

Treasury Board

Gouvernement du Québec

T.B. 210818, 22 November 2011

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

An Act to amend various pension plans in the public sector
(2010, c. 29)

Government and Public Employees Retirement Plan — Partition and assignment of benefits accrued — Amendment

Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Government and Public Employees Retirement Plan

WHEREAS, under subparagraph 14.4 of the first paragraph of section 134 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), the Government may, by regulation, after the Commission administrative des régimes de retraite et d'assurances has consulted the pension committee referred to in section 163 of the Act, determine, for the purposes of section 122.2 of the Act, the actuarial rules, assumptions and methods which apply to the assessment of accrued benefits and which may vary according to the nature of the benefits;

WHEREAS, under subparagraph 14.5 of the first paragraph of section 134 of the Act, the Government may, by regulation, determine, for the purposes of section 122.3 of the Act, the rules and the terms and conditions of payment of the sums awarded to the spouse and, where applicable, the interest payable thereon;

WHEREAS, under subparagraph 14.6 of the first paragraph of section 134 of the Act, the Government may, by regulation, prescribe, for the purposes of section 122.5, the actuarial rules, assumptions and methods for reducing any sum payable under the Government and Public Employees Retirement Plan, which may vary according to the nature of the benefit from which such sum is derived;

WHEREAS, under subparagraphs 14.2 to 14.6 of the first paragraph of section 134 of the Act, the Government made the Regulation respecting the partition and assignment of benefits accrued under the Government and Public Employees Retirement Plan (c. R-10, r. 7);

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with paragraph 3 of section 36 of the Act to amend various pension plans in the public sector (2010, c. 29), the first regulation made after 2 December 2010 under subparagraphs 14.4 to 14.6 of the first paragraph of section 134 of the Act respecting the Government and Public Employees Retirement Plan may have effect from any date not prior to 1 January 2011;

WHEREAS the pension committee referred to in section 163 of the Act respecting the Government and Public Employees Retirement Plan has been consulted;

WHEREAS, in accordance with 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 of the public and parapublic sectors, except the powers referred to in paragraphs 1 to 6 of section 40;

WHEREAS the consultation has taken place;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Government and Public Employees Retirement Plan was published in Part 2 of the *Gazette officielle du Québec* of 13 July 2011 with a notice that the Regulation could be made by the Conseil du trésor on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired and no comments on the draft Regulation were received;

WHEREAS it is expedient to make the Regulation without amendment;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Government and Public Employees Retirement Plan, attached to this Decision, is hereby made.

Le greffier du Conseil du trésor,
GEORGES BOULET

Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Government and Public Employees Retirement Plan

An Act respecting the Government and Public Employees Retirement Plan
(R.S.Q., c. R-10, s. 134, 1st par., subpars. 14.4, 14.5 and 14.6)

An Act to amend various pension plans in the public sector
(2010, c. 29, s. 36, par. 3)

1. The Regulation respecting the partition and assignment of benefits accrued under the Government and Public Employees Retirement Plan (c. R-10, r. 7) is amended by replacing section 7 by the following:

“7. In this section, the expression “CIA Standards” refers to the standards of practice entitled “Practice-Specific Standards for Pension Plans—3800 Pension Commuted Values” of the Canadian Institute of Actuaries, effective since 1 February 2005 and periodically revised.

The actuarial value of the benefits is determined according to the “distribution of benefits” method and corresponds to the sum of 30% of the actuarial value determined for a male and 70% of the actuarial value determined for a female.

The actuarial value of the benefits is also determined according to the following actuarial assumptions:

(1) the mortality rates:

The mortality rates are those determined according to the CIA Standards.

(2) the interest rates:

(a) the interest rates for fully-indexed or non-indexed benefits are those determined according to the CIA Standards;

(b) the interest rates for partially-indexed benefits are determined according to the following formula:

$$\frac{(1 + \text{interest rate for a non-indexed benefit})}{(1 + \text{indexing rate for a partially-indexed benefit})} - 1$$

The result must be adjusted according to the CIA Standards.

(3) the indexing rate:

(a) the indexing rate for a benefit fully-indexed by the rate of increase in the Pension Index is calculated in the manner described in the CIA Standards;

(b) the indexing rate for a benefit indexed by the excess of the rate of increase in the Pension Index (PI) over 3% or by half of the rate of increase in the Pension Index corresponds respectively to the excess of the indexing rate calculated in the manner provided in subparagraph *a* over 3% or by half the indexing rate calculated in the manner provided in that subparagraph.

