

Gouvernement du Québec

T.B. 231492, 26 November 2024

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

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

Amendments to Schedule I to the Act respecting the Government and Public Employees Retirement Plan and Schedules II and III to the Act respecting the Pension Plan of Management Personnel

Amendments to Schedule I to the Act respecting the Government and Public Employees Retirement Plan and Schedules II and III to the Act respecting the Pension Plan of Management Personnel

WHEREAS, under section 1 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10), the retirement plan applies to employees and persons designated in Schedule I, and employees and persons designated in Schedule II who were not members of a retirement plan on 30 June 1973 or who were appointed or engaged after 30 June 1973;

WHEREAS, under section 220 of the Act, the Government may, by order, amend Schedules I, II, II.1, II.1.1 and II.2 and, where the Government amends Schedule I or II, it must also amend to the same effect Schedule II to the Act respecting the Pension Plan of Management Personnel (chapter R-12.1). Any such order may have effect 12 months or less before it is made;

WHEREAS the Regulation under the Act respecting the Government and Public Employees Retirement Plan (chapter R-10, r. 2) determines, pursuant to subparagraph 25 of the first paragraph of section 134 of the Act respecting the Government and Public Employees Retirement Plan, the conditions that permit a body, according to the category determined by regulation, to be designated by order in Schedule I or II.1 to the Act;

WHEREAS, under the first paragraph of section 1 of the Act respecting the Pension Plan of Management Personnel, the Pension Plan of Management Personnel applies, to the extent provided for in Chapter I of the Act, to employees and persons appointed or engaged on or after 1 January 2001 to hold, with the corresponding classification, non-unionizable employment designated in Schedule I and referred to in Schedule II;

WHEREAS, under the sixth paragraph of section 2 of the Act, the Pension Plan of Management Personnel also applies, to the extent provided for in Chapter I of the Act, to an employee appointed or engaged to hold, with the corresponding classification, non-unionizable employment designated in Schedule I, who is released without pay by an employer and who, while released without pay, holds non-unionizable employment designated in section 5 of Schedule I with an organization designated in Schedule III;

WHEREAS, under subparagraph 25 of the first paragraph of section 196 of the Act, the Government may determine the conditions which permit a body, according to the class determined by regulation, to be designated by order in Schedule III;

WHEREAS, under the first paragraph of section 416 of the Act, the regulations and orders made under the provisions of the Act respecting the Government and Public Employees Retirement Plan that are in force on 20 June 2001 will be 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 that Act, and they will apply, with the necessary modifications, until they are replaced by regulations and orders made under such corresponding provisions;

WHEREAS section 53.1 of the Regulation under the Act respecting the Government and Public Employees Retirement Plan has not thus been replaced and must be considered, for the purposes of the Act respecting the Pension Plan of Management Personnel, as a regulation made under subparagraph 25 of the first paragraph of section 196 of that Act;

WHEREAS, under the first paragraph of section 207 of the Act respecting the Pension Plan of Management Personnel, the Government may, by order, amend Schedules I, III and IV and may also amend Schedule II, but only to the extent provided for in section 220 of the Act respecting the Government and Public Employees Retirement Plan. Any such order may have effect 12 months or less before it is made;

WHEREAS, under section 40 of the Public Administration Act (chapter A-6.01), the Conseil du trésor exercises, after consulting the Minister of Finance, 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 consultation has taken place;

WHEREAS the Centre d'hébergement et de soins de longue durée du Groupe-Santé-Arbec Inc., Centre d'hébergement et de soins de longue durée Louise-Faubert Inc., Centre d'hébergement et de soins de longue durée Marguerite-Rocheleau Inc. and Centre d'hébergement et de soins de longue durée Michèle-Bohec Inc. meet the conditions set out in section 51 of the Regulation under the Act respecting the Government and Public Employees Retirement Plan in order to be designated in Schedule I to the Act respecting the Government and Public Employees Retirement Plan and in Schedule II to the Act respecting the Pension Plan of Management Personnel;

