

2. This Regulation comes into force on 1 July 2019.

104011

Gouvernement du Québec

O.C. 221072, 25 June 2019

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

**Regulation respecting the application
— Amendment**

Regulation to amend the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services

WHEREAS, under the first paragraph of section 23 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2), subject to sections 24 and 25, the years and parts of a year of service credited to an employee and the years and parts of a year of service for which pension credit was granted to the employee under the Act respecting the Government and Public Employees Retirement Plan (chapter R-10), the Act respecting the Pension Plan of Management Personnel (chapter R-12.1), the Act respecting the Teachers Pension Plan (chapter R-11) or the Act respecting the Civil Service Superannuation Plan (chapter R-12), must be credited under this plan on an actuarially equivalent basis established on the day following the date the employee qualifies for membership in this plan, if the contributions have not been refunded to the employee;

WHEREAS, under the fourth paragraph of section 23 of the Act respecting the Pension Plan of Peace Officers in Correctional Services, the actuarial values of the benefits are established on the basis of actuarial assumptions and methods determined by regulation and which may vary according to the pension plans and the benefits concerned;

WHEREAS, under the first paragraph of section 41.7 of the Act, the years and parts of a year of service credited to an employee under the pension plan of the Sûreté du Québec (C.T. 181151 dated 18 August 1992) may be credited under this plan on an actuarially equivalent basis if the employee qualifies for membership in this plan;

WHEREAS, under the third paragraph of section 41.7 of the Act, the actuarial values of the benefits are determined on the date Retraite Québec receives the transfer application and on the basis of actuarial assumptions and methods determined by regulation;

WHEREAS, under the first paragraph of section 41.12 of the Act, Retraite Québec must transfer to a locked-in retirement account, for the employee or person referred to in section 8.7 or 8.8, the actuarial value of the additional benefits referred to in section 66.1 and the actuarial value of the supplementary benefits referred to in section 66.4, determined on the date membership in this plan ceased, established in accordance with section 8.7 or 8.8;

WHEREAS, under the second paragraph of section 41.12 of the Act, the actuarial values of the benefits are established on the basis of actuarial assumptions and methods determined by regulation, which may vary with the benefits concerned;

WHEREAS, under subparagraph 3 of the first paragraph of section 130 of the Act, the Government may, by regulation, determine the actuarial assumptions and methods used to calculate the actuarial value of the benefits referred to in sections 23, 41.7 and 41.12, which may vary according to the pension plans and benefits concerned;

WHEREAS the Government made the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2, r. 1) by Order in Council 1842-88 dated 14 December 1988;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, under the first paragraph of section 130 of the Act, the Government exercises the regulatory powers provided for therein after Retraite Québec has consulted the pension committee referred to in section 139.3 of the Act;

WHEREAS, under 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 certain powers;

WHEREAS the consultations have been held;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services, attached hereto, is hereby made.

LOUIS TREMBLAY,
Le greffier du Conseil du trésor

Regulation to amend the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services

An Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2, s. 130, 1st par., subpar. 3)

1. The Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2, r. 1) is amended in section 3.0.1

(1) by replacing paragraph 9 by the following:

“(9) Rate of increase of salaries:

The annual increase in salaries corresponds to the annual increase of the MPE, increased by the annual rate of salary increase.

For the Pension Plan of Peace Officers in Correctional Services

Years of service	Annual rate of increase
0 year	2.50%
1-6 years	4.30%
7 years	2.50%
8-10 years	0.80%
11-20 years	0.60%
21-30 years	0.30%
31 years and over	0%

For the Government and Public Employees Retirement Plan, the Teachers Pension Plan and the Civil Service Superannuation Plan

Years of service	Annual rate of increase
0-2 years	3.30%
3-5 years	3.20%
6-8 years	2.70%
9-11 years	2.40%
12-14 years	1.90%
15-17 years	1.30%
18-19 years	0.90%
20-24 years	0.55%
25-29 years	0.40%
30 years and over	0.35%

For the Pension Plan of Management Personnel

Age	Annual rate of increase
18-36 years	3.30%
37-38 years	3.10%
39-41 years	2.20%
42-44 years	1.70%
45-49 years	1.50%
50-54 years	1.20%
55 years and over	0.90%

For the Pension Plan of the members of the Sûreté du Québec

Years of service	Annual rate of increase
0-1 year	11.80%
2 years	13.20%
3 years	11.50%
4 years	8.90%
5 years	8.60%
6 years	6.00%
7-9 years	0.75%
10 years	1.50%
11-13 years	0.75%
14 years	2.00%
15-20 years	0.50%
21 years	2.00%
22 years and over	0.50%”;

(2) by replacing paragraph 11 by the following:

“(11) Retirement age

For the purpose of section 41.12 of the Act, the retirement age is the age on the date on which membership ceases as determined pursuant to section 8.7 or 8.8 of the Act.