In order to take into account inflation rate variations, the following additions are made to the results of the effective indexing formulas for actuarial value calculation purposes:

Inflation level	Addition to result of PI-3% formula	Adjusted indexing rate	Addition to the result of the 50% PI, min. PI-3% formula	Adjusted indexing rate
0.5	0.1	0.1	0.05	0.3
1.0	0.1	0.1	0.10	0.6
1.5	0.3	0.3	0.15	0.9
2.0	0.5	0.5	0.20	1.2
2.5	0.7	0.7	0.15	1.4
3.0	1.0	1.0	0.20	1.7
3.5	0.8	1.3	0.25	2.0
4.0	0.6	1.6	0.30	2.3
4.5	0.5	2.0	0.45	2.7
5.0	0.4	2.4	0.50	3.0

(4) the turnover rate: Nil

(5) the disability rate: Nil

(6) the proportion of married persons at death:

Age	Male	Female
18-64 years old	85%	65%
65-79 years old	80%	30%
80-109 years old	60%	10%
110 years old	0%	0%

(7) the age difference between spouses at death:

(a) the male spouse of the beneficiary is assumed to be 1 year older;

(b) the female spouse of the beneficiary is assumed to be 4 years younger.”.

2. Section 15 is replaced by the following:

“**15.** Interest compounded annually and accrued from the date of assessment to the date of payment must be added to the sums awarded to the spouse at the rate in Schedule VII to the Act, in effect at the date of assessment. Where that date is prior to 1 June 2001, the applicable interest rate is 5.34%.”.

3. The following Division is added after section 24.6:

**“DIVISION VI
TRANSITIONAL**

24.7. For the purposes of sections 19, 19.1. and 20, the amount of pension or pension credit that would be obtained on the basis of the sums awarded to the spouse at the date of assessment is established at that date according to the actuarial method and assumptions that were used for the assessment of benefits accrued.”.

4. This Regulation comes into force on the first day of the month that follows by at least 15 days the date of its publication in the *Gazette officielle du Québec*. However, sections 1 and 3 take effect on 1 January 2011.

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Gouvernement du Québec

T.B. 210819, 22 November 2011

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

An Act to amend various pension plans in
the public sector
(2010, c. 29)

Pension Plan of Certain Teachers
— **Partition and assignment of benefits accrued**
— **Amendment**

Regulation to amend the Regulation respecting the
partition and assignment of benefits accrued under
the Pension Plan of Certain Teachers

WHEREAS, under paragraph 3 of section 41.8 of the Act respecting the Pension Plan of Certain Teachers (R.S.Q., c. R-9.1), the Government may, by regulation and after the Commission administrative des régimes de retraite et d’assurances has consulted with the pension committee referred to in section 163 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), determine, for the purposes of section 41.2 of the Act respecting the Pension Plan of Certain Teachers, the actuarial rules, assumptions and methods which apply to the assessment of accrued benefits and which may vary according to the nature of the benefits;

WHEREAS, under paragraph 4 of section 41.8 of the Act, the Government may, by regulation, determine, for the purposes of section 41.3 of the Act, the rules and the terms and conditions of payment of the sums awarded to the spouse and, where applicable, the interest payable thereon;

WHEREAS, under paragraph 5 of section 41.8 of the Act, the Government may, by regulation, prescribe, for the purposes of section 41.5 of the Act, the actuarial rules, assumptions and methods for reducing any sum payable under the Pension Plan of Certain Teachers, which may vary according to the nature of the benefit from which such sum is derived;

WHEREAS, under paragraphs 1 and 2 to 5 of section 41.8 of the Act, the Government made the Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of Certain Teachers (c. R-9.1, r. 2);

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with paragraph 1 of section 36 of the Act to amend various pension plans in the public sector (2010, c. 29), the first regulation made after 2 December 2010 under paragraphs 3 to 5 of section 41.8 of the Act respecting the Pension Plan of Certain Teachers may have effect from any date not prior to 1 January 2011;

WHEREAS the pension committee referred to in section 163 of the Act respecting the Government and Public Employees Retirement Plan has been consulted;

WHEREAS, in accordance with 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 of the public and parapublic sectors, except the powers referred to in paragraphs 1 to 6 of section 40;