

1995, chapter 70

AN ACT TO AMEND THE PENSION PLANS IN THE PUBLIC AND PARAPUBLIC SECTORS AND AMENDING OTHER LEGISLATIVE PROVISIONS

Bill 119

Introduced by Mr Jacques Léonard, Minister for Administration and the Public Service
and Chairman of the Conseil du trésor

Introduced 6 December 1995

Passage in principle 7 December 1995

Passage 15 December 1995

Assented to 15 December 1995

**Coming into force: 15 December 1995, except sections 18 to 21, 24 to 33, 36, 38 to 42, 45,
55, 63, 65 and 69, which come into force on 1 January 1996**

Legislation amended:

Act respecting the conditions of employment and the pension plan of the Members of the
National Assembly (R.S.Q., chapter C-52.1)

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)

Courts of Justice Act (R.S.Q., chapter T-16)





CHAPTER 70

An Act to amend the pension plans in the public and parapublic sectors and amending other legislative provisions

[Assented to 15 December 1995]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE PENSION PLAN OF CERTAIN TEACHERS

c. R-9.1,
s. 4, am.

1. Section 4 of the Act respecting the Pension Plan of Certain Teachers (R.S.Q., chapter R-9.1) is amended by adding, at the end of the third paragraph, the words “, but does not include the salary insurance referred to in section 29.1 of the Act respecting the Government and Public Employees Retirement Plan, to which reference is made in section 8 of this Act”.

c. R-9.1,
s. 8, am.

2. Section 8 of the said Act is amended by replacing the words “31 and 31.1” in the fourth line of the first paragraph by the words “29.1 and 31 to 31.2”.

c. R-9.1,
s. 41.1, am.

3. Section 41.1 of the said Act is amended by adding, at the end, the following paragraph:

Statement
of benefits

“The employee or former employee and his spouse are also entitled to obtain such a statement, upon application to the Commission on the conditions and according to the terms prescribed by regulation, for the purposes of mediation conducted prior to proceedings in family matters.”

c. R-9.1,
s. 41.2, am.

4. Section 41.2 of the said Act is amended by replacing the second paragraph by the following paragraph:

Date of es-
tablishment
and assess-
ment

“The benefits shall be established and assessed on the date of institution of the proceedings or the date on which the spouses ceased to live together, as the case may be.”

ACT RESPECTING THE PENSION PLAN OF PEACE OFFICERS
IN CORRECTIONAL SERVICES

c. R-9.2,
s. 3, am. **5.** Section 3 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., chapter R-9.2) is amended by adding, at the end of the third paragraph, the words “but does not include the salary insurance referred to in section 42.1”.

c. R-9.2,
s. 5.0.1,
added **6.** The said Act is amended by inserting, after section 5, the following section:

Intermedi-
ate officers **“5.0.1** Every intermediate officer who is a member of this plan and who is promoted or reclassified to the position of territorial director of correctional services continues to be a member of this plan.”

c. R-9.2,
s. 5.1, am. **7.** Section 5.1 of the said Act is amended by adding, at the end, the following paragraph:

Provisions
applicable **“The first paragraph, adapted as required, applies to a territorial director to whom section 5.0.1 applies.”**

c. R-9.2,
s. 42.1,
added **8.** The said Act is amended by inserting, after section 42, the following section:

Deduction **“42.1** The insurer shall withhold the amount to be withheld under section 42 from any lump sum benefit it pays to an employee under a mandatory supplementary long-term salary insurance plan applicable to management staff in the public and parapublic sectors, within the scope of measures designed to protect the employee’s salary following rehabilitation.”

c. R-9.2,
s. 43.1,
added **9.** The said Act is amended by inserting, after section 43, the following section:

Payment **“43.1** In the case referred to in section 42.1, the insurer shall pay to the Commission, at the same time as it sends the contributions of the employees, an amount corresponding to the contribution it would have to pay as the employer.”

c. R-9.2,
s. 51, am. **10.** Section 51 of the said Act is amended by replacing the words “, up to 32 or” in the first and second lines of subparagraph 2 of the first paragraph by the word “but”.

c. R-9.2,
s. 125.1, am. **11.** Section 125.1 of the said Act is amended by adding, at the end, the following paragraph:

Statement
of benefits

“The employee or former employee and his spouse are also entitled to obtain such a statement, upon application to the Commission and according to the terms prescribed by regulation, for the purposes of mediation conducted prior to proceedings in family matters.”

c. R-9.2,
s. 125.2, am.

12. Section 125.2 of the said Act is amended by replacing the second paragraph by the following paragraph:

Date of es-
tablishment
and assess-
ment

“The benefits shall be established and assessed on the date of institution of the proceedings or the date on which the spouses ceased to live together, as the case may be.”

c. R-9.2,
s. 141, re-
placed

13. Section 141 of the said Act, amended by section 8 of chapter 20 of the statutes of 1994, is replaced by the following section:

Review
committees

“**141.** The Government shall, by regulation, set up review committees to hear the applications for review filed under section 140, for the classes of employees or beneficiaries it determines.

