

Gouvernement du Québec

T.B. 206221, 1 April 2008

An Act respecting the Pension Plan of Certain Teachers (R.S.Q., c. R-9.1)

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

An Act respecting the Teachers Pension Plan (R.S.Q., c. R-11)

An Act respecting the Civil Service Superannuation Plan (R.S.Q., c. R-12)

Public sector pension plans
— **Various regulations**
— **Amendments**

Regulation to amend various regulations under certain public sector pension plans

WHEREAS, under paragraph 1.0.1 of section 41.8 of the Act respecting the Pension Plan of Certain Teachers (R.S.Q., c. R-9.1), subparagraph 9.0.2 of the first paragraph of section 134 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), paragraph 8.1 of section 73 of the Act respecting the Teachers Pension Plan (R.S.Q., c. R-11) and paragraph 8.0.1 of section 109 of the Act respecting the Civil Service Superannuation Plan (R.S.Q., c. R-12), enacted respectively by section 11, paragraph 2 of section 82 and sections 110 and 128 of chapter 43 of the Statutes of 2007, the Government may, after the Commission administrative des régimes de retraite et d'assurances has consulted the pension committee referred to in section 163 of the Act respecting the Government and Public Employees Retirement Plan, determine or establish the information that the spouse's waiver or revocation notice must contain;

WHEREAS the Government made the Regulation respecting the application of the Act respecting the Pension Plan of Certain Teachers by Order in Council 708-94 dated 18 May 1994, the Regulation under the Act respecting the Government and Public Employees Retirement Plan by Order in Council 1845-88 dated 14 December 1988 and the Conseil du trésor made the Regulation under the Act respecting the Teachers Pension Plan by its Decision 169291 dated 29 November 1988 and the Regulation under the Act respecting the Civil Service Superannuation Plan by its Decision 169292 dated 29 November 1988;

WHEREAS it is expedient to amend those regulations in order to determine or establish the information that the spouse's waiver or revocation notice must contain;

WHEREAS the pension committee of those pension plans has been consulted;

WHEREAS, under section 40 of the Public Administration Act (R.S.Q., c. A-6.01), the Conseil du trésor exercises, after consulting the Minister of Finance, the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel under the public and parapublic sectors, except certain powers;

WHEREAS the consultation has taken place;

THEREFORE, THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend various regulations under certain public sector pension plans, attached hereto, is hereby made.

SERGE MARTINEAU,
Clerk of the Conseil du trésor

Regulation to amend various regulations under certain public sector pension plans

An Act respecting the Pension Plan of Certain Teachers¹ (R.S.Q., c. R-9.1, s. 41.8, par. 1.0.1; 2007, c. 43, s. 11)

An Act respecting the Government and Public Employees Retirement Plan² (R.S.Q., c. R-10, s. 134, 1st par., subpar. 9.0.2; 2007, c. 43, s. 82)

An Act respecting the Teachers Pension Plan³ (R.S.Q., c. R-11, s. 73, par. 8.1; 2007, c. 43, s. 110)

¹ The Regulation respecting the application of the Act respecting the Pension Plan of Certain Teachers, made by Order in Council 708-94 dated 18 May 1994 (1994, *G.O.* 2, 2046), was last amended by the regulation made by T.B. Decision 203094 dated 6 December 2005 (2005, *G.O.* 2, 5493).

² The Regulation under the Act respecting the Government and Public Employees Retirement Plan, made by Order in Council 1845-88 dated 14 December 1988 (1988, *G.O.* 2, 4154), was last amended by the regulation made by Order in Council 1035-2007 dated 28 November 2007 (2007, *G.O.* 2, 3677) and by the regulation made by T.B. Decision 205756 dated 4 December 2007 (2007, *G.O.* 2, 3981).

³ The Regulation under the Act respecting the Teachers Pension Plan, made by T.B. Decision 169291 dated 29 November 1988 (1988, *G.O.* 2, 4085), was last amended by the regulation made by T.B. Decision 204928 dated 8 May 2007 (2007, *G.O.* 2, 1436).

An Act respecting the Civil Service Superannuation Plan⁴
(R.S.Q., c. R-12, s. 109, par. 8.0.1; 2007, c. 43, s. 128)

1. The Regulation respecting the application of the Act respecting the Pension Plan of Certain Teachers is amended by inserting the following at the beginning:

**“DIVISION 0.0.1
SPOUSE’S WAIVER
(s. 35.0.1)**

0.0.1. The waiver or revocation notice required under the second paragraph of section 35.0.1 of the Act respecting the Pension Plan of Certain Teachers (R.S.Q., c. R-9.1) must be dated and indicate the name and address of the employee, of the person who ceased to participate in the plan or of the pensioner, as the case may be, and the name and address of the spouse.”.

2. The Regulation under the Act respecting the Government and Public Employees Retirement Plan is amended by inserting the following after section 12.6:

**“DIVISION VII.2
SPOUSE’S WAIVER
(s. 134, par. 9.0.2)**

12.7. The waiver or revocation notice required under the second paragraph of section 59.0.1 of the Act must be dated and indicate the name and address of the employee, of the person who ceased to participate in the plan or of the pensioner, as the case may be, and the name and address of the spouse.”.

3. The Regulation under the Act respecting the Teachers Pension Plan is amended by inserting the following after section 9:

**“CHAPTER IX.1
SPOUSE’S WAIVER
(s. 73, par. 8.1)**

9.1. The waiver or revocation notice required under the second paragraph of section 60.2 of the Act must be dated and indicate the name and address of the teacher, of the person who ceased to participate in the plan or of the pensioner, as the case may be, and the name and address of the spouse.”.

4. The Regulation under the Act respecting the Civil Service Superannuation Plan is amended by inserting the following after section 7:

**“CHAPTER VII.1
SPOUSE’S WAIVER
(s. 109, par. 8.0.1)**

7.1. The waiver or revocation notice required under the second paragraph of section 82.4 of the Act must be dated and indicate the name and address of the officer, of the person who ceased to participate in the plan or of the pensioner, as the case may be, and the name and address of the spouse.”.

5. This Regulation comes into force on (*insert the date of coming into force of sections 9, 11, 62, paragraph 2 of section 82, sections 107, 110, 121 and 128 of chapter 43 of the Statutes of 2007*).

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⁴ The Regulation under the Act respecting the Civil Service Superannuation Plan, made by T.B. Decision 169292 dated 29 November 1988 (1988, *G.O.* 2, 4088), was last amended by the regulation made by T.B. Decision 204928 dated 8 May 2007 (2007, *G.O.* 2, 1436).

For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 September 2007.