

(3) the date of that actuarial valuation and the date on which the amortization period for the deficiency ends, as determined in accordance with section 142 of the Act;

(4) the monthly payments relating to the amortization payments, established in accordance with section 141 of the Act and this section, becoming due as regards that deficiency until 31 December 2015 and thereafter.

Any actuarial valuation report that determines an actuarial deficiency to which the monthly payments referred to in the instructions pertain must also contain that information.

Notwithstanding the second paragraph of section 120 of the Act, where such a report has already been sent to the Régie, it is deemed to have been amended by the writing provided for under the second paragraph, as of the date on which the instructions are received by the pension committee.”

2. Section 42.1 of the Regulation is amended:

(1) by adding the following at the end of the first paragraph: “Where the pension committee was instructed to apply the measure provided for in section 39.2, the amortization payment determined for that fiscal year in relation to the technical actuarial deficiency is deemed to be 50% of the payment otherwise established.”;

(2) by replacing, in the second paragraph, “section 39.1” by “section 39.1 or section 39.2”.

3. This Regulation comes into force on 31 December 2013.

Regulation to amend the Regulation respecting the exemption of certain pension plans from the application of provisions of the Supplemental Pension Plans Act

Supplemental Pension Plans Act
(chapter R-15.1, s. 2, 2nd and 3rd pars.)

1. The second paragraph of section 1 of the Regulation respecting the exemption of certain pension plans from the application of provisions of the Supplemental Pension Plans Act (chapter R-15.1, r. 8) is amended by replacing “in section 39 or section 39.1” by “in sections 39, 39.1 or 39.2”.

2. The second paragraph of section 1.1 of the Regulation is amended by replacing “in section 39 or section 39.1” by “in sections 39, 39.1 or 39.2”.

3. This Regulation comes into force on 31 December 2013.

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Draft Regulation

Supplemental Pension Plans Act
(chapter R-15.1)

Pension plans in the private sector — New relief measures for the funding of solvency deficiencies

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the draft Regulation providing new relief measures for the funding of solvency deficiencies of pension plans in the private sector, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to offer, for a two-year period, relief measures for the funding of deficiencies of defined benefit plans in the private sector. The measures follow and are comparable in several respects to those provided for under the Regulation providing temporary relief measures for the funding of solvency deficiencies (chapter R-15.1, r. 3.1).

Further information may be obtained by contacting Mr. Pierre Bégin, Régie des rentes du Québec, Place de la Cité, 2600, boulevard Laurier, Québec (Québec) G1V 4T3 (Telephone: 418 657-8714, extension 3914; fax: 418 659-8983; email: pierre.begin@rrq.gouv.qc.ca).

Any person wishing to comment on the draft Regulation is asked to send his or her comments in writing before the expiry of the 45-day period mentioned above to Mr. Denys Jean, President and Chief Executive Officer of the Régie des rentes du Québec, Place de la Cité, 2600, boulevard Laurier, 5^e étage, Québec (Québec) G1V 4T3. Comments will be forwarded by the Régie to the Minister of Employment and Social Solidarity, who is responsible for the administration of the Supplemental Pension Plans Act.

AGNÈS MALTAIS,
*Minister of Employment
and Social Solidarity*

Regulation providing new relief measures for the funding of solvency deficiencies of pension plans in the private sector

Supplemental Pension Plans Act
(chapter R-15.1, s. 2, 2nd and 3rd pars.)

DIVISION I APPLICATION

1. This Regulation applies to every pension plan to which Chapter X of the Supplemental Pension Plans Act (chapter R-15.1) applies, with the exception of a pension plan to which can apply other special funding measures provided for under a regulation made pursuant to section 2 of the Act.

2. The employer party to the plan may, in writing, instruct the pension committee that administers the plan to take one or more of the following relief measures provided for under section 3 for the purposes of the first actuarial valuation of the plan dated after 30 December 2013.

In the case of a multi-employer pension plan, even one not considered as such for the purposes of section 11 of the Act, the person or body empowered to amend the plan can give that instruction.

DIVISION II RELIEF MEASURES

3. The following relief measures can be taken in accordance with the terms and conditions in this Division:

(1) the application of an asset valuation method that levels the short-term fluctuations in the market value of the assets of the plan, called assets smoothing, for the purposes of determining the value of those assets on a solvency basis;

(2) the elimination, as of the date of the first actuarial valuation after 30 December 2013, of the amortization payments related to any solvency deficiency determined on the date of a previous actuarial valuation;

(3) the extension of the period provided in the Act to amortize the technical actuarial deficiencies determined on the date of the first actuarial valuation of the plan dated after 30 December 2013 or thereafter.

§1. Assets smoothing

4. Where instructions were given to apply the relief measure provided for under paragraph 1 of section 3, the asset valuation method on a solvency basis must include the taking into account of the short-term fluctuations in the market value of the assets during the reference period fixed in the instructions. That period cannot exceed five years.

However, where instructions were previously given under paragraph 1 of section 2 of the Regulation providing temporary relief measures for the funding of solvency deficiencies (chapter R-15.1, r. 3.1), the valuation method must remain the same as the method indicated in those instructions.

Notwithstanding the first paragraph of section 123 of the Act, the assets of the pension plan must be established in accordance with the asset valuation method indicated in the instructions, except when determining the degree of solvency of the plan, for the purposes of the first actuarial valuation after 30 December 2013 and subsequent actuarial valuations.

5. The value of the plan's assets, determined on a funding basis, may not be greater than the value that would be determined using the asset valuation method used in the last complete actuarial valuation of the plan dated prior to 31 December 2013.

§2. Extension of the amortization period

6. Notwithstanding section 142 of the Act, where instructions were given to apply the relief measure provided for under paragraph 3 of section 3, the amortization period for the technical actuarial deficiency determined on the date of the first actuarial valuation after 30 December 2013 or a subsequent actuarial valuation expires at the end of a fiscal year of the pension plan ending no later than 10 years after the date of the valuation that determined the deficiency.

DIVISION III ACTUARIAL VALUATION REPORT

7. Any actuarial valuation report of a pension plan whose date is after 30 December 2013 and prior to the end date of the plan's first fiscal year beginning after 31 December 2014 must indicate the measures taken in accordance with instructions. Where no instructions were given, the report must so mention.

The report must, in addition to meeting the requirements set out in sections 4 to 5.4 of the Regulation respecting supplemental pension plans (chapter R-15.1, r. 6), contain a description of the asset valuation method used.

DIVISION IV DURATION OF THE APPLICATION OF THE RELIEF MEASURES

8. The provisions of this Regulation cease to apply in respect of a pension plan on the earlier of the following dates:

(1) the date of the first actuarial valuation showing that the plan is solvent;

(2) the date fixed in a writing giving instructions to terminate their application on a given date. That date must fall on the date on which a fiscal year of the plan ends. The instructions must be given by one of the parties designated under section 2;

(3) the end date of the plan's first fiscal year beginning after 31 December 2014.

DIVISION V
FINAL PROVISIONS

9. This Regulation comes into force on 31 December 2013.

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