Composi-
tion

Each committee shall be composed of four members appointed by the Government, which shall include two members from the unions or associations representing the employees, appointed on the recommendation of the unions or associations concerned. The Government may, in the same manner, appoint a substitute for each member to replace that member whenever he is absent or unable to act.

Quorum

The quorum of a committee is four members and every decision of a committee requires the vote of a majority of its members.”

ACT RESPECTING THE PENSION PLAN OF ELECTED MUNICIPAL OFFICERS

c. R-9.3,
s. 63.1,
am.

14. Section 63.1 of the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., chapter R-9.3) is amended by adding, at the end, the following paragraph:

Statement
of benefits

“The member or former member of the council and his spouse are also entitled to obtain such a statement, upon application to the Commission on the conditions and according to the terms prescribed by regulation, for the purposes of mediation conducted prior to proceedings in family matters.”

c. R-9.3,
s. 63.2, am.

15. Section 63.2 of the said Act is amended by replacing the second paragraph by the following paragraph:

Date of es-
tablishment
and assess-
ment

“The benefits shall be established and assessed on the date of institution of the proceedings or the date on which the spouses ceased to live together, as the case may be.”

ACT RESPECTING THE GOVERNMENT AND PUBLIC EMPLOYEES RETIREMENT PLAN

c. R-10, s. 3,
am.

16. Section 3 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10) is amended by adding, at the end of the third paragraph, the words “but does not include the salary insurance referred to in section 29.1”.

c. R-10,
s. 10.2, am.

17. Section 10.2 of the said Act is amended by replacing the word “fifth” in the third line by the word “sixth”.

c. R-10,
s. 19, am.

18. Section 19 of the said Act is amended by adding, at the end of the first paragraph, the following sentence: “The same applies with respect to an employee who has at least 35 years of credited service, without the employee being required to pay contributions.”

c. R-10,
s. 23, am.

19. Section 23 of the said Act is amended by adding, at the end, the following sentence: “The days and parts of a day of absence are also credited to an employee with at least 35 years of credited service, without payment of contributions being required.”

c. R-10,
s. 24, am.

20. Section 24 of the said Act is amended by replacing the words “for a period of not less than 28 consecutive days are credited” in the second and third lines of the first paragraph by the words “are credited, on the conditions and according to the terms determined by regulation,”.

c. R-10,
s. 29, am.

21. Section 29 of the said Act is amended by adding, at the end, the following paragraph:

Exception

“No amount shall be withheld from the pensionable salary paid to an employee who has at least 35 years of credited service.”

c. R-10,
s. 29.1,
added

22. The said Act is amended by inserting, after section 29, the following section:

Deduction

29.1 Except in the case provided for in the third paragraph of section 29, the insurer shall withhold the amount to be withheld under section 29 from any lump sum benefit it pays to an employee under a mandatory supplementary long-term salary insurance plan applicable to management staff in the public and parapublic sectors, within the scope of measures designed to protect the employee’s salary following rehabilitation.”

c. R-10,
s. 31.2,
added

23. The said Act is amended by inserting, after section 31.1, the following section:

Payment

“31.2 In the case referred to in section 29.1, the insurer shall pay to the Commission, at the same time as it sends the contributions of the employees, an amount equal to those contributions.”

c. R-10,
s. 33, am.

24. Section 33 of the said Act is amended

(1) by inserting, after subparagraph 2 of the first paragraph, the following subparagraphs:

“(2.1) who has at least 35 years of service and is 55 years of age or over;

“(2.2) who has at least 20 years of service and is 60 years of age or over;”;

(2) by replacing the figure “60” in subparagraph 4 of the first paragraph by the figure “55”.

c. R-10,
s. 33.1, re-
pealed
c. R-10,
s. 35, am.

25. Section 33.1 of the said Act is repealed.

26. Section 35 of the said Act is amended by adding, at the end, the following paragraph:

Maximum

“For the purposes of the first paragraph, the number of years of an employee’s credited service taken into account shall not exceed 35.”

c. R-10,
s. 36, am.

27. Section 36 of the said Act is amended

(1) by replacing the words “paragraph 1” in the first line of the first paragraph by the words “subparagraph 1 of the first paragraph”;

(2) by replacing the words “paragraph 2” in the first line of the second paragraph by the words “subparagraph 2 of the first paragraph”.

c. R-10,
s. 37, am.

