

1995, chapter 46  
**AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS  
RESPECTING THE PENSION PLANS IN THE PUBLIC AND  
PARAPUBLIC SECTORS**

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**Bill 97**

Introduced by Madam Pauline Marois, Minister for Administration and the Public Service and Chairman of the Conseil du trésor

Introduced 11 May 1995

Passage in principle 19 June 1995

Passage 22 June 1995

**Assented to 22 June 1995**

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**Coming into force: 22 June 1995, except section 10 which will come into force on  
1 September 1995**

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**Legislation amended:**

Act respecting the Pension Plan of Certain Teachers (R.S.Q., chapter R-9.1)

Act respecting the Pension Plan of Peace Officers in Correctional Services  
(R.S.Q., chapter R-9.2)

Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., chapter R-9.3)

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

Act respecting the Teachers Pension Plan (R.S.Q., chapter R-11)

Act respecting the Civil Service Superannuation Plan (R.S.Q., chapter R-12)

Supplemental Pension Plans Act (R.S.Q., chapter R-15.1)



## CHAPTER 46

### **An Act to amend various legislative provisions respecting the pension plans in the public and parapublic sectors**

*[Assented to 22 June 1995]*

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### ACT RESPECTING THE PENSION PLAN OF CERTAIN TEACHERS

c. R-9.1,  
s. 18, am.

**1.** Section 18 of the Act respecting the Pension Plan of Certain Teachers (R.S.Q., chapter R-9.1) is amended by striking out the words “or, as the case may be, pursuant to agreements concerning the pension plan provided for in the said Act entered into in accordance with section 158 of the said Act” in the fifth, sixth and seventh lines of the first paragraph.

#### ACT RESPECTING THE PENSION PLAN OF PEACE OFFICERS IN CORRECTIONAL SERVICES

c. R-9.2,  
s. 14, am.

**2.** Section 14 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., chapter R-9.2) is amended

(1) by replacing the second paragraph by the following paragraph:

Maximum  
pensionable  
salary

“If the total service credited in respect of the pensionable employments of the employee is reduced by the application of section 16, the pensionable salary of the employee shall not exceed the total of the following amounts:

(1) the salary attached to the employment held for a proportionately greater number of days in the year or, if such employments were held for proportionately the same number of days, the salary attached to the highest paid employment; and

(2) the amount by which the employee’s pensionable salary attached to the employment to which subparagraph 1 applies exceeds

the annual basic salary paid to him in respect of that employment or that would have been paid to him pursuant to the conditions of employment applicable on the last credited day of the year, multiplied by the service credited to that employee in the course of the year in respect of that employment.”;

(2) by inserting the words “of subparagraph 1” after the word “purposes” in the first line of the third paragraph;

(3) by adding, at the end, the following paragraph:

Presump-  
tion

“For the purposes of the third paragraph of section 46.1, the employee is deemed to have held only one employment during the year and his annual basic salary shall be the salary attached to the employment to which subparagraph 1 of the second paragraph applies.”

ACT RESPECTING THE GOVERNMENT AND PUBLIC EMPLOYEES  
RETIREMENT PLAN

c. R-10,  
s. 2, am.

**3.** Section 2 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10) is amended by adding, at the end, the following paragraph:

“(6) an employee who is released without pay by his employer for union activities and who is in the employ of a body designated in Schedule II.1 if the employee belongs to the class of employees mentioned in that schedule in respect of that body.”

c. R-10,  
s. 10, am.

**4.** Section 10 of the said Act is amended by adding, at the end, the following paragraph:

Order

“An order made under the first paragraph may not have effect more than 12 months before its adoption.”

c. R-10,  
s. 16.1,  
replaced

**5.** Section 16.1 of the said Act is replaced by the following section:

Union  
activities

**16.1** The pensionable salary of an employee who is released with pay for union activities is the salary paid to him by his employer and the salary, if any, paid to him by a body designated in Schedule II.1.

