

Regulations and other Acts

Gouvernement du Québec

O.C. 37-2022, 12 January 2022

Rates of contribution of municipalities with respect to the judges of Municipal Courts to whom the pension plans provided for in Parts V.1 and VI of the Courts of Justice Act apply

WHEREAS, under the third paragraph of section 246.26 of the Courts of Justice Act (chapter T-16), with respect to the judges of Municipal Courts to whom the pension plan provided for in Part V.1 or VI applies, the cost of that plan, except contributions paid by those judges to the pension plan provided for in Part V.1, including those transferred to it, and contributions paid by those judges for the years 1979 to 1989 to the equivalent pension plan in force in the municipality, is to be borne by each municipality, respectively;

WHEREAS the rates of contribution of municipalities to the pension plans provided for in Parts V.1 and VI of the Courts of Justice Act with respect to the judges of Municipal Courts to whom the pension plans apply were fixed from 1 January 2019 by Order in Council 51-2019 dated 29 January 2019;

WHEREAS, under the first paragraph of section 246.26 of the Courts of Justice Act, at least once every three years, Retraite Québec is to cause an actuarial valuation of the pension plans provided for in particular in Parts V.1 and VI of the Act to be prepared for the Minister of Justice by the actuaries it designates;

WHEREAS the last actuarial valuation of the pension plans was received by the Minister of Justice in October 2021;

WHEREAS, under the first paragraph of section 246.26.1 of the Courts of Justice Act, the Government determines, by order, at intervals of not less than three years, the rate of contribution of the municipalities to the pension plan provided for in Part V.1 of the Act and the rate of contribution to the pension plan provided for in Part VI of the Act, and the rates are based on each plan's experience and obtained at the time of the last actuarial valuation;

WHEREAS, under the first paragraph of section 246.26.1 of the Act, the order may have effect from 1 January following the date on which the Minister of Justice receives the actuarial valuation or any later date fixed in the order;

WHEREAS it is expedient to fix, as of 1 January 2022, the rates of contribution of municipalities to the pension plans provided for in Parts V.1 and VI of the Courts of Justice Act with respect to the judges of Municipal Courts to whom the pension plans apply;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice:

THAT the rate of contribution of municipalities to the pension plan provided for in Part V.1 of the Courts of Justice Act (chapter T-16) be, with respect to the judges of Municipal Courts to whom the plan applies, fixed at the difference between 14.15% of the annual salary, including any additional remuneration, paid to the judge or that would have been paid to the judge had the judge not benefited from a leave without pay or a leave with deferred pay, and the rate resulting from the contribution paid by the judge to the plan;

THAT the rate of contribution of municipalities to the pension plan provided for in Part VI of the Courts of Justice Act be, with respect to the judges of Municipal Courts to whom the plan applies, fixed at 14.64% of the annual salary, including any additional remuneration, paid to the judge or that would have been paid to the judge had the judge not benefited from a leave without pay or a leave with deferred pay;

THAT this Order in Council have effect from 1 January 2022.

YVES OUELLET
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 38-2022, 12 January 2022

Rates of contribution of municipalities to the supplementary benefits plans established under the second paragraph of section 122 of the Courts of Justice Act in respect of judges of the Municipal Courts to whom the pension plans provided for in Parts V.1 and VI of the Act apply

WHEREAS, under the second paragraph of section 122.3 of the Courts of Justice Act (chapter T-16), the cost of the supplementary benefits plan established under the

second paragraph of section 122 of the Act is to be borne, in respect of judges of the Municipal Courts to whom the pension plan provided for in Part V.1 or Part VI of the Act applies, by each municipality, respectively;

WHEREAS the rates of contribution of municipalities to the supplementary benefits plans of judges of the Municipal Courts to whom the pension plans provided for in Parts V.1 and VI of the Courts of Justice Act apply were fixed from 1 January 2019 by Order in Council 52-2019 dated 29 January 2019;

WHEREAS, under the first paragraph of section 122.3 of the Courts of Justice Act, at least once every three years, Retraite Québec is to cause an actuarial valuation of the supplementary benefits plans established under the second paragraph of section 122 of the Act to be prepared for the Minister of Justice by the actuaries it designates;

WHEREAS the last actuarial valuation of the supplementary benefits plans was received by the Minister of Justice in October 2021;

WHEREAS, under the third paragraph of section 122.3 of the Courts of Justice Act, the Government determines, by order, at intervals of not less than three years, the rate of contribution of the municipalities to the plan, which is based on the result of the last actuarial valuation of the plan;

WHEREAS, under the third paragraph of section 122.3 of the Act, the order may have effect from 1 January following the date on which the Minister of Justice receives the actuarial valuation or any later date fixed in the order;

WHEREAS it is expedient to fix, as of 1 January 2022, the rates of contribution of municipalities to the supplementary benefits plans established under the second paragraph of section 122 of the Courts of Justice Act in respect of judges of the Municipal Courts to whom the pension plans provided for in Parts V.1 and VI of the Act apply;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice:

THAT the rate of contribution of municipalities to the supplementary benefits plan established under the second paragraph of section 122 of the Courts of Justice Act (chapter T-16) be, in respect of judges of the Municipal Courts to whom the pension plan provided for in Part V.1 of the Act applies, fixed at the difference between 33.02% of the annual salary, including any additional remuneration,

paid to the judge or that would have been paid to the judge had the judge not benefited from a leave without pay or a leave with deferred pay, and the sum of the municipality's rate of contribution determined under in Part V.1 of the Act and the rate resulting from the contribution paid by the judge to the pension plan provided for in Part V.1 of the Act and, if applicable, the contribution paid by the judge to the supplementary benefits plan;

THAT the rate of contribution of municipalities to the supplementary benefits plan established under the second paragraph of section 122 of the Courts of Justice Act be, in respect of judges of the Municipal Courts to whom the pension plan provided for in Part VI of the Act applies, fixed at 20.44% of the annual salary, including any additional remuneration, paid to the judge or that would have been paid to the judge had the judge not benefited from a leave without pay or a leave with deferred pay;

THAT this Order in Council have effect from 1 January 2022.

YVES OUELLET
Clerk of the Conseil exécutif

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O.C. 39-2022, 12 January 2022

Courts of Justice Act
(chapter T-16)

Schedule IV to the Act — Amendment

Regulation to amend Schedule IV to the Courts of Justice Act

WHEREAS, under section 160 of the Courts of Justice Act (chapter T-16), administrative justices of the peace exercise only the powers and functions determined in Schedule IV for the class assigned to them in their notice of appointment;

WHEREAS, under the first paragraph of section 181 of the Act, the Government may, by regulation, amend Schedule IV in particular to modify, add to or reduce the functions and powers of administrative justices of the peace;