28. Section 37 of the said Act is amended by replacing the words “paragraph 1” in the first line by the words “subparagraph 1 of the first paragraph”.

c. R-10,
s. 38, re-
placed

29. Section 38 of the said Act is replaced by the following section:

Reduction
of pension

38. In the cases described in subparagraphs 3 and 4 of the first paragraph of section 33, the employee's pension is reduced for its duration by 1/3 of 1% per month, computed for each month comprised between the date on which the pension is granted and the nearest date on which the pension would otherwise have been granted to him without actuarial reduction under this division or, as the case may be, under Title IV.1."

c. R-10,
s. 51, am.

30. Section 51 of the said Act is amended by replacing the first paragraph by the following paragraph:

Deferred
pension

51. An employee who ceases to be a member of this plan when he is not eligible for a pension is entitled, except if section 21 applies, to a deferred pension if he has at least two years of service."

c. R-10,
s. 85.5.1,
am.

31. Section 85.5.1 of the said Act is amended

(1) by replacing the word "three" in the fourth line of the first paragraph by the word "five";

(2) by replacing the word "three" in the sixth line of the third paragraph by the word "five".

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

32. Section 86 of the said Act, amended by section 11 of chapter 46 of the statutes of 1995, is again amended by replacing the figure "1996" in the last line of subparagraph 2 of the first paragraph by the figure "1998".

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

33. Section 87 of the said Act, amended by section 12 of chapter 46 of the statutes of 1995, is again amended by replacing the figure "1996" in the second line by the figure "1998".

c. R-10,
s. 122.1, am.

34. Section 122.1 of the said Act is amended by adding, at the end, the following paragraph:

Statement

"The employee or former employee and his spouse are also entitled to obtain such a statement, upon application to the Commission on the conditions and according to the terms prescribed by regulation, for the purposes of mediation conducted prior to proceedings in family matters."

c. R-10,
s. 122.2, am.

35. Section 122.2 of the said Act is amended by replacing the second paragraph by the following paragraph:

Date of es-
tablishment
and assess-
ment

“The benefits shall be established and assessed on the date of institution of the proceedings or the date on which the spouses ceased to live together, as the case may be.”

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

36. Section 134 of the said Act, amended by section 13 of chapter 46 of the statutes of 1995, is again amended by inserting, after paragraph 4, the following paragraph:

“(4.1) determine, for the purposes of sections 24 and 221, the conditions and terms governing the redemption of a leave without pay;”.

c. R-10,
s. 147.1, am.

37. Section 147.1 of the said Act is amended by replacing the words “as part of” in the fifth line of the first paragraph by the words “, made for the purposes of family mediation or for the purposes of”.

c. R-10,
s. 215.5.0.2,
am.

38. Section 215.5.0.2 of the said Act, enacted by section 6 of chapter 13 of the statutes of 1995, is amended

(1) by replacing the figure “0.5%” in the fourth line by the words “1/3 of 1%”;

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

“(1) the nearest of the date on which the pension would otherwise have been granted to the employee under subparagraph 2.1 of the first paragraph of section 33 and the date of the employee’s fifty-ninth birthday, in the case described in subparagraph 3 of the first paragraph of the said section;”;

(3) by replacing the words “under subparagraph 1 or 2 of” in the second line of paragraph 2 by the words “without actuarial reduction under”.

c. R-10,
Title IV.1,
Chapter
I.0.2, re-
pealed

39. Chapter I.0.2 of Title IV.1 of the said Act, enacted by section 6 of chapter 13 of the statutes of 1995, is repealed.

c. R-10,
s. 215.5.1,
am.

40. Section 215.5.1 of the said Act, replaced by section 7 of chapter 13 of the statutes of 1995, is amended

(1) by replacing the words “under the criterion of eligibility of 60 years of age” in the third and fourth lines by the words “, after reaching 60 years of age, under the criterion of eligibility”;

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

Condition “The employee must be participating in the pension plan provided for in this Act at the time he retires.”

c. R-10,
ss. 215.12-
215.18,
added

41. The said Act is amended by inserting, after section 215.11, the following Title:

“TITLE IV.2

“SPECIAL MEASURES APPLICABLE TO CERTAIN PERSONS
WHO ARE MEMBERS OF PENSION PLANS ADMINISTERED
BY THE COMMISSION

Governing
measures

“**215.12** Every person to whom a pension plan administered by the Commission applies and who belongs to a category or subcategory determined by regulation shall be governed by the measures enacted pursuant to this Title that are applicable to such category or subcategory.

Categories

The categories and subcategories of persons shall be determined, in particular, on the basis of the applicable conditions of employment, the pension plan concerned, the date on which contributions to the plan ceased, unionizability, age, years of service or employer.