Employer's  
contributory  
amount

The body concerned must pay its employer's contributory amount and deduct the contributions from the pensionable salary it pays to such an employee.”

c. R-10,  
s. 18, am. **6.** Section 18 of the said Act is amended

(1) by replacing the second paragraph by the following paragraph:

Maximum pensionable salary “If the total service credited in respect of the pensionable employments of the employee is reduced by the application of section 20, the pensionable salary of the employee shall not exceed the total of the following amounts:

(1) the salary attached to the employment held for a proportionately greater number of days in the year or, if such employments were held for proportionately the same number of days, the salary attached to the highest paid employment; and

(2) the amount by which the employee’s pensionable salary attached to the employment to which subparagraph 1 applies exceeds the annual basic salary paid to him in respect of that employment or that would have been paid to him pursuant to the conditions of employment applicable on the last credited day of the year, multiplied by the service credited to that employee in the course of the year in respect of that employment.”;

(2) by inserting the words “of subparagraph 1” after the word “purposes” in the first line of the third paragraph;

(3) by adding, at the end, the following paragraph:

Presump- tion “For the purposes of the third paragraph of section 36.0.1, the employee is deemed to have held only one employment during the year and his annual basic salary shall be the salary attached to the employment to which subparagraph 1 of the second paragraph applies.”

c. R-10,  
s. 40, am. **7.** Section 40 of the said Act is amended by replacing the word “deemed” in the first line of the second paragraph by the word “presumed”.

c. R-10,  
s. 49.1, am. **8.** Section 49.1 of the said Act is amended by adding, at the end of the first paragraph, the following sentence: “However, the 211-day period does not apply if, according to a medical certificate, the employee is suffering from an illness likely to lead to death within a period of two years.”

c. R-10,  
s. 59.3.1,  
added **9.** The said Act is amended by inserting, after section 59.3, the following section:

Cancellation  
of reim-  
bursement

**“59.3.1** The spouse of an employee referred to in the first or second paragraph of section 59.1 may, upon the death of the employee, obtain that the reimbursement of the amount referred to in the said section or, as the case may be, in section 59.2 be cancelled provided the spouse applies therefor to the Commission before the amount is received. In such a case, the employee’s application for reimbursement is deemed never to have been made.”

c. R-10,  
Div. III.2,  
s. 59.6.1,  
added

**10.** The said Act is amended by inserting, after section 59.6, the following division:

“DIVISION III.2

“TOTALLY AND PERMANENTLY DISABLED EMPLOYEE

Disability

**“59.6.1** Except in the case of a pensioner, an employee who is totally and permanently disabled within the meaning of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5<sup>th</sup> Supplement), who has ceased to participate in this plan and who is entitled only to a deferred pension shall be entitled to transfer into a locked-in retirement account the amount determined under section 59.1 and, if applicable, the amount referred to in section 59.2. Such a case is governed by sections 59.3, 59.3.1 and 59.5. The expression “locked-in retirement account” has the meaning assigned by the Regulation respecting supplemental pension plans approved by Order in Council 1158-90 (1990, G.O. 2, 2318).”

c. R-10,  
s. 86, am.

**11.** Section 86 of the said Act, amended by section 12 of chapter 20 of the statutes of 1994, is again amended by replacing the figure “1995” in the last line of subparagraph 2 of the first paragraph by the figure “1996”.

c. R-10,  
s. 87, am.

**12.** Section 87 of the said Act, amended by section 13 of chapter 20 of the statutes of 1994, is again amended by replacing the figure “1995” in the second line by the figure “1996”.

c. R-10,  
s. 134, am.

**13.** Section 134 of the said Act is amended

(1) by adding, at the end of paragraph 16, the words “and, for the purposes of section 147, the criteria and conditions subject to which the Commission may remit any amount owed to it;”;

(2) by inserting, after paragraph 16, the following paragraph:

“(16.1) determine, for the purposes of section 147.0.3, the rates of interest applicable to each period and the method of computation of such interest, both of which may vary according to the pension plan concerned;”;

(3) by adding, at the end of paragraph 25, the words “or II.1”.

c. R-10,  
s. 137, am.

**14.** Section 137 of the said Act is amended by striking out the figure “147,” in the first line of subparagraph 2 of the second paragraph.

c. R-10,  
s. 140,  
French text,  
am.

**15.** The French text of section 140 of the said Act is amended by replacing the word “incapacité” in the first line by the word “empêchement”.

c. R-10,  
s. 147, am.

**16.** Section 147 of the said Act is amended by replacing the second and third paragraphs by the following paragraphs:

Remittance

“The Commission shall remit

(1) any amount of pension or pension credit owed to the Commission where the amount was paid more than 36 months before the effective date of the adjustment of the pension or pension credit or before the date of the notice of claim sent by the Commission;

(2) any excess reimbursement of contributions or actuarial value owed to the Commission where the excess amount was paid more than 36 months previously;

(3) any overpayment owed to the Commission by a spouse after the date of payment of the sums allotted to the spouse following partition and assignment of benefits between spouses.

