

Gouvernement du Québec

O.C. 1737-2024, 4 December 2024

Courts of Justice Act
(chapter T-16),

**Supplementary benefits plan for judges covered
by the pension plan provided for in Part V.1 of the
Courts of Justice Act
— Amendment**

Regulation to amend the Supplementary benefits plan for judges covered by the pension plan provided for in Part V.1 of the Courts of Justice Act

WHEREAS, under the second paragraph of section 122 of the Courts of Justice Act (chapter T-16), the Government may, by order, establish, in respect of judges to whom the pension plan established under Part V.1 of the Act applies, a plan providing for supplementary benefits payable from the date on which benefits become payable under the pension plan, and determine, in particular, within the plan a fund into which the judges' contributions to the plan are to be paid;

WHEREAS, under section 122.1 of the Act, the Government may enact special rules concerning the determination and evaluation of the supplementary benefits;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Supplementary benefits plan for judges covered by the pension plan provided for in Part V.1 of the Courts of Justice Act was published in Part 2 of the *Gazette officielle du Québec* of 26 June 2024 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Supplementary benefits plan for judges covered by the pension plan provided for in Part V.1 of the Courts of Justice Act, attached to this Order in Council, be made.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

**Regulation to amend the Supplementary
benefits plan for judges covered by the
pension plan provided for in Part V.1 of
the Courts of Justice Act**

Courts of Justice Act
(chapter T-16, s. 122, 2nd par., and s. 122.1).

1. The Supplementary benefits plan for judges covered by the pension plan provided for in Part V.1 of the Courts of Justice Act (chapter T-16, r. 6) is amended in section 3 by adding the following paragraph at the end:

“The years of service considered for the purposes of the first paragraph also include, where applicable, the years thus accumulated as at 31 March 2024 for the calculation of special supplementary benefits under the supplementary benefits plan equivalent to this Plan in effect in Ville de Montréal on that date.”

2. The Plan is amended by inserting the following before section 13:

“**12.1.** The sums required for the payment of supplementary benefits are taken in a proportion of 90% out of the Consolidated Revenue Fund and in a proportion of 10% out of the retirement compensation arrangement trust provided for in the fifth paragraph of section 10.

The same applies to the sums required for the partition of the benefits accumulated by a judge or a former judge under the pension plan provided for in Part V.1 of the Act.

Despite the first and second paragraphs, in the case of a judge who has not made any contributions to the retirement compensation arrangement trust at the time of the payment of the supplementary benefits or on the date of assessment of the benefits because of the partition or the assignment of the accumulated benefits, the required sums are taken in total from the Consolidated Revenue Fund.

Notwithstanding the foregoing, in the case of a judge who has not made any contributions to the retirement compensation arrangement trust because of an exemption from doing so, the sums required for the purposes of the first and second paragraphs are taken in accordance with the first paragraph.”

- 3.** Section 13.1 of this Plan is revoked.
- 4.** Sections 1 and 3 have effect from 1 April 2024.
- 5.** This Regulation comes into force on 1 January 2025.

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