

Treasury Board

Gouvernement du Québec

T.B. 217265, 7 February 2017

An Act respecting the Government and Public Employees Retirement Plan
(chapter R-10)

Amendments to Schedules I and II.1 of the Act

An Act respecting the Pension Plan of Management Personnel
(chapter R-12.1)

Amendments to Schedules II and III of the Act

Amendments to Schedules I and II.1 to the Act respecting the Government and Public Employees Retirement Plan and to Schedules II and III to the Act respecting the Pension Plan of Management Personnel

WHEREAS, under section 1 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10), the retirement plan applies to employees and persons designated in Schedule I, and employees and persons designated in Schedule II who were not members of a retirement plan on 30 June 1973 or who were appointed or engaged after 30 June 1973;

WHEREAS, under paragraph 3 of section 2 of the Act, the plan also applies to an employee who is released without pay by his or her employer for union activities and who is in the employ of a body designated in Schedule II.1 if the employee belongs to the class of employees mentioned in that schedule in respect of that body;

WHEREAS, under section 220 of the Act, the Government may, by order, amend Schedules I, II, II.1, II.1.1 and II.2 and where the Government amends Schedule I or II, it must also amend to the same effect Schedule II to the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) and any such order may have effect 12 months or less before it is made;

WHEREAS the Regulation under the Act respecting the Government and Public Employees Retirement Plan (chapter R-10, r. 2) determines, in accordance with subparagraph 25 of the first paragraph of section 134 of the Act respecting the Government and Public Employees Retirement Plan, the conditions which permit a body, according to the category determined by regulation, to be designated by order in Schedule I or II.1 to the Act;

WHEREAS, under the first paragraph of section 1 of the Act respecting the Pension Plan of Management Personnel, the Pension Plan of Management Personnel applies, to the extent provided for in Chapter I of that Act, to employees and persons appointed or engaged on or after 1 January 2001 to hold, with the corresponding classification, non-unionizable employment designated in Schedule I and referred to in Schedule II;

WHEREAS, under paragraph 6 of section 2 of that Act, the plan also applies, to the extent provided for in Chapter I of that Act, to an employee appointed or engaged to hold, with the corresponding classification, non-unionizable employment designated in Schedule I, who is released without pay by an employer and who, while released without pay, holds non-unionizable employment designated in paragraph V of Schedule I with an organization designated in Schedule III;

WHEREAS, under subparagraph 25 of the first paragraph of section 196 of that Act, the Government may determine the conditions which permit a body, according to the class determined by regulation, to be designated by order in Schedule III;

WHEREAS, under the first paragraph of section 416 of that Act, the regulations and orders made under the provisions of the Act respecting the Government and Public Employees Retirement Plan that are in force on 20 June 2001 are considered, for the purposes of the Act respecting the Pension Plan of Management Personnel, as the regulations and orders made under the corresponding provisions of that Act, and they apply, with the necessary modifications, until they are replaced by regulations and orders made under such corresponding provisions;

WHEREAS section 53.1 of the Regulation under the Act respecting the Government and Public Employees Retirement Plan has not been so replaced and it must be considered, for the purposes of the Act respecting the Pension Plan of Management Personnel, as a regulation made under subparagraph 25 of the first paragraph of section 196 of that Act;

WHEREAS, under the first paragraph of section 207 of that Act, the Government may, by order, amend Schedule II, but only to the extent provided for in section 220 of the Act respecting the Government and Public Employees Retirement Plan, and Schedule III and any such order may have effect 12 months or less before it is made;

WHEREAS, under section 40 of the Public Administration Act (chapter 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 certain powers;

WHEREAS the consultation has taken place;

WHEREAS amendments to Schedule I to the Act respecting the Government and Public Employees Retirement Plan and to Schedule II to the Act respecting the Pension Plan of Management Personnel are necessary to take into account the fact that the Association de l'enseignement du Nouveau-Québec is now designated under the name Association des employés du Nord québécois;

WHEREAS the Association québécoise des retraité(e)s des secteurs public et parapublic meets the conditions set out in the Regulation under the Act respecting the Government and Public Employees Retirement Plan to be designated in Schedule I to the Act respecting the Government and Public Employees Retirement Plan and in Schedule II to the Act respecting the Pension Plan of Management Personnel;

WHEREAS the Association des employés du Nord québécois, the Syndicat interprofessionnel du CHU de Québec (FIQ) and the Syndicat des professionnelles et professionnels de la Montérégie (SPPM-CSQ) meet the conditions set out in the Regulation to be designated in Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan;

WHEREAS the Association Québécoise du Personnel de Direction des Écoles (AQPDE) meets the conditions set out in the Regulation to be designated in Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan and, consequently, in Schedule III to the Act respecting the Pension Plan of Management Personnel;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Amendments to Schedules I and II.1 to the Act respecting the Government and Public Employees Retirement Plan and to Schedules II and III to the Act respecting the Pension Plan of Management Personnel, attached to this Decision, are hereby made.

MARIE-CLAUDE RIOUX,
La greffière du Conseil du trésor

Amendments to Schedules I and II.1 to the Act respecting the Government and Public Employees Retirement Plan and to Schedules II and III to the Act respecting the Pension Plan of Management Personnel

An Act respecting the Government and Public Employees Retirement Plan
(chapter R-10, s. 220, 1st par.)

An Act respecting the Pension Plan of Management Personnel
(chapter R-12.1, s. 207, 1st par.)

1. Schedule I to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) is amended in paragraph 1

(1) by striking out “the Association de l'enseignement du Nouveau-Québec”;

(2) by inserting, in alphabetical order, “the Association des employés du Nord québécois” and “the Association québécoise des retraité(e)s des secteurs public et parapublic”.

2. Schedule II.1 to the Act is amended by inserting, in alphabetical order, “the Association des employés du Nord québécois”, “the Syndicat interprofessionnel du CHU de Québec (FIQ)” and “the Syndicat des professionnelles et professionnels de la Montérégie (SPPM-CSQ)”.

3. Schedule II to the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) is amended in paragraph 1

(1) by striking out “the Association de l'enseignement du Nouveau-Québec”;

(2) by inserting, in alphabetical order, “the Association des employés du Nord québécois” and “the Association québécoise des retraité(e)s des secteurs public et parapublic”.

4. Schedule III to that Act is amended by inserting, in alphabetical order, “the Association Québécoise du Personnel de Direction des Écoles (AQPDE)”.

5. These Amendments have effect since 1 July 2016, except the amendments concerning the Association québécoise des retraité(e)s des secteurs public et parapublic, which have effect since 7 February 2016, the amendment concerning the Syndicat interprofessionnel du CHU de Québec (FIQ), which has effect since 16 April 2016, and the amendment concerning the Association Québécoise du Personnel de Direction des Écoles (AQPDE), which has effect since the date occurring 12 months before the date this Decision is made.

102867