Remittance

The Commission may, in accordance with the criteria and conditions determined by regulation of the Government, remit any sum owed to the Commission.”

c. R-10,  
ss. 147.0.1-  
147.0.5,  
added

**17.** The said Act is amended by inserting, after section 147, the following sections:

Revision

**“147.0.1** The Commission must revise the amount of a pension that became payable after 30 June 1992, taking into account any clerical error or correction made to the data used for computing the pension on the date of retirement, on or before the later of the following dates:

(1) the date occurring 36 months after the date on which the pension became payable; or

(2) the date occurring 6 months after the date on which payment of the pension began.

Revision Where the Commission is unable to revise the amount of a pension for the date applicable pursuant to the first paragraph, it may do so within the 12 months following that date but shall take into account only the corrections received before the end of the 12-month period.

Downward adjustment prohibited The amount of a pension may not be adjusted downwards thereafter by reason of any clerical error or correction made to the data used for computing the pension on the date of retirement.

Revision “**147.0.2** The Commission must revise the amount of a deferred pension the payment of which began after 31 December 1994, taking into account any clerical error or correction made to the data used for computing the pension on the date of retirement, on or before the date occurring 6 months after the date on which payment of the pension began.

Revision Where the Commission is unable to revise the amount of the pension for the date applicable pursuant to the first paragraph, it may do so within the 12 months following that date but shall take into account only the corrections received before the end of the 12-month period.

Downward adjustment prohibited The amount of the pension may not be adjusted downwards thereafter by reason of any clerical error or correction made to the data used for computing the pension on the date of retirement.

Amount reimbursed without entitlement “**147.0.3** Any person who has received a reimbursement of contributions or actuarial value without being entitled thereto and who is entitled, in respect of the amounts so reimbursed, to claim a pension credit under his pension plan has 90 days from the date of the notice of claim sent by the Commission to elect either to keep the amount reimbursed, or to return the amount received without entitlement, with interest compounded annually, and computed at the rates determined for each period and in the manner prescribed by regulation, both of which may vary according to the pension plan concerned, from the date of the reimbursement to the date of the notice.

Forfeiture Any person who does not remit to the Commission the total amount claimed within the time allotted shall, subject to the third paragraph, forfeit any pension credit he could have claimed had it not been for the amount received without entitlement and is deemed, for the purposes of his pension plan, to have been entitled to the benefit granted to him.

Payment of amount claimed

The person may reverse his decision and the Commission shall, on request, send him a new notice of claim for an amount computed in accordance with the first paragraph up to the date of the new notice. In that case, the first paragraph shall apply in respect of that person. The person shall recover benefit entitlement under his pension plan if he remits the new amount claimed within the time allotted therefor.

Contestation

If the person has contested the amount claimed from him, in accordance with the provisions of his pension plan, and a final decision on the contestation has been made, the third paragraph applies without the person being required to file any application.

Decision irrevocable

**“147.0.4** Any decision of the Commission concerning a person’s eligibility for participation in a pension plan which, considering the provisions of the plan at the time the person begins to participate in the plan, is advantageous to the person, or concerning the number of years or parts of a year in respect of which a redemption proposal has been accepted becomes irrevocable, subject, in the latter case, to the provisions of the pension plans relating to redemption proposals, on the earlier of the following dates:

- (1) the date occurring three years after the date of the Commission’s initial decision;
- (2) the date on which the following conditions are met:
  - (a) the person ceases to be a member of his pension plan; and
  - (b) the person’s eligibility for a pension is confirmed to him in writing by the Commission.

Decision irrevocable

A decision of the Commission concerning any other element of an accepted redemption proposal becomes irrevocable, subject to the provisions of the pension plans relating to redemption proposals, on the date referred to in subparagraph 1 of the first paragraph.

Correction

Notwithstanding the first and second paragraphs, any data pertaining to a redemption proposal may be corrected at all times if that is advantageous to the person and if the person pays any additional cost resulting therefrom.

