

Regulations and other Acts

Gouvernement du Québec

O.C. 688-2018, 6 June 2018

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

Special provisions in respect of classes of employees designated under section 23 of the Act — Amendments

Amendments to 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 (chapitre R-12.1), notwithstanding any inconsistent provision of the Act, except the provisions of Chapter VIII, the Government may establish special provisions with respect to classes of employees it designates;

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

WHEREAS it is expedient to amend the provisions;

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 Ongoing Program Review:

THAT the amendments to the Special provisions in respect of classes of employees designated under section 23 of the Act respecting the Pension Plan of Management Personnel (chapitre R-12.1, r. 2), attached hereto, be made;

THAT section 1 to 5 of the amendments come into force on 1 July 2019;

THAT section 6 of the amendments have effect from 21 November 2017.

ANDRÉ FORTIER,
Clerk of the Conseil exécutif

Amendments to 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 (chapter R-12.1, s. 23, 1st and 2nd pars.)

1. The Special provisions in respect of classes of employees designated under section 23 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1, r. 2) is amended in section 9 by inserting the following after subparagraph 2 of the first paragraph:

“(2.1) the operation referred to in paragraph 1 of section 50.3 of the Act is carried out by selecting, from among the highest annualized pensionable salaries, as many as are necessary to make the aggregate of the contributory periods corresponding to the years for which the salaries are selected equal to 3 or, if the aggregate is less than 3, selecting all the salaries;”.

2. Section 13 is amended by adding the following paragraph at the end:

“For the purposes of this section with respect to a person if any of paragraphs 1 to 11 of Schedule II applies or applied to the person whose former pension plan is the pension plan of management personnel, section 49 of the Act, as it reads on (*insert the date of coming into force of this section*), applies for the determination of the nearest date on which the pension payable would have been granted without actuarial reduction pursuant to the former pension plan.”.

3. Section 25 is amended by adding the following paragraph at the end:

“Despite the second paragraph, the pensionable salaries to be selected are, from among the highest annualized pensionable salaries, as many as are necessary to make

the aggregate of the contributory periods corresponding to the years for which the salaries are selected equal to 3 or, if the aggregate is less than 3, selecting all the salaries.”.

4. Section 26 is amended by adding the following paragraph at the end:

“For the purposes of this section with respect to a person if any of paragraphs 1 to 11 of Schedule II applies or applied to the person whose former pension plan is the pension plan of management personnel, section 49 of the Act, as it reads on (*insert the date of coming into force of this section*), applies for the determination of the nearest date on which the pension payable would have been granted without actuarial reduction pursuant to the former pension plan.”.

5. Section 27 is amended

(1) by striking out “and, if any of paragraphs 1 to 11 of Schedule II applies or applied to the person, applying paragraph 1 of section 50.3 of the Act”;

(2) by adding the following paragraph at the end:

“If any of paragraphs 1 to 11 of Schedule II applies or applied to the person, the pensionable salaries selected are, from among the highest annualized pensionable salaries, as many as are necessary to make the aggregate of the contributory periods corresponding to the years for which the salaries are selected equal to 3 or, if the aggregate is less than 3, selecting all the salaries.”.

6. The following is inserted after section 35.1:

“**35.2.** For the purposes of the first paragraph of section 196.30 of the Act, the salaries of the employees who are members of the plan do not include the salaries of the employees covered by this Order in Council.”.

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Gouvernement du Québec

O.C. 722-2018, 6 June 2018

Building Act
(chapter B-1.1)

**Construction Code
Regulation
—Amendment**

Regulation to amend the Construction Code and the Regulation respecting the application of the Building Act

WHEREAS, under section 173 of the Building Act (chapter B-1.1), the Régie du bâtiment du Québec adopts by regulation a building code containing building standards for buildings, facilities intended for use by the public, installations independent of a building and petroleum equipment installations or their vicinity;

WHEREAS, under section 176 of the Act, the code may require manufacturers to provide instructions regarding the assembly, erection, maintenance and inspection of materials, facilities and installations;

WHEREAS, under section 176.1 of the Act, a code may, with respect to the matters to which it applies, contain provisions concerning the subjects listed in section 185 of the Act;

WHEREAS, under section 178 of the Act, the code may require observance of a technical standard drawn up by another government or by an agency empowered to draw up such standards and may also provide that any reference it makes to other standards include subsequent amendments;

WHEREAS, under section 179 of the Act, the Board may determine the provisions of the code of which the infringement shall constitute an offence under paragraph 7 of section 194 of the Act;

WHEREAS, under paragraph 0.1 of section 185 of the Act, the Board may, by regulation, exempt from the application of the Act or certain of its provisions categories of facilities, installations or construction work;