WHEREAS the Coalition de l'encadrement en matière de retraite et d'assurance (CERA) and Le Regroupement des associations de cadres en matière d'assurance et de retraite (R.A.C.A.R.) meet the conditions set out in section 53 of the Regulation under the Act respecting the Government and Public Employees Retirement Plan in order to be designated in Schedule I to the Act respecting the Government and Public Employees Retirement Plan and in Schedule II to the Act respecting the Pension Plan of Management Personnel;

WHEREAS the Coalition de l'encadrement en matière de retraite et d'assurance (CERA) and Le Regroupement des associations de cadres en matière d'assurance et de retraite (R.A.C.A.R.) also meet the conditions set out in section 53.1 of the Regulation under the Act respecting the Government and Public Employees Retirement Plan in order to be designated in Schedule III to the Act respecting the Pension Plan of Management Personnel;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the amendments to Schedule I to the Act respecting the Government and Public Employees Retirement Plan and Schedules II and III to the Act respecting the Pension Plan of Management Personnel, attached to this decision, be made.

Le greffier du Conseil du trésor,
LOUIS TREMBLAY

Amendments to Schedule I to the Act respecting the Government and Public Employees Retirement Plan and Schedules II and III to the Act respecting the Pension Plan of Management Personnel

Act respecting the Government and Public Employees Retirement Plan
(chapter R-10, s. 220).

Act respecting the Pension Plan of Management Personnel
(chapter R-12.1, s. 207, 1st par.).

1. Schedule I to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) is amended in paragraph 1

(1) by inserting, in alphabetical order, "Centre d'hébergement et de soins de longue durée du Groupe-Santé-Arbec Inc.";

(2) by inserting, in alphabetical order, "Centre d'hébergement et de soins de longue durée Louise-Faubert Inc.";

(3) by inserting, in alphabetical order, "Centre d'hébergement et de soins de longue durée Marguerite-Rocheleau Inc.";

(4) by inserting, in alphabetical order, "Centre d'hébergement et de soins de longue durée Michèle-Bohec Inc.";

(5) by inserting, in alphabetical order, "Coalition de l'encadrement en matière de retraite et d'assurance (CERA)";

(6) by inserting, in alphabetical order, "Le Regroupement des associations de cadres en matière d'assurance et de retraite (R.A.C.A.R.)".

2. Schedule II to the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) is amended in paragraph 1

(1) by inserting, in alphabetical order, "Centre d'hébergement et de soins de longue durée du Groupe-Santé-Arbec Inc.";

(2) by inserting, in alphabetical order, "Centre d'hébergement et de soins de longue durée Louise-Faubert Inc.";

(3) by inserting, in alphabetical order, “Centre d’hébergement et de soins de longue durée Marguerite-Rocheleau Inc.”;

(4) by inserting, in alphabetical order, “Centre d’hébergement et de soins de longue durée Michèle-Bohec Inc.”;

(5) by inserting, in alphabetical order, “Coalition de l’encadrement en matière de retraite et d’assurance (CERA)”;

(6) by inserting, in alphabetical order, “Le Regroupement des associations de cadres en matière d’assurance et de retraite (R.A.C.A.R.)”.

3. Schedule III to the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) is amended

(1) by inserting, in alphabetical order, “Coalition de l’encadrement en matière de retraite et d’assurance (CERA)”;

(2) by inserting, in alphabetical order, “Le Regroupement des associations de cadres en matière d’assurance et de retraite (R.A.C.A.R.)”.

4. These amendments have the following effective dates:

(1) the amendments of paragraphs 1 to 3 of section 1 and those of paragraphs 1 to 3 of section 2 are effective since 16 June 2024;

(2) the amendments of paragraph 4 of section 1 and those of paragraph 4 of section 2 are effective since 24 March 2024;

(3) the amendments of paragraphs 5 and 6 of section 1, those of paragraphs 5 and 6 of section 2, and those of section 3 are effective since 16 April 2024.

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