

## Treasury Board

Gouvernement du Québec

### T.B. 218306, 21 November 2017

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

#### Amendments to Schedules I and II.1 to the Act

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

#### Amendments to Schedules II and III to 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 the Québec Research Fund–Nature and Technology and the Québec Research Fund–Society and Culture respectively meet the conditions set out in section 51 of 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 FIQ-Syndicat des professionnelles en soins des Cantons-de-l'Est and the Syndicat de professionnelles et professionnels du gouvernement du Québec respectively meet the conditions set out in section 53 of the Regulation 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 FIQ-Syndicat des professionnelles en soins des Cantons-de-l'Est also meets the conditions set out in section 53.1 of 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 Québec Research Fund–Society and Culture in respect of employees assigned to the Fonds by the Ministère de la Recherche, de la Science et de la Technologie on 13 June 2002”;

(2) by inserting, in alphabetical order, “FIQ-Syndicat des professionnelles en soins des Cantons-de-l'Est”, “the Québec Research Fund–Nature and Technology”, “the Québec Research Fund–Society and Culture” and “the Syndicat de professionnelles et professionnels du gouvernement du Québec, in respect of employees who do not form part of the support or technical staff”.

**2.** Schedule II.1 to the Act is amended by inserting, in alphabetical order, “FIQ-Syndicat des professionnelles en soins des Cantons-de-l'Est”.

**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 Québec Research Fund–Society and Culture in respect of employees assigned to the Fonds by the Ministère de la Recherche, de la Science et de la Technologie on 13 June 2002”;

(2) by inserting, in alphabetical order, “FIQ-Syndicat des professionnelles en soins des Cantons-de-l'Est”, “the Québec Research Fund–Nature and Technology”, “the Québec Research Fund–Society and Culture” and “the Syndicat de professionnelles et professionnels du gouvernement du Québec, in respect of employees who do not form part of the support or technical staff”.

**4.** Schedule III to the Act is amended by inserting, in alphabetical order, “FIQ-Syndicat des professionnelles en soins des Cantons-de-l'Est”.

**5.** These Amendments come into force on 1 December 2017, except sections 2 and 4 which have effect since 31 March 2017, sections 1 and 3 which, when they concern “FIQ- Syndicat des professionnelles en soins des Cantons-de-l’Est”, have effect since 1 May 2017 and, when they concern the Syndicat de professionnelles et professionnels du gouvernement du Québec, have effect since 1 August 2017.

103203

Gouvernement du Québec

## **T.B. 218307, 21 November 2017**

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

### **Regulation — Amendment**

Regulation to amend the Regulation under the Act respecting the Pension Plan of Management Personnel

WHEREAS, under subparagraph 5.1 of the first paragraph of section 196 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1), the Government may, by regulation, establish, for the purposes of sections 39, 146, 152.1, 152.4 and 152.6, the tariff applicable to the payment of the redemption cost, which may vary according to the employee’s age, the reason for the absence, the year of service covered by the redemption and the date of receipt of the application, and prescribe, in addition to a minimum cost for the purposes of section 39, the terms and conditions governing the application of the tariff and the rules for determining the pensionable salary for the purposes provided for in those sections;

WHEREAS, under the first paragraph of section 196.30 of the Act, the Government shall pay into the employees’ contribution fund referred to in section 176 an annual contributory amount corresponding to the product obtained by multiplying a percentage and the sum of the salaries of the employees who are members of the plan for a given year. This percentage, the reference year for the sum of the salaries used for the purposes of the multiplication, and any condition applicable to the payment of the annual contributory amount are determined by regulation;

WHEREAS, under subparagraph 20.1 of the first paragraph of section 196 of the Act, the Government may determine, for the purposes of section 196.30, a percentage, a reference year for the sum of the salaries used

for the purposes of the multiplication, and any condition applicable to the payment of the annual contributory amount into the employees’ contribution fund;

WHEREAS the Conseil du trésor made the Regulation under the Act respecting the Pension Plan of Management Personnel (chapter R-12.1, r. 1) by Decision 202420 dated 24 May 2005;

WHEREAS section 4 of the Regulation provides that, for the purposes of the second paragraphs of sections 39, 146, 152.1, 152.4 and the third paragraph of section 152.6 of the Act respecting the Pension Plan of Management Personnel, the amount required of the employee to pay the cost of redemption is established in accordance with the tariff in Schedule I;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, under the first paragraph of section 196 of the Act, the Government exercises the regulatory powers provided for therein after Retraite Québec has consulted the pension committee referred to in section 196.2;

WHEREAS, under section 40 of the Public Administration Act (chapter A-6.01), the Conseil du trésor shall, after consulting the Minister of Finance, exercise the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except for certain powers;

WHEREAS the consultations have taken place;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation under the Act respecting the Pension Plan of Management Personnel, attached hereto, is hereby made.

MARIE-CLAUDE RIOUX,  
*La greffière du Conseil du trésor*

---

## **Regulation to amend the Regulation under the Act respecting the Pension Plan of Management Personnel**

An Act respecting the Pension Plan of Management Personnel (chapter R-12.1, s. 196, 1st par., subpars. 5.1 and 20.1)

**1.** The Regulation under the Act respecting the Pension Plan of Management Personnel (chapter R-12.1, r. 1) is amended by inserting the following Division after section 11.4: