

## Regulations and other Acts

Gouvernement du Québec

### O.C. 376-2011, 6 April 2011

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

#### Special provisions in respect of classes of employees designated under section 23 of the Act — Amendments to the Order in Council

Amendments to the Order in Council respecting the special provisions in respect of classes of employees designated under section 23 of the Act respecting the Pension Plan of Management Personnel

WHEREAS, under the first paragraph of section 23 of the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1), the Government may establish special provisions with respect to classes of employees it designates, notwithstanding any inconsistent provision of the Act, except the provisions of Chapter VIII;

WHEREAS the Government made the Order in Council respecting the special provisions in respect of classes of employees designated under section 23 of the Act respecting the Pension Plan of Management Personnel (R.R.Q., c. R-12.1, r. 2);

WHEREAS it is expedient to amend the Order in Council;

WHEREAS, under the second paragraph of section 23 of the Act, an order under the first paragraph of that section may have effect 12 months or less before it is made;

IT IS ORDERED, therefore, on the recommendation of the Minister responsible for Government Administration and Chair of the Conseil du trésor:

THAT the Amendments to the Order in Council respecting the special provisions in respect of classes of employees designated under section 23 of the Act respecting the Pension Plan of Management Personnel, attached to this Order in Council, be made;

THAT this Order in Council have effect as of 1 January 2011.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

#### Order in Council respecting Amendments to the Order in Council respecting the special provisions in respect of classes of employees designated under section 23 of the Act respecting the Pension Plan of Management Personnel

An Act respecting the Pension Plan of Management Personnel  
(R.S.Q., c. R-12.1, s. 23)

**1.** The Order in Council respecting the special provisions in respect of classes of employees designated under section 23 of the Act respecting the Pension Plan of Management Personnel (R.R.Q., c. R-12.1, r. 2) is amended by inserting the following before section 5:

“**4.1.** For the purpose of computing the contributions relating to the years of service credited after 31 December 2010 over and beyond 35 years of service used in computing the total pension, the pensionable salary of those years in excess that is necessary to reach the defined benefit limit applicable for each year under the Income Tax Act (Revised Statutes of Canada, 1985, c. 1, 5th Supplement) is established as if the rate of acquisition of the pension relating to those years was 1.7% per year of service credited, without taking into account the first paragraph of section 30 of the Act.”

**2.** Section 5 is amended

(1) by replacing “35” by “38”;

(2) by adding the following sentence at the end: “The years of service credited over and beyond 35 years of service used in computing the total pension must occur after 31 December 2010.”

**3.** Section 8 is amended

(1) by inserting the following after subparagraph 2 of the first paragraph:

“(3) the amount obtained by multiplying the average pensionable salary by 2% per year of service credited after 31 December 2010, while this Order in Council applies to the employee, over and beyond 35 years of service used in computing the total pension.”;

(2) by replacing “subparagraph 1” in the second paragraph by “subparagraphs 1 and 3”;

(3) by inserting “of subparagraphs 1 and 2” in the fourth paragraph after “For the purposes”;

(4) by adding the following at the end:

“For the purposes of subparagraph 3 of the first paragraph, the number of years in excess of an employee’s credited service referred to in that subparagraph are taken into account up to the number of years necessary so that the years of service used in computing the total pension do not exceed 38.”.

#### 4. Section 9 is amended

(1) by replacing “and 2” in the first paragraph by “to 3”;

(2) by replacing “in subparagraph 1” in the first sentence of the last paragraph by “in subparagraphs 1 and 3”;

(3) by replacing “that subparagraph” in the second sentence of the last paragraph by “those subparagraphs”.

5. Schedule II is amended by replacing “his or her assistant” in paragraph 7 by “Deputy Public Protectors”.

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Gouvernement du Québec

### O.C. 377-2011, 6 April 2011

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

#### Provisions respecting the determination of supplementary benefits in respect of certain classes of employees under section 208 of the Act — Amendments to the Order in Council

Amendments to the Order in Council respecting the provisions respecting the determination of supplementary benefits in respect of certain classes of employees under section 208 of the Act respecting the Pension Plan of Management Personnel

WHEREAS, under the first paragraph of section 208 of the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1), the Government may, with respect to classes of employees designated under

the first paragraph of section 23 of the Act, establish a plan that provides for supplementary benefits payable from the date of retirement;

WHEREAS the Government made the Order in Council respecting the provisions respecting the determination of supplementary benefits in respect of certain classes of employees under section 208 of the Act respecting the Pension Plan of Management Personnel (R.R.Q., c. R-12.1, r. 3);

WHEREAS it is expedient to amend the Order in Council;

WHEREAS, under the fourth paragraph of section 208 of the Act, an order under the first or second paragraph of that section may have effect 12 months or less before it is made;

IT IS ORDERED, therefore, on the recommendation of the Minister responsible for Government Administration and Chair of the Conseil du trésor:

THAT the Amendments to the Order in Council respecting the provisions respecting the determination of supplementary benefits in respect of certain classes of employees under section 208 of the Act respecting the Pension Plan of Management Personnel, attached to this Order in Council, be made;

THAT this Order in Council have effect as of 1 January 2011.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

### Order in Council respecting Amendments to the Order in Council respecting the provisions respecting the determination of supplementary benefits in respect of certain classes of employees under section 208 of the Act respecting the Pension Plan of Management Personnel

An Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1, s. 208, 1st par.)

1. The Order in Council respecting the provisions respecting the determination of supplementary benefits in respect of certain classes of employees under section 208 of the Act respecting the Pension Plan of Management Personnel (R.R.Q., c. R-12.1, r. 3) is amended in section 1 by inserting the following definition after “plan”: