

(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 108.1.1 of the Act, the agreement between the spouses concerning partition of the benefits accrued by the officer or former officer under the Civil Service Superannuation 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;”

**12.** This Regulation comes into force on *(insert the date of coming into force of section 40, paragraphs 2 and 3 of section 41 and section 42 of chapter 4 of the Statutes of 2018)*.

103741

Gouvernement du Québec

**T.B. 220171, 19 November 2018**

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

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)

**Supplementary benefits plan in respect of classes of employees designated under section 208 of the Act respecting the Pension Plan of Management Personnel**  
**— Certain provisions relating to the partition and assignment of benefits accrued**  
**— Amendment**

Regulation to amend the Regulation respecting certain provisions relating to the partition and assignment of benefits accrued under the supplementary benefits plan in respect of classes of employees designated under section 208 of the Act respecting the Pension Plan of Management Personnel

WHEREAS, under the first paragraph of section 208 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1), the Government may, with respect to classes of employees designated under the first

paragraph of section 23 of the Act, establish a plan that provides for supplementary benefits payable from the date of retirement and the Government may also provide in the plan for the payment of benefits to the spouses of such employees;

WHEREAS the Government made the Order in Council respecting the Provisions respecting the determination of supplementary benefits in respect of certain classes of employees under section 208 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1, r. 3);

WHEREAS, under section 416 of the Act respecting the Pension Plan of Management Personnel, the regulations and orders made under the provisions of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) 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 the Act, and they apply, with the necessary modifications, until they are replaced by regulations and orders made under such corresponding provisions;

WHEREAS the Government made the Order in Council respecting the partition and assignment of benefits accrued under the supplementary benefits plan in respect of classes of employees designated under section 220.1 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10, r. 6), and that Order in Council, which was in force on 20 June 2001, is considered, for the purposes of the Act respecting the Pension Plan of Management Personnel, to be an Order in Council made under the corresponding provisions of the Act, and it applies, with the necessary modifications, until it is replaced by the regulation made under the corresponding provisions;

WHEREAS, under the second paragraph of section 208 of the Act respecting the Pension Plan of Management Personnel, the Government may prescribe special rules governing the determination and assessment of the supplementary benefits of accrued benefits under the supplementary benefits plan with respect to certain classes of employees under section 208 of the Act respecting the Pension Plan of Management Personnel;

WHEREAS the Government made the Regulation respecting certain provisions relating to the partition and assignment of benefits accrued under the supplementary benefits plan in respect of classes of employees designated under section 208 of the Act respecting the Pension Plan of Management Personnel (chapter R 12.1, r. 1.1);

WHEREAS it is expedient to amend the Regulation;

WHEREAS, under the second paragraph of section 208 of the Act, as amended by section 70 of chapter 4 of the Statutes of 2018, the Government may render applicable to the plan all or some of the rules contained in, or enacted by the Government pursuant to, Chapter VIII of the Act respecting the Pension Plan of Management Personnel that concern the spouses referred to in section 163.1, and for that purpose, it may enact special provisions governing the determination and assessment of the supplementary benefits so granted;

WHEREAS it is expedient to render applicable, with the necessary modifications, to the plan of supplementary benefits in respect of certain classes of employees under section 208 of the Act respecting the Pension Plan of Management Personnel, the rules that concern the spouses referred to in section 163.1, provided for in Chapter VIII of the Act;

WHEREAS, in accordance with section 40 of the Public Administration Act (chapter A-6.01), the Conseil du trésor, after consulting the Minister of Finance, exercises 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 the powers referred to in paragraphs 2 and 4 to 6 of that provision;

WHEREAS the consultation has been held;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting certain provisions relating to the partition and assignment of benefits accrued under the supplementary benefits plan in respect of classes of employees designated under section 208 of the Act respecting the Pension Plan of Management Personnel was published in Part 2 of the *Gazette officielle du Québec* of 16 May 2018 with a notice that it could be made by the Conseil du trésor on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired and no comment on the draft Regulation was received;

WHEREAS it is expedient to make the Regulation without amendment;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation respecting certain provisions relating to the partition and assignment of benefits accrued under the supplementary benefits plan in respect of classes of employees designated under section 208 of the Act respecting the Pension Plan of Management Personnel is hereby made.

*Le greffier du Conseil du trésor,*  
LOUIS TREMBLAY

## **Regulation to amend the Regulation respecting certain provisions relating to the partition and assignment of benefits accrued under the supplementary benefits plan in respect of classes of employees designated under section 208 of the Act respecting the Pension Plan of Management Personnel**

An Act respecting the Pension Plan of Management Personnel  
(chapter R-12.1, ss. 208 and 416)

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, s. 70)

**1.** The Regulation respecting certain provisions relating to the partition and assignment of benefits accrued under the supplementary benefits plan in respect of classes of employees designated under section 208 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1, r. 1.1) is amended by inserting, before section 1, the following section:

“**0.1.** The rules provided for under section 163.1 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) apply, with the necessary modifications, to the supplementary benefits plan in respect of the classes of employees designated under section 208 of the Act respecting the Pension Plan of Management Personnel.

For that purpose, any application for a statement referred to in the aforementioned section 163.1 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 in subparagraphs 1 to 3 of the first paragraph of section 163.1 of the Act 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 (chapter R-10), 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.”

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

“**2.1.** For the purposes of section 1 of Schedule I of the Order in Council respecting the partition and assignment of benefits accrued under the supplementary benefits plan in respect of classes of employees designated under section 220.1 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10, r. 6), as it applies to the Pension Plan of Management Personnel, in the case of spouses in a civil union, in addition to the information referred to in subparagraphs 1 and 4 of the first paragraph of the aforementioned section 1, the application for a statement must be accompanied with a certificate of civil union and 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 an annulment or dissolution of civil union.

**2.2.** For the purposes of subparagraph 3 of the first paragraph of section 2 and sections 3, 4 and 6 of Schedule I of the Order in Council respecting the partition and assignment of benefits accrued under the supplementary benefits plan in respect of classes of employees designated under section 220.1 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10, r. 6), as it applies to the Pension Plan of Management Personnel, the term “period of the marriage” is considered to mean “period of the marriage or civil union”.

**2.3.** For the purposes of section 8 of Schedule I of the Order in Council respecting the partition and assignment of benefits accrued under the supplementary benefits plan in respect of classes of employees designated under section 220.1 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10, r. 6), as it applies to the Pension Plan of Management Personnel:

(1) in the case of spouses in a civil union, the application for payment must be accompanied with the judgment of annulment or dissolution of civil union or with the joint declaration dissolving the civil union and the notarized transaction contract;

(2) in the case of spouses referred to in the first paragraph of section 163.1 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1), the application for payment must be accompanied with the agreement between the spouses concerning partition of the benefits accrued by the employee or former employee under the supplementary benefits 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.”

**3.** This Regulation comes into force on (*insert the date of coming into force of sections 66 and 70 of chapter 4 of the Statutes of 2018*).

103742

Gouvernement du Québec

**T.B. 220172**, 19 November 2018

An Act respecting the Pension Plan of Peace Officers in Correctional Services  
(chapter R-9.2)

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)

**Pension Plan of Peace Officers in  
Correctional Services**  
— **Partition and assignment of benefits accrued**  
— **Amendment**

Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of Peace Officers in Correctional Services

WHEREAS, under subparagraph 8.1 of the first paragraph of section 130 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2), the Government may, by regulation, after Retraite Québec has consulted the pension committee established under section 139.3 of the Act, determine the terms and conditions of the applications required under Chapter V.1 of the Act;