

(4) the information that must be provided by the employer in his annual report, in accordance with section 188 of the Act, for the year during which the assessment is determined up to the date set for that assessment, as well as for the previous year; that information must be certified by an authorized representative of the employer.”

**3.** Section 2 is amended by replacing subparagraph 3 of the first paragraph with the following:

“(3) in the case of married spouses or spouses in a civil union, the benefits accrued during the period of the marriage or civil union, as well as the value of those benefits;”

**4.** Section 3 is amended by inserting “or civil union” in the second paragraph after “marriage”.

**5.** Section 4 is amended by replacing “of counted proportionately to the amounts paid in capital for their payment out of the total capital amount. Those years or parts of a year are deemed to be credited or counted for the period of the marriage” with “or counted as a ratio of the capital paid therefor to the total capital. The years or parts of a year are deemed to be credited or counted for the period of the marriage or civil union”.

**6.** Section 5 is amended:

(1) by replacing every occurrence of “comprised in the period of the marriage” with “included in the period of the marriage or civil union”;

(2) by inserting “or civil union” after every occurrence of “for the period of the marriage”.

**7.** Section 6 is amended by adding, at the end, “or civil union”.

**8.** Section 8 is amended by inserting “or civil union” after “marriage” in the third paragraph.

**9.** Section 9 is amended by inserting “or civil union” after “marriage” in the second paragraph.

**10.** Section 12 is amended:

(1) by replacing paragraph 1 with the following:

“(1) the judgement of separation from bed and board, divorce, annulment of marriage or civil union, dissolution of civil union or the payment of a compensatory allowance unless the judgment has already been sent to Retraite Québec;”

(2) by adding, at the end of paragraph 2, “or the joint declaration dissolving the civil union along with the notarized transaction contract”;

(3) by inserting, after paragraph 3, the following:

“(3.1) in the case of spouses referred to in the first paragraph of section 122.1.1 of the Act, the agreement between the spouses concerning partition of the benefits accrued by the employee or former employee under the Government and Public Employees Retirement Plan, signed before a notary or attorney or a sworn declaration signed by both spouses within 12 months following the date on which they ceased living together;”

**11.** This Regulation comes into force on (*insert the date of coming into force of section 27 and paragraphs 4 and 5 of section 29 of chapter 4 of the Statutes of 2018*).

103469

## Draft Regulation

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

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

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that 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, appearing below, may be made by the Conseil du trésor on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to harmonize the provisions of 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 (chapter R-10, r. 7.1) with the provisions that allow spouses who are not married or in a civil union and who lived in a conjugal relationship to agree to partition the benefits accrued by the employee or former employee under the plan as at the date on which the spouses ceased living together and which are provided for in the Act respecting the implementation of recommendations of the pension committee of certain public sector pension plans and amending various legislative provisions (2018, chapter 4).

Further information may be obtained from Ms. Marie-Josée Tardif, notary, Direction des affaires juridiques, Retraite Québec, 2600, boulevard Laurier, 7<sup>e</sup> étage, porte 760, Québec (Québec) G1V 4T3 (telephone: 418 657-8702; email: marie-josee.tardif@retraitequebec.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. Michel Després, President and Chief Executive Officer of Retraite Québec, Place de la Cité, 2600, boulevard Laurier, 5<sup>e</sup> étage, Québec (Québec) G1V 4T3. Comments will be forwarded by Retraite Québec to the Minister responsible for Government Administration and Ongoing Program Review and Chair of the Conseil du trésor.

PIERRE ARCAND,  
*Minister responsible for Government Administration  
and Ongoing Program Review  
and Chair of the Conseil du trésor*

## **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**

An Act respecting the Government and Public Employees Retirement Plan (chapter R-10; 1990, chapter 5, s. 52)

An Act respecting the implementation of recommendations of the pension committee of certain public sector pension plans and amending various legislative provisions (2018, chapter 4, ss. 73 and 75)

**1.** Section 1 of 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 (chapter R-10, r. 7.1) is amended:

(1) by adding, at the beginning of subparagraph 2 of the first paragraph, “in the case of married spouses;”;

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

“(2.1) in the case of spouses in a civil union, a certificate of civil union;”;

(3) by replacing subparagraph 3 of the first paragraph with the following:

“(3) written confirmation from a certified mediator to the effect that he or she has received a mandate within the context of family mediation or written confirmation from a notary to the effect that the spouses in a civil union have undertaken a joint procedure for the dissolution of their civil union or, as the case may be, the joint declaration dissolving the civil union and the notarized transaction contract, or a copy of the application for separation from bed and board, divorce, annulment of marriage or civil union, dissolution of civil union or payment of a compensatory allowance or, where applicable, a copy of the judgment disposing of such an application;”;

(4) by adding, at the end of the second paragraph, “in accordance with section 4 of the Act respecting Retraite Québec (chapter R-26.3)”.

