



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-FOURTH LEGISLATURE

Bill 218
(Private)

An Act respecting the Louis Pelletier estate

Introduction

**Introduced by
Mr Réjean Doyon
Member for Louis-Hébert**



**Québec Official Publisher
1989**

Bill 218

(Private)

An Act respecting the Louis Pelletier estate

WHEREAS under the terms of a holograph will made on 28 March 1959 by Louis Pelletier, notary at Montmagny, who died on 4 July 1960, the appointed trustees were instructed to pay to the spouse of the deceased a monthly annuity of three hundred dollars payable for life from the date of the testator's death;

Whereas the will provides that, should the spouse die before exhaustion of the capital of the trust, the monthly life annuity is to be paid in equal shares to his surviving children;

Whereas the spouse of the testator, Anna Germain Pelletier, died on 9 October 1988;

Whereas Germain, Jérôme, Jacques, Louise, André-Louis and Noël Pelletier have each been receiving since that date a monthly annuity of fifty dollars;

Whereas, due to the legal principle of representation in the second degree, the trust will not be dissolved until all the children of the testator have died;

Whereas the children of the testator are, respectively, 56, 54, 52, 49, 46 and 43 years old;

Whereas the monthly payments of fifty dollars received by each of the six children of the testator allow the distribution of only a part of the interest on their share of the capital;

Whereas, since 1960, the rates of interest on investments have increased considerably, and the testator was probably unable to foresee such an increase;

Whereas, according to cost-of-living figures, the amount of three hundred dollars on 4 July 1960 is, in terms of purchasing power, approximately equivalent to \$1 390.51 on 30 June 1989 and whereas it would therefore be expedient that the trustees be authorized to pay to the children of the testator a monthly life annuity of \$1 390.51 from the coming into force of this Act;

Whereas it would be expedient that the said monthly life annuity be adjusted annually on 1 January, from 1 January 1990, in the manner provided in section 119 of the Act respecting the Québec Pension Plan (R.S.Q., chapter R-9);

Whereas Germain Pelletier has two children, Eric and Marlène, Jérôme Pelletier has five children, Gérald, Jacinthe, Marise, Katia, Joelle, Jacques Pelletier has two children, Renée-Claude and Marie-Anne, Louise Pelletier has two children, Myra and Maud, André-Louis Pelletier has one child, Mathieu, and whereas Eric, Marlène, Gérald, Jacinthe, Marise, Katia, Joelle, Renée-Claude, Marie-Anne, Myra, Maud and Mathieu agree to the passing of this Act;

Whereas Germain, Jérôme, Jacques, Louise, André-Louis and Noël Pelletier agree to the passing of this Act;

Whereas the trustees agree to the passing of this Act;

Whereas the costs incurred for the passing of this Act are to be paid out of the capital of the trust created by Louis Pelletier's will;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Notwithstanding the fact that Louis Pelletier, by his holograph will made on 28 March 1959 and probated on 11 July 1960 (number 714 of the records of the Superior Court of the district of Montmagny), has made his children and their children beneficiaries of a monthly annuity only, Germain, Jérôme, Jacques, Louise, André-Louis and Noël Pelletier may each receive immediately one-sixth of a monthly life annuity of \$1 390.51.

2. The monthly annuity shall be adjusted, from 1 January 1990, in accordance with the rules set out in section 119 of the Act respecting the Québec Pension Plan.

3. The costs incurred for the passing of this Act shall be paid out of the capital of the trust created by the will referred to in section 1.

4. This Act comes into force on *(insert here the date of assent to this Act)*.