Provisions not applicable

**“147.0.5** The second paragraph of section 147, the third paragraph of section 147.0.1 and section 147.0.2 and section 147.0.4 do not apply if the overpayments made to a person or the benefits granted to a person result from an administrative error that could reasonably have been noticed by the person.”

c. R-10,  
s. 158, am. **18.** Section 158 of the said Act is amended by inserting the words “the Pension Plan of Certain Teachers,” after the word “whom” in the fifth line of the first paragraph.

c. R-10,  
s. 215.0.1,  
am. **19.** Section 215.0.1 of the said Act, enacted by section 5 of chapter 13 of the statutes of 1995, is amended by adding, at the end, the following paragraph:

Applicabil-  
ity “This Title also applies to an employee who meets the conditions mentioned in subparagraphs 1 to 3 of the first paragraph and who has become a unionizable employee in circumstances and during the periods determined by regulation. The regulation may include special provisions concerning the determination and funding of the actuarial value of the benefits granted pursuant to this Title to such an employee and special provisions concerning the transfer of sums of money to allow for that value, which provisions may differ from the provisions otherwise applicable under Chapter II of this Title. Such an employee is deemed, for the purposes of Chapters 0.1 to I.1 of this Title, to be a non-unionizable employee.”

c. R-10,  
Sched. I,  
am. **20.** Schedule I to the said Act, amended by Orders in Council 1573-93 dated 17 November 1993, 1728-93 dated 8 December 1993, 555-94 dated 20 April 1994, 1056-94 dated 13 July 1994, 1321-94, 1322-94, 1323-94 and 1324-94 dated 7 September 1994 and 1800-94 dated 21 December 1994, and by section 65 of chapter 40 of the statutes of 1993, section 31 of chapter 41 of the statutes of 1993, section 6 of chapter 50 of the statutes of 1993, section 13 of chapter 74 of the statutes of 1993, section 79 of chapter 2 of the statutes of 1994, section 49 of chapter 21 of the statutes of 1994, and section 42 of chapter 27 of the statutes of 1994, is again amended by inserting, in paragraph 1 and in alphabetical order, the following: “the Institut de recherches cliniques de Montréal, in respect of employees who were holding an employment with the Institut before 23 June 1995”.

c. R-10,  
Sched. II.1,  
am. **21.** Schedule II.1 to the said Act, amended by Orders in Council 1728-93 and 1729-93 dated 8 December 1993, 556-94 dated 20 April 1994, 1227-94 dated 17 August 1994, 1323-94 dated 7 September 1994 and 1639-94 dated 24 November 1994 and by section 14 of chapter 74 of the statutes of 1993, is again amended by replacing the heading by the following heading:

“BODIES WITH EMPLOYEES RELEASED FOR UNION ACTIVITIES”.

c. R-10,  
Sched. III,  
am. **22.** Schedule III to the said Act, amended by Order in Council 1728-93 dated 8 December 1993 and by section 15 of chapter 74 of the statutes of 1993, is again amended by replacing the words “the

Syndicat des fonctionnaires provinciaux du Québec inc.” by the words “the Syndicat de la fonction publique du Québec inc.”.

ACT RESPECTING THE TEACHERS PENSION PLAN

c. R-11,  
s. 13.1, am.

**23.** Section 13.1 of the Act respecting the Teachers Pension Plan (R.S.Q., chapter R-11) is amended

(1) by replacing the first paragraph by the following paragraph:

Union  
activities

“**13.1** The pensionable salary of a teacher who is released with pay for union activities is the salary paid to him by his employer and the salary, if any, paid to him by a body designated in Schedule II.1 of the Act respecting the Government and Public Employees Retirement Plan.”;

(2) by adding, at the end of the second paragraph, the words “and deducts the contributions from the pensionable salary it pays to such a teacher”.

c. R-11,  
s. 15, am.

**24.** Section 15 of the said Act is amended

(1) by replacing the second paragraph by the following paragraph:

Maximum  
pensionable  
salary

“If the total service credited in respect of the pensionable employments of the teacher is reduced by the application of section 17, the pensionable salary of the teacher shall not exceed the total of the following amounts:

(1) the salary attached to the employment held for a proportionately greater number of days in the year or, if such employments were held for proportionately the same number of days, the salary attached to the highest paid employment; and

(2) the amount by which the teacher’s pensionable salary attached to the employment to which subparagraph 1 applies exceeds the annual basic salary paid to him in respect of that employment or that would have been paid to him pursuant to the conditions of employment applicable on the last credited day of the year, multiplied by the service credited to that teacher in the course of the year in respect of that employment.”;

(2) by inserting the words “of subparagraph 1” after the word “purposes” in the first line of the third paragraph;

(3) by adding, at the end, the following paragraph:

Presump-  
tion

“For the purposes of the third paragraph of section 35.0.1, the teacher is deemed to have held only one employment during the year and his annual basic salary shall be the salary attached to the employment to which subparagraph 1 of the second paragraph applies.”

c. R-11,  
s. 41, am.

