

## Regulations and other Acts

Gouvernement du Québec

**O.C. 644-2009**, 4 June 2009

Courts of Justice Act  
(R.S.Q., c. T-16)

### **Pension plans of the judges of the municipal courts — Rate of contribution of the municipalities to whom the pension plans provided for in Parts V.1 and VI of the Act**

Rate of contribution of the municipalities to the pension plans of the judges of the municipal courts to whom the pension plans provided for in Parts V.1 and VI of the Courts of Justice Act apply

WHEREAS, under the third paragraph of section 246.26 of the Courts of Justice Act (R.S.Q., c. T-16), the cost of the pension plan of the judges of the municipal courts to whom the pension plan provided for in Part V.1 or VI of the Act applies is, except contributions paid by those judges to the pension plan provided for in Part V.1 and contributions paid by those judges for the years 1979 to 1989 to the equivalent pension plan in force in the municipality, borne by each municipality, respectively;

WHEREAS the rate of contribution of the municipalities to the pension plan provided for in Part V.1 of the Courts of Justice Act, with regard to the judges of the municipal courts to whom it applies, has been set since 1 January 2005 by the third paragraph of section 21 of the Act to amend the Courts of Justice Act and the Act respecting municipal courts (2005, c. 41);

WHEREAS the rate of contribution of the municipalities to the pension plan provided for in Part VI of the Courts of Justice Act, with regard to the judges of the municipal courts to whom it applies, has been set since 1 January 2005 by the first paragraph of section 22 of the Act to amend the Courts of Justice Act and the Act respecting municipal courts;

WHEREAS, under the first paragraph of section 246.26 of the Courts of Justice Act, at least once every three years, the Commission administrative des régimes de retraite et d'assurances causes an actuarial valuation of the pension plans provided for in Parts V.1 and VI of the Act to be prepared for the Minister of Justice by the actuaries it designates;

WHEREAS, in March 2007, the Commission administrative des régimes de retraite et d'assurances sent to the

Minister of Justice the last actuarial valuation of the pension plans of the judges of the municipal courts to whom the pension plans provided for in Parts V.1 and VI of the Courts of Justice Act apply;

WHEREAS, under the first paragraph of section 246.26.1 of the Courts of Justice Act, the Government determines, by order, at intervals of not less than three years, the rates of contribution of the municipalities to the pension plans provided for in Parts V.1 and VI of the Act and the rates are based on each plan's experience obtained at the time of the last actuarial valuation;

WHEREAS, pursuant to the first paragraph of section 246.26.1 of the Courts of Justice Act, the order may have effect from 1 January following the date on which the Minister of Justice receives the actuarial valuation or any later date fixed in the order;

WHEREAS it is expedient to amend the rates of contribution of the municipalities to the pension plans provided for in Parts V.1 and VI of the Courts of Justice Act;

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

THAT the rate of contribution of the municipalities to the pension plan of the judges of the municipal courts to whom the pension plan provided for in Part V.1 of the Courts of Justice Act applies, be set at the amount by which 13.06% of the annual salary, including any additional remuneration, paid to the judge or that would have been paid to the judge if the judge had not been granted leave without pay or leave with deferred pay, exceeds the contribution paid by the judge;

THAT the rate of contribution of the municipalities to the pension plan of the judges of the municipal courts to whom the pension plan provided for in Part VI of the Courts of Justice Act applies, be set at 11.17% of the annual salary, including any additional remuneration, paid to the judge or that would have been paid to the judge if the judge had not been granted leave without pay or leave with deferred pay;

THAT this Order in Council have effect from 1 January 2008.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*