



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FOURTH LEGISLATURE

Bill 103

An Act to amend the Supplemental Pension Plans Act

Introduction

**Introduced by
Mr André Bourbeau
Minister of Manpower, Income Security
and Skills Development**

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EXPLANATORY NOTES

This bill amends the Supplemental Pension Plans Act to enable the Government to exempt certain pension plans from the application of all or some of the provisions of that Act in special cases specified in the bill.

The bill allows the Régie des rentes du Québec to require, by regulation, a pension committee to furnish, on the terms and conditions prescribed by regulation, a guarantee to secure the pension fund against losses which may result from theft or embezzlement and to protect the persons responsible for the administration of the plan against the liability they may incur by reason of their functions.

Finally, the bill provides that the Supplemental Pension Plans Act applies to the Supplemental Pension Plan of the Employees of the Québec Construction Industry until the coming into force of an order in which the special rules applicable to that plan are set out.

Bill 103

An Act to amend the Supplemental Pension Plans Act

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 2 of the Supplemental Pension Plans Act (R.S.Q., chapter R-15.1) is amended by replacing the second paragraph by the following paragraph:

“The Government may, by regulation and on the conditions prescribed therein, exempt any class of pension plans from the application of all or part of this Act.

The Government may also, by order and on the conditions it determines, exempt a pension plan established for all the workers of a particular commercial or industrial sector, and any pension plan, from the application of all or part of this Act where, following an unforeseeable event, compliance with the obligations imposed by this Act would be detrimental to the interests and rights of the parties to the plan.”

2. The said Act is amended by inserting, after section 156, the following section:

“156.1 In the cases provided for by regulation, and for the amounts and on the conditions prescribed therein, the pension committee must furnish a guarantee securing the pension fund against losses which may result from theft or embezzlement and a guarantee covering the liability, except that which derives from the failure to act with honesty and loyalty, that may be incurred by a member of the pension committee or the person to whom the committee has delegated a power or given a mandate by reason of his functions.”

3. Section 244 of the said Act, amended by section 38 of chapter 60 of the statutes of 1992, is again amended by inserting, after subparagraph 8 of the first paragraph, the following subparagraph:

“(8.1) determine the cases where a pension committee must furnish the guarantees described in section 156.1, and prescribe the amounts and the terms and conditions of such guarantees;”.

4. From 1 January 1990 to the date of coming into force of an order made in respect of the Supplemental Pension Plan for Employee of the Québec Construction Industry under the third paragraph of section 2 of the Supplemental Pension Plans Act (R.S.Q., chapter R-15.1), enacted by section 1 of this Act, the pension plan shall be exempt from the application of the provisions of the said Act, except those of sections 1 and 2 and subparagraph 14 of the first paragraph of section 244.

The Act respecting supplemental pension plans (R.S.Q., chapter R-17), in its version prior to 1 January 1990, applies to the plan during the said period.

5. The provisions of this Act will come into force on the date or dates to be fixed by the Government, except section 4 which will come into force on (*insert here the date of assent to this Act*).