**25.** Section 41 of the said Act is amended by replacing the word “deemed” in the first line of the second paragraph by the word “presumed”.

ACT RESPECTING THE CIVIL SERVICE SUPERANNUATION PLAN

c. R-12,  
s. 54, am.

**26.** Section 54 of the Act respecting the Civil Service Superannuation Plan (R.S.Q., chapter R-12) is amended by adding, at the end of the first paragraph, the following sentence: “It also applies where the person is released without pay by his employer for union activities and employed by a body designated in Schedule II.1 of the Act respecting the Government and Public Employees Retirement Plan if the officer belongs to the class of officers mentioned in that schedule in respect of that body”.

c. R-12,  
s. 60.2, am.

**27.** Section 60.2 of the said Act is amended

(1) by replacing the first paragraph by the following paragraph:

Union  
activities

“**60.2** The pensionable salary of an officer who is released with pay for union activities is the salary paid to him by his employer and the salary, if any, paid to him by a body designated in Schedule II.1 of the Act respecting the Government and Public Employees Retirement Plan.”;

(2) by adding, at the end of the second paragraph, the words “and deducts the contributions from the pensionable salary it pays to such an officer”.

c. R-12,  
s. 62, am.

**28.** Section 62 of the said Act is amended

(1) by replacing the second paragraph by the following paragraph:

Maximum  
pensionable  
salary

“If the total service credited in respect of the pensionable employments of the officer is reduced by the application of section 59, the pensionable salary of the officer shall not exceed the total of the following amounts:

(1) the salary attached to the employment held for a proportionately greater number of days in the year or, if such employments were held for proportionately the same number of days, the salary attached to the highest paid employment; and

(2) the amount by which the officer's pensionable salary attached to the employment to which subparagraph 1 applies exceeds the annual basic salary paid to him in respect of that employment or that would have been paid to him pursuant to the conditions of employment applicable on the last credited day of the year, multiplied by the service credited to that officer in the course of the year in respect of that employment.”;

(2) by inserting the words “of subparagraph 1” after the word “purposes” in the first line of the third paragraph;

(3) by adding, at the end, the following paragraph:

Presump-  
tion

“For the purposes of the third paragraph of section 63.1.0.1, the officer is deemed to have held only one employment during the year and his annual basic salary shall be the salary attached to the employment to which subparagraph 1 of the second paragraph applies.”

c. R-12,  
s. 68, am.

**29.** Section 68 of the said Act is amended by replacing the word “deemed” in the third line by the word “presumed”.

SUPPLEMENTAL PENSION PLANS ACT

c. R-15.1,  
s. 2, am.

**30.** Section 2 of the Supplemental Pension Plans Act (R.S.Q., chapter R-15.1), amended by section 1 of chapter 45 of the statutes of 1993, is again amended by adding, at the end of the first paragraph, the following subparagraph:

“(5) a pension plan not established by an Act and administered by the Commission administrative des régimes de retraite et d’assurances, or a pension plan under which the Commission is responsible for the payment of the benefits, except if the Government subjects such pension plan to this Act.”

MISCELLANEOUS AND FINAL PROVISIONS

Words  
replaced

**31.** In the Act respecting the Pension Plan of Certain Teachers, the Act respecting the Pension Plan of Peace Officers in Correctional Services, the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., chapter R-9.3), the Act respecting the Government

and Public Employees Retirement Plan, the Act respecting the Teachers Pension Plan and the Act respecting the Civil Service Superannuation Plan, the words “assign” and “assigns” are replaced, wherever they appear, by the words “successor” and “successors”, respectively, unless the context indicates otherwise.

**Effect**                   **32.** The first order made pursuant to section 10 of the Act respecting the Government and Public Employees Retirement Plan after 22 June 1995 may, if it so provides, have effect from any date not earlier than 17 March 1987.

**Exception**               **33.** Notwithstanding the first paragraph of section 31 of the Act respecting the Government and Public Employees Retirement Plan, the Government assumes the payment of the contributory amount of the Institut de recherches cliniques de Montréal in respect of employees who participated in the Government and Public Employees Retirement Plan between 30 June 1973 and 1 January 1995.

