by the following:

“2.02. Territorial jurisdiction: This Decree applies to the city of Rimouski as well as the municipalities Saint-Anaclet-de-Lessard, Le Bic, Saint-Valérien”.

3. Section 3.04 of the Decree is replaced by the following:

“ 3.04. An employee is deemed to be at work in the following cases:

* The last amendments to the Decree respecting the automotive services industry in the Rimouski region (R.R.Q., 1981, c. D-2, r.49) were made by the regulation made under Order in Council No. 1391-99 dated 8 December 1999 (1999, *G.O.* 2, 4671). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2006, updated to 1 april 2006.