

**3.** The following Division is added after section 27:

**“DIVISION V  
TRANSITIONAL**

**27.1.** For the purposes of sections 20, 20.1 and 21, 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.

1763

**T.B. 210822, 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)

**Pension plan for federal employees transferred to employment with the gouvernement du Québec — Partition and assignment of benefits accrued — Amendments to the Order in Council**

Amendments to the Order in Council respecting the partition and assignment of benefits accrued under the Pension plan for federal employees transferred to employment with the gouvernement du Québec

WHEREAS, under the first paragraph of section 10.0.1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), employees of the federal government who transfer to an employment that is pensionable employment under the plan or the Pension Plan of Management Personnel within the framework of an agreement between the Government of Canada and the Gouvernement du Québec may, where the agreement so provides, elect, in accordance with the rules and conditions fixed by the Government, to become members of the Government and Public Employees Retirement Plan, of the Pension Plan of Management Personnel if, in the latter case, they hold employment that is pensionable employment under that plan, or of a pension plan established by the Government in respect of those employees or of each group of employees affected by such an agreement and similar to the plan to which they formerly belonged;

WHEREAS the Government made the Pension plan for federal employees transferred to employment with the Gouvernement du Québec (c. R-10, r. 10);

WHEREAS, under section 10.2 of the Act respecting the Government and Public Employees Retirement Plan, for the purposes of partition of the family patrimony, the Government may render wholly or partly applicable to the plan established pursuant to section 10.0.1 the rules, with the necessary modifications, prescribed in Chapter VII.1 of Title I of the Act or enacted by it under the provisions of that chapter; it may also, for the same purposes, prescribe special provisions concerning the establishment and assessment of the benefits accrued under such plan and the reduction, by reason of payment of the amounts granted to the spouse, of amounts payable under such plan;

WHEREAS the Government made the Order in Council respecting the partition and assignment of benefits accrued under the Pension plan for federal employees transferred to employment with the gouvernement du Québec (c. R-10, r. 8);

WHEREAS it is expedient to amend the Order in Council;

WHEREAS, under 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 section 10.2 of the Act respecting the Government and Public Employees Retirement Plan may have effect from any date not prior to 1 January 2011;

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 amendments to the Order in Council respecting the partition and assignment of benefits accrued under the Pension plan for federal employees transferred to employment with the gouvernement du Québec was published in Part 2 of the *Gazette officielle du Québec* of 13 July 2011 with a notice that the Decision 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 amendments were received;

WHEREAS it is expedient to make the amendments to the Order in Council respecting the partition and assignment of benefits accrued under the Pension plan for federal employees transferred to employment with the gouvernement du Québec without amendment;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the amendments to the Order in Council respecting the partition and assignment of benefits accrued under the Pension plan for federal employees transferred to employment with the gouvernement du Québec, attached to this Decision, are hereby made.

*Le greffier du Conseil du trésor,*  
GEORGES BOULET

### **Amendments to the Order in Council respecting the partition and assignment of benefits accrued under the Pension plan for federal employees transferred to employment with the gouvernement du Québec**

An Act respecting the Government and Public Employees Retirement Plan  
(R.S.Q., c. R-10, s. 10.2)

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

**1.** The Order in Council respecting the partition and assignment of benefits accrued under the Pension plan for federal employees transferred to employment with the gouvernement du Québec (c. R-10, r. 8) is amended by replacing section 6 of the Schedule by the following:

“**6.** 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 60% of the actuarial value determined for a male and 40% 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:

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

The result must be adjusted according to the CIA Standards.

(3) the indexing rate:

The indexing rate is calculated in the manner provided in the CIA Standards.

(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 13 of the Schedule is replaced by the following:

“**13.** 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 respecting the Government and Public Employees Retirement Plan, 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 18 of the Schedule:

**“DIVISION V  
TRANSITIONAL**

**19.** For the purposes of sections 16 and 17, the amount of pension 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.** These Amendments come into force on the first day of the month that follows by at least 15 days the date of their publication in the *Gazette officielle du Québec*. However, sections 1 and 3 take effect on 1 January 2011.

1764

**T.B. 210823, 22 November 2011**

An Act to amend various legislation for the purposes of partition and assignment between spouses of benefits accrued under a pension plan (1990, c. 5)

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

**Régime de retraite des employés en fonction  
au Centre hospitalier Côte des Neiges  
— Partition and assignment of benefits accrued  
— Amendment**

Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Régime de retraite des employés en fonction au Centre hospitalier Côte des Neiges

WHEREAS, under the first paragraph of section 52 of the Act to amend various legislation for the purposes of partition and assignment between spouses of benefits accrued under a pension plan (1990, c. 5), notwithstanding any provision of any Act, regulation or order inconsistent therewith, the Government may, by order, render applicable, in whole or in part and adapted as required, to the Régime de retraite des employés du Centre hospitalier Côte-des-Neiges (O.C. 397-78 dated 16 February 1978) the special measures provided for in Chapter VII.1 of Title I of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10) and in the regulation thereunder, for the purposes of partition and assignment of benefits between spouses;

WHEREAS, under the second paragraph of that section, the Government may also, by the same order, prescribe special provisions for the establishment and assessment of benefits accrued under the Régime de retraite des employés du Centre hospitalier Côte-des-Neiges and for the reduction of the sums payable under such plan by reason of payment of the sums awarded to the spouse;

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, under section 52 of the Act to amend various legislation for the purposes of partition and assignment between spouses of benefits accrued under a pension plan, the Conseil du trésor made the Regulation respecting the partition and assignment of benefits accrued under the Régime de retraite des employés en fonction au Centre hospitalier Côte des Neiges by Decision C.T. 197248 dated 13 November 2001;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with paragraph 7 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 section 52 of the Act to amend various legislation for the purposes of partition and assignment between spouses of benefits accrued under a pension plan (1990, c. 5) as it applies to the Régime de retraite des employés du Centre hospitalier Côte-des-Neiges, may have effect from any date not prior to 1 January 2011;

WHEREAS the consultation provided for in section 40 of the Public Administration Act 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 Régime de retraite des employés en fonction au Centre hospitalier Côte des Neiges 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;