**Disability before 1 January 1996**               **34.** A person who becomes disabled before 1 January 1996 and who has received payment of the actuarial value of his pension pursuant to the Act respecting the Government and Public Employees Retirement Plan or, as the case may be, the greater of such a payment or the reimbursement of his contributions is deemed, for the purposes of the computation of the benefits granted to him under a salary insurance plan forming part of his conditions of employment, to be entitled to the pension he would have received under that Act and according to its provisions, had he not received such payment or reimbursement.

**Effect**                   **35.** The first regulation made pursuant to paragraph 25 of section 134 of the Act respecting the Government and Public Employees Retirement Plan after 22 June 1995 may, if it so provides, have effect from any date not earlier than 1 January 1992 to the extent that it is relating to Schedule II.1 of that Act.

**Applicability**               **36.** The Act respecting supplemental pension plans (R.S.Q., chapter R-17), replaced by the Supplemental Pension Plans Act did not apply before 1 January 1990 to pension plans administered by the Commission administrative des régimes de retraite et d’assurances or under which the latter was responsible for the payment of the benefits.

**Applicability**               The first paragraph does not, where applicable, affect the rights of the members of those pension plans.

Provisions  
applicable

**37.** Section 16, to the extent that it replaces the second paragraph of section 147 of the Act respecting the Government and Public Employees Retirement Plan, and section 17, to the extent that it enacts section 147.0.3 of the said Act, apply only in respect of debts determined by the Commission administrative des régimes de retraite et d'assurances after 21 June 1995.

Provisions  
applicable

The second paragraph of section 147 of the said Act, as it read on 21 June 1995, shall continue to apply in respect of debts determined by the Commission before 22 June 1995.

Downward  
adjustment  
prohibited

**38.** The amount of a pension paid before 1 July 1992 under a pension plan administered by the Commission administrative des régimes de retraite et d'assurances or under a plan in respect of which the Commission is responsible for the payment of benefits cannot be adjusted downwards after 21 June 1995 to take account of any clerical error or any correction made to the data used for computing the amount of pension on the date of retirement.

Downward  
adjustment  
prohibited

The amount of a pension payable before 1 July 1992 but paid after 30 June 1992 cannot, for the same reasons, be adjusted downwards

(1) after 22 December 1995, if payment of the pension began before 23 June 1995;

(2) after the date occurring 6 months after the date on which payment of the pension began if the latter date is subsequent to the date of assent to this Act.

Applicabil-  
ity

The first and second paragraphs do not apply if the overpayment made to the person results from an administrative error that could reasonably have been noticed by the person.

Downward  
adjustment  
prohibited

**39.** The amount of a deferred pension the payment of which began before 1 January 1995, under a pension plan administered by the Commission administrative des régimes de retraite et d'assurances or under a plan in respect of which the Commission is responsible for the payment of benefits cannot be adjusted downwards after 21 June 1995 to take account of any clerical error or any correction made to the data used for computing the amount of pension on the date of retirement, except if the overpayment made to the person results from an administrative error that could reasonably have been noticed by the person.

- Decision irrevocable      **40.** Any decision of the Commission administrative des régimes de retraite et d'assurances concerning a person's eligibility for participation in a pension plan which, considering the provisions of the plan at the time the person begins to participate in the plan, is advantageous to the person, or concerning a redemption proposal which has been accepted, made before 22 June 1995 and in force on that date, becomes irrevocable on that date, subject, in the latter case, to the provisions of the pension plans relating to redemption proposals.
- Correction              However, a correction may be made after that date to a data pertaining to a redemption proposal if that is advantageous to the person and if the person pays any additional cost resulting therefrom.
- Applicability          The first paragraph does not apply if the benefit granted to the person results from an administrative error that could reasonably have been noticed by the person.
- Effect                  **41.** Section 20 has effect from 1 July 1973.
- Effect                  **42.** Sections 5, 21, 23 and 27 have effect from 19 June 1986.
- Effect                  **43.** Section 30 has effect from 1 January 1990.
- Effect                  **44.** Section 3, paragraph 2 of section 13 and section 26 have effect from 1 January 1992.
- Effect                  **45.** Sections 2, 6, 24 and 28 have effect from 1 January 1993.
- Effect                  **46.** Section 22 has effect from 16 July 1993.
- Coming into force      **47.** This Act comes into force on 22 June 1995, except section 10 which will come into force on 1 September 1995.