

Treasury Board

Gouvernement du Québec

T.B. 204549, 5 December 2006

An Act respecting the Government and Public Employees Retirement Plan
(R.S.Q., c. R-10)

Amendments to Schedules I and II.1

An Act respecting the Pension Plan of Management Personnel
(R.S.Q., c. R-12.1)

Amendments to Schedule II

Amendments to Schedules I and II.1 to the Act respecting the Government and Public Employees Retirement Plan and to Schedule II to the Act respecting the Pension Plan of Management Personnel

WHEREAS, under section 1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), the retirement plan applies to employees and persons designated in Schedule I, and employees and persons designated in Schedule II who were not members of a retirement plan on 30 June 1973 or who were appointed or engaged after 30 June 1973;

WHEREAS, under paragraph 3 of section 2 of the Act, the plan applies to an employee who is released without pay by his or her employer for union activities and who is in the employ of a body designated in Schedule II.1 if the employee belongs to the class of employees mentioned in that schedule in respect of that body;

WHEREAS, under section 16.1 of the Act, the pensionable salary of an employee who is released with pay for union activities is the salary paid to the employee by the employer and the salary, if any, paid to the employee by a body designated in Schedule II.1 and the body concerned must pay its employer's contributory amount and deduct the contributions from the pensionable salary it pays to such an employee;

WHEREAS, under the first paragraph of section 220 of the Act, the Government may, by order, amend Schedules I, II, II.1, II.2, III, III.1, VI and VII and where the Government amends Schedule I or II, it must also amend to the same effect Schedule II to the Act respecting the

Pension Plan of Management Personnel (R.S.Q., c. R-12.1) and any such order may have effect 12 months or less before it is made;

WHEREAS the Regulation under the Act respecting the Government and Public Employees Retirement Plan, made by Order in Council 1845-88 dated 14 December 1988, determines, in accordance with subparagraph 25 of the first paragraph of section 134 of the Act, the conditions which permit a body, according to the category determined by regulation, to be designated by order in Schedule I or II.1 of the Act;

WHEREAS, under the first paragraph of section 1 of the Act respecting the Pension Plan of Management Personnel, the Pension Plan of Management Personnel applies, to the extent provided for in Chapter I of that Act, to employees and persons appointed or engaged on or after 1 January 2001 to hold, with the corresponding classification, non-unionizable employment designated in Schedule I and referred to in Schedule II;

WHEREAS, under the first paragraph of section 207 of that Act, the Government may, by order, amend Schedule II to that Act, but only to the extent provided for in section 220 of the Act respecting the Government and Public Employees Retirement Plan and any such order may have effect 12 months or less before it is made;

WHEREAS, in accordance with 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 the powers referred to in paragraphs 1 to 6 of that provision;

WHEREAS the Minister of Finance has been consulted;

WHEREAS the Fédération autonome du Collégial (F.A.C.) and the Syndicat des enseignantes et enseignants de Charlevoix meet the requirements provided for in the Regulation under the Act respecting the Government and Public Employees Retirement Plan in order to be designated in Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan;

WHEREAS the Association Québécoise du Personnel de Direction des Écoles (AQPDE) and the Fédération autonome du Collégial (F.A.C.) meet the requirements

provided for in the Regulation in order to be designated in Schedule I to the Act respecting the Government and Public Employees Retirement Plan and in Schedule II to the Act respecting the Pension Plan of Management Personnel;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Amendments to Schedules I and II.1 to the Act respecting the Government and Public Employees Retirement Plan and to Schedule II to the Act respecting the Pension Plan of Management Personnel, attached to this Decision, are hereby made.

SERGE MARTINEAU,
Clerk of the Conseil du trésor

Amendments to Schedules I and II.1 to the Act respecting the Government and Public Employees Retirement Plan* and to Schedule II to the Act respecting the Pension Plan of Management Personnel**

An Act respecting the Government and Public Employees Retirement Plan
(R.S.Q., c. R-10, s. 220, 1st par.)

An Act respecting the Pension Plan of Management Personnel
(R.S.Q., c. R-12.1, s. 207, 1st par.)

1. Schedule I to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10) is amended by inserting the following in paragraph 1 in alphabetical order:

1° “the Association Québécoise du Personnel de Direction des Écoles (AQPDE)”;

2° “the Fédération autonome du collégial (F.A.C.)”.

2. Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan is amended by inserting the following in alphabetical order:

1° “the Fédération autonome du collégial (F.A.C.)”;

2° “the Syndicat des enseignantes et enseignants de Charlevoix”.

3. Schedule II to the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1) is amended by inserting the following in paragraph 1 in alphabetical order:

1° “the Association Québécoise du Personnel de Direction des Écoles (AQPDE)”;

2° “the Fédération autonome du collégial (F.A.C.)”.

4. The amendments in sections 1 to 3 have effect on the date mentioned opposite each of the following bodies:

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| (1) Association Québécoise du Personnel de Direction des Écoles (AQPDE) | 1 January 2006; |
| (2) Fédération autonome du collégial (F.A.C.) | 1 September 2006; |
| (3) Syndicat des enseignantes et enseignants de Charlevoix | 12 months before the date this decision was made. |

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* Schedule I to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10) has been amended since the last updating of the Revised Statutes of Québec to 1 March 2006 by T.B. 203812 dated 6 June 2006 (2006, G.O. 2, 1905), 203919 dated 19 June 2006 (2006, G.O. 2, 2105) and 204239 dated 12 September 2006 (2006, G.O. 2, 3095).

Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan has been amended since the last updating of the Revised Statutes of Québec to 1 March 2006 by T.B. 203812 dated 6 June 2006 (2006, G.O. 2, 1905) and 204239 dated 12 September 2006 (2006, G.O. 2, 3095).

** Schedule II to the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1) has been amended, since the last updating of the Revised Statutes of Québec to 1 March 2006 by T.B. 203812 dated 6 June 2006 (2006, G.O. 2, 1905), 203919 dated 19 June 2006 (2006, G.O. 2, 2105) and 204239 dated 12 September 2006 (2006, G.O. 2, 3095).