**2.** The Regulation is amended by inserting, after section 1, the following:

“**1.1.** Any application for a statement referred to in section 122.1.1 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) must be signed by the employee or the former employee and his spouse. The application must contain the following information and be accompanied with the following documents:

(1) the name, address, Social Insurance Number and date of birth of the employee or former employee and of his spouse;

(2) an attestation by the employee or former employee and his spouse that neither was married or in a civil union on the date on which they ceased living together and, where applicable, the date of the divorce or the dissolution of the civil union and the documents attesting thereto, unless those documents have already been sent to Retraite Québec;

(3) an attestation by the employee or former employee and his spouse of the dates on which they began and ceased living together and, where applicable, proof concerning their marital residence. Furthermore, if the spouses lived in a conjugal relationship for at least one year but not more than three years preceding the date on which they ceased living together, they must also attest that one of the situations referred to subparagraphs 1 to 3 of the first paragraph of section 122.1.1 of the Act respecting the Government and Public Employees Retirement Plan occurred and, where applicable, provide proof thereof;

(4) the information that must be provided by the employer in his annual report, in accordance with section 188 of the Act respecting the Government and Public Employees Retirement Plan, for the year during which

the assessment is determined up to the date set for that assessment, as well as for the previous year; that information must be certified by an authorized representative of the employer.”

**3.** Section 2 is amended by replacing subparagraph 3 of the first paragraph with the following:

“(3) in the case of married spouses or spouses in a civil union, the benefits accrued during the period of the marriage or civil union, as well as the value of those benefits;”.

**4.** Section 3 is amended by inserting “or civil union” in the second paragraph after “marriage”.

**5.** Section 4 is amended by replacing “proportionately to the amounts paid in capital for their payment, out of the total capital amount. Those years or parts of a year are deemed to be credited for the period of the marriage,” with “as a ratio of the capital paid therefor to the total capital. The years or parts of a year are deemed to be credited for the period of the marriage or civil union;”.

**6.** Section 5 is amended by adding “or civil union” at the end.

**7.** Section 7 is amended by inserting “or civil union” in the second paragraph after “marriage”.

**8.** Section 10 is amended:

(1) by replacing paragraph 1 with the following:

“(1) the judgement of separation from bed and board, divorce, annulment of marriage or civil union, dissolution of civil union or the payment of a compensatory allowance unless the judgment has already been sent to *Retraite Québec*;”;

(2) by adding, at the end of paragraph 2, “or the joint declaration dissolving the civil union along with the notarized transaction contract”;

(3) by inserting, after paragraph 3, the following:

“(3.1) in the case of spouses referred to in the first paragraph of section 122.1.1 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10), the agreement between the spouses concerning partition of the benefits accrued by the employee or former employee under the Régime de retraite des employés en fonction au Centre hospitalier Côte des Neiges, signed before a notary or attorney, or a sworn declaration signed by both spouses within 12 months following the date on which they ceased living together;”.

**9.** The Regulation is amended by inserting, after section 18.1, the following:

“**18.2.** Notwithstanding the fact that under section 122.1.1 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10), spouses referred to therein may agree, within 12 months following the date on which they ceased living together, to the partition of the benefits accrued by the employee or former employee under the Régime de retraite des employés en fonction au Centre hospitalier Côte des Neiges, such persons who ceased living together after 31 August 1990 but before (*insert the date of coming into force of this Regulation*) may so agree, in accordance with section 75 of the Act respecting the implementation of recommendations of the pension committee of certain public sector pension plans and amending various legislative provisions (2018, chapter 4), not later than 12 months following the latter date.”.

**10.** This Regulation comes into force on (*insert the date of coming into force of sections 73 and 75 of chapter 4 of the Statutes of 2018*).

103467

## Draft Regulation

An Act respecting the Pension Plan of Certain Teachers (chapter R-9.1)

### Pension Plan of certain teachers — Partition and assignment of benefits accrued — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of certain teachers, appearing below, may be made by the Conseil du trésor on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to harmonize the provisions of the Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of certain teachers (chapter R-9.1, r. 2) with the provisions set out in the Act respecting the implementation of recommendations of the pension committee of certain public sector pension plans and amending various legislative provisions (2018, chapter 4) that allow spouses who are not married or in a civil union and who lived in a conjugal relationship to partition the benefits accrued by the employee or former employee under his plan as at the date on which the spouses ceased living together.