

**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*).

103744

Gouvernement du Québec

**T.B. 220174, 19 November 2018**

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

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 for federal employees transferred to employment with the gouvernement du Québec**  
— Partition and assignment of benefits accrued  
— Amendments to the Order

Amendments to the Order in Council respecting the partition and assignment of benefits accrued under the Pension plan for federal employees transferred to employment with the gouvernement du Québec

WHEREAS, under the first paragraph of section 10.0.1 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10), employees of the federal government who transfer to an employment that is pensionable employment under the plan or the Pension Plan of Management Personnel within the framework of an

agreement between the Government of Canada and the Gouvernement du Québec may, where the agreement so provides, elect, in accordance with the rules and conditions fixed by the Government, to become members of the Government and Public Employees Retirement Plan, of the Pension Plan of Management Personnel if, in the latter case, they hold employment that is pensionable employment under the plan, or of a pension plan established by the Government in respect of those employees or of each group of employees affected by such an agreement and similar to the plan to which they formerly belonged;

WHEREAS the Government made the Pension plan for federal employees transferred to employment with the Gouvernement du Québec (chapter R-10, r. 10);

WHEREAS, under the first paragraph of section 10.2 of the Act respecting the Government and Public Employees Retirement Plan, for the purposes of partition of the family patrimony, the Government may render wholly or partly applicable to the plan established pursuant to section 10.0.1 of that Act the rules, with the necessary modifications, prescribed in Chapter VII.1 of Title I of the Act or enacted by it under the provisions of that chapter; it may also, for the same purposes, prescribe special provisions concerning the establishment and assessment of the benefits accrued under such plan and the reduction, by reason of payment of the amounts granted to the spouse, of amounts payable under such plan;

WHEREAS the Government made the Order in Council respecting the partition and assignment of benefits accrued under the Pension plan for federal employees transferred to employment with the gouvernement du Québec (chapter R-10, r. 8);

WHEREAS it is expedient to amend the Order in Council;

WHEREAS, under the second paragraph of section 10.2 of the Act respecting the Government and Public Employees Retirement Plan, as enacted by section 22 of chapter 4 of the Statutes of 2018, for the purposes of the partition or assignment between spouses referred to in section 122.1.1 of the Act respecting the Government and Public Employees Retirement Plan of the benefits accrued under the Pension plan for federal employees transferred to employment with the Gouvernement du Québec, the Government may render wholly or partly applicable to the plan the rules, with the necessary modifications, prescribed in Chapter VII.1 of Title I of the Act or enacted by it under the provisions of that chapter;

WHEREAS it is expedient, for the purposes of the partition or assignment between spouses referred to in section 122.1.1 of the Act respecting the Government and Public Employees Retirement Plan of the benefits accrued under the Pension plan for federal employees transferred to employment with the Gouvernement du Québec, to render applicable to the plan the rules, with the necessary modifications, prescribed in Chapter VII.1 of Title I 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 the powers referred to in paragraphs 2 and 4 to 6 of the provision;

WHEREAS the consultation has been held;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), draft Amendments to the Order in Council respecting the partition and assignment of benefits accrued under the Pension plan for federal employees transferred to employment with the gouvernement du Québec 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 Amendments was received;

WHEREAS it is expedient to make the Amendments without amendment;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the rules prescribed in Chapter VII.1 of Title I of the Act respecting the Government and Public Employees Retirement Plan concerning spouses referred to in section 122.1.1 of the Act be applicable to the Pension plan for federal employees transferred to employment with the Gouvernement du Québec;

THAT the Amendments to the Order in Council respecting the partition and assignment of benefits accrued under the Pension plan for federal employees transferred to employment with the gouvernement du Québec are hereby made.

*Le greffier du Conseil du trésor,*  
LOUIS TREMBLAY

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## Amendments to the Order in Council respecting the partition and assignment of benefits accrued under the Pension plan for federal employees transferred to employment with the gouvernement du Québec

An Act respecting the Government and Public Employees Retirement Plan (chapter R-10, s. 10.2)

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, s. 29, pars. 3 and 4)

**1.** Section 1 of the Order in Council respecting the partition and assignment of benefits accrued under the Pension plan for federal employees transferred to employment with the gouvernement du Québec (chapter R-10, r. 8) is amended by adding, at the end, the following paragraph:

“Moreover, the rules prescribed in section 122.1.1 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) apply, with regard to the spouses affected by those rules, with the necessary modifications, to the Pension plan for federal employees transferred to employment with the gouvernement du Québec (chapter R-10, r. 10).”

**2.** Section 1 of the Schedule 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 subparagraph:

“(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)”.

**3.** The Schedule 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 in 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.”

**4.** Section 2 of the Schedule 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,”.

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

**6.** Section 4 of the Schedule 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.”

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

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

**9.** Section 10 of the Schedule 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 Pension plan for federal employees transferred to employment with the gouvernement du Québec, 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;”.

**10.** This Regulation comes into force on (*insert the date of coming into force of section 27 and paragraphs 3 and 4 of section 29 of chapter 4 of the Statutes of 2018*).

103745

Gouvernement du Québec

**T.B. 220176**, 19 November 2018

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 the first paragraph of section 196.30 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1), the Government pays 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 11.5 of the Regulation provides, for the purposes of section 196.30, the percentage and the reference year for the sum of the salaries used for the purposes of the multiplication;

WHEREAS the Government paid into the employees’ contribution fund all the sums required to perform the obligation provided for in section 196.30 of the Act;

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 therein after Retraite Québec has consulted the pension committee referred to in section 196.2 of the Act;