For the purposes of sections 23 and 41.7 of the Act, retirement is determined according to the following retirement rates:

For the Pension Plan of Peace Officers in Correctional Services

For an employee who would attain 30 years of service at age 50 or older but before age 61	–70% at 30 years of service – 100% (of the remaining 70%) at 32 years of service
For an employee who would attain 60 years of age without having more than 29 years of service	–50% at age 60 – 100% (of the remaining 50%) at 32 years of service or age 65 if the employee attains that age without attaining 32 years of service
For an employee who would attain 32 years of service before age 51 or who would attain 31 years of service at age 50	–60% at 32 years of service before age 51 or 31 years of service at age 50 – 100% (of the remaining 60%) at 35 years of service
For an employee who has at least 32 years of service at the time of transfer	–75% 6 months after the transfer – 100% (of the remaining 75%) at 35 years of service
For an employee who is at least 60 years of age or older and who has less than 32 years of service at the time of transfer	–50% 6 months after the transfer – 100% (of the remaining 50%) at 32 years of service or at age 65 if the employee attains that age without attaining 32 years of service
For an employee with at least 30 years of service but less than 32 years of service and who is age 50 to 59 at the time of transfer	–75% 6 months after the transfer – 100% (of the remaining 75%) at 32 years of service

For the Government and Public Employees Retirement Plan

For an employee who would attain 35 years of service before age 55	–85% at 35 years of service – 100% (of the remaining 85%) at 40 years of service
For an employee who would attain 35 years of service at age 55 or older but before age 61	–90% at 35 years of service – 100% (of the remaining 90%) at 40 years of service
For an employee who would attain age 61 and 30 years of service or age 60 and more than 29 years of service without having more than 34 years of service	–85% at age 61 and 30 years of service or age 60 and more than 29 years of service without having more than 34 years of service – 100% (of the remaining 85%) at 35 years of service
For an employee who would attain age 61 and more than 15 years of service without having more than 29 years of service	–70% at age 61 and more than 15 years of service without having more than 29 years of service – 100% (of the remaining 70%) at age 65

For an employee who would attain age 61 without having more than 15 years of service	–60% at age 61 without having more than 15 years of service –100% (of the remaining 60%) at age 65
For an employee who has at least 35 years of service at the time of transfer	–80% 6 months after the transfer –100% (of the remaining 80%) at 40 years of service or age 65 if the employee attains that age without attaining 40 years of service
For an employee who is at least 61 years of age or at least 60 years of age and who has 30 years of service without exceeding 34 years of service at the time of transfer	–60% 6 months after the transfer –100% (of the remaining 60%) at 35 years of service or age 65 if the employee attains that age without attaining 35 years of service

For the Pension Plan of Management Personnel

For an employee who would attain 35 years of service at age 56 or older but before age 59	–90% at 35 years of service at age 56 or older but before age 59 –100% (of the remaining 90%) at 40 years of service
For an employee whose age and years of service would add up to 90 (criteria 90) at age 58 or 59	–75% at criteria 90 –100% (of the remaining 75%) at 35 years of service
For an employee whose age and years of service would add up to 90 (criteria 90) at age 60 or 61	–80% at criteria 90 –100% (of the remaining 80%) at 35 years of service or age 65 if the employee attains that age without attaining 35 years of service
For an employee who would attain age 61 and more than 15 years of service without exceeding 29 years of service	–70% at age 61 –100% (of the remaining 70%) at age 65
For an employee who would attain age 61 without having more than 15 years of service	–60% at age 61 –100% (of the remaining 60%) at age 65
For an employee who has at least 35 years of service and is at least age 56 at the time of transfer	–90% 6 months after the transfer –100% (of the remaining 90%) at 40 years of service or age 65 if the employee attains that age without attaining 40 years of service
For an employee whose age and years of service add up to 90, who is 58 to 60 years of age and has less than 35 years of service at the time of transfer	–80% 6 months after the transfer –100% (of the remaining 80%) at 35 years of service or age 65 if the employee attains that age without attaining 35 years of service

For an employee who is at least 61 years of age and has less than 35 years of service at the time of transfer	– 60% 6 months after the transfer – 100% (of the remaining 60%) at 35 years of service or age 65 if the employee attains that age without attaining 35 years of service
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For the Pension Plan of members of the Sûreté du Québec

For an employee who would attain 25 years of service at age 50 or older but before age 55 or whose age and years of service would add up to 75 (criteria 75) before age 50	– 15% at 25 years of service or criteria 75 if the employee is less than 50 years of age – 100% (of the remaining 15%) at 32 years of service
For an employee who would attain 25 years of service at age 55 or older but before age 60	– 30% at 25 years of service – 100% (of the remaining 30%) at 32 years of service or age 60 if the employee attains that age without attaining 32 years of service
For an employee who would attain age 60 without having more than 25 years of service	– 60% at age 60 – 100% (of the remaining 60%) at age 65
For an employee who is at least 60 years of age at the time of transfer	– 60% 6 months after the transfer – 100% (of the remaining 60%) at 38 years of service or age 65 if the employee attains that age without attaining 38 years of service
For an employee who has at least 32 years of service without attaining age 60 at the time of transfer	– 60% 6 months after the transfer – 100% (of the remaining 60%) at 38 years of service or age 60 if the employee attains that age without attaining 38 years of service
For an employee whose age and years of service add up to 75 at the time of transfer while the employee is less than 50 years of age and has less than 32 years of service	– 30% 6 months after the transfer – 100% (of the remaining 30%) at 32 years of service
For an employee who has at least 25 years of service but less than 32 years of service and is 50 to 54 years of age at the time of transfer	– 30% 6 months after the transfer – 100% (of the remaining 30%) at 32 years de service
For an employee who has at least 25 years of service but less than 32 years of service and is 55 to 59 years of age at the time of transfer	– 50% 6 months after the transfer – 100% (of the remaining 50%) at 32 years of service or age 60 if the employee attains that age without attaining 32 years of service”

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