Regulations

“**215.13** The Government may, by regulation, determine

(1) the manner in which a person’s pensionable salary, credited service and employee and employer contributions, together with the terms and conditions governing the payment of those contributions, are calculated for the purposes of the pension plan following the application of certain provisions of a person’s conditions of employment, in particular within the scope of measures concerning alternative work schedules or the granting of leave without pay that result from agreements to reduce certain costs arising from a collective agreement;

(2) measures to allow the transfer of the actuarial value of the benefits of a person entitled to a deferred pension;

(3) measures designed to encourage retirement, and in particular measures designed to anticipate the payment of certain pension benefits and measures designed to compensate, in whole or in part, the actuarial reduction of pension benefits;

(4) the eligibility requirements for, and the terms applicable to the calculation, indexation and payment of any benefit granted to, a person, his spouse or, where applicable, his children where the person was entitled to an actuarially reduced pension at the time he ceased to participate in the plan.

Measures The measures enacted pursuant to subparagraphs 1 to 4 of the first paragraph may differ from the provisions of the pension plan which would otherwise be applicable to such persons, to their spouses or, where applicable, to their children.

Period of applicability **“215.14** The Government may determine the date on which each of the measures enacted pursuant to this Title begins to apply. The Government may determine the expiry date of each measure, except with respect to a person who has availed himself of that measure. It may also determine any other period during which each measure may apply.

Financing **“215.15** Each measure enacted pursuant to this Title shall be financed in the manner prescribed by regulation, which may vary according to the category or subcategory to which the person belongs.

Contestation **“215.16** Any decision made by the Commission with respect to a person pursuant to the provisions enacted under this Title may be contested in the manner prescribed for the pension plan concerned.

Effect **“215.17** No order or regulation issued or made pursuant to this Title may have effect earlier than 12 months prior to its issue or making.

Administration **“215.18** The Commission shall administer this Title. In addition, it shall administer the pension plan of a person governed by measures enacted pursuant to this Title in light of those measures.”

c. R-10, s. 221, am. **42.** Section 221 of the said Act is amended by replacing the words “of at least 30 consecutive days ending before 1 July 1983, are credited to him under the retirement plan” in the second, third and fourth lines of the first paragraph by the words “ending before 1 July 1983 are credited under the retirement plan, at the request of the employee, on such terms and conditions as are determined by regulation”.

c. R-10, Sched. II, am. **43.** Schedule II to the said Act, amended by Orders in Council 1322-94 and 1324-94 dated 7 September 1994, is again amended by inserting the following in paragraph 1 according to the alphabetical order of the French text:

“the Centre d’orientation et de réadaptation de Montréal

“the Foyers de transition

“the Havre Jeunesse

“the Maison Élisabeth

“the Pavillon Foster

“the Villa Marie-Claire inc.”.

ACT RESPECTING THE TEACHERS PENSION PLAN

c. R-11,
s. 2.1, am.

44. Section 2.1 of the Act respecting the Teachers Pension Plan (R.S.Q., chapter R-11) is amended by adding, at the end of the second paragraph, the words “, but does not include the salary insurance referred to in section 29.1”.

c. R-11,
s. 28.5.1,
am.

45. Section 28.5.1 of the said Act is amended

(1) by replacing the word “three” in the fourth line of the first paragraph by the word “five”;

(2) by replacing the word “three” in the sixth line of the third paragraph by the word “five”.

c. R-11,
s. 29.1,
added

46. The said Act is amended by inserting, after section 29, the following section:

Deduction

“29.1 Except in the case referred to in the second paragraph of section 29, the insurer shall deduct the amount to be deducted under section 29 from the lump sum benefit it pays to a person under a mandatory supplementary long-term salary insurance plan applicable to management staff in the public and parapublic sectors, within the scope of measures designed to protect the person’s salary following rehabilitation.”

c. R-11,
s. 31.1,
added

47. The said Act is amended by inserting, after section 31, the following section:

Payment

“31.1 In the case referred to in section 29.1, the insurer shall pay to the Commission, at the same time as it sends the contributions of the teachers, an amount corresponding to the contribution it would have to pay as the employer.”

c. R-11,
s. 40, re-
pealed
c. R-11,
s. 72.1, am.

48. Section 40 of the said Act is repealed.

49. Section 72.1 of the said Act is amended by adding, at the end, the following paragraph:

Statement
of benefits

“The teacher or former teacher and his spouse are also entitled to obtain such a statement, upon application to the Commission on the conditions and according to the terms prescribed by regulation, for the purposes of mediation conducted prior to proceedings in family matters.”

c. R-11,
s. 72.2, am.

50. Section 72.2 of the said Act is amended by replacing the second paragraph by the following paragraph:

Date of es-
tablishment
and assess-
ment

“The benefits shall be established and assessed on the date of institution of the proceedings or the date on which the spouses ceased to live together, as the case may be.”

ACT RESPECTING THE CIVIL SERVICE SUPERANNUATION PLAN

c. R-12,
s. 55, am.

51. Section 55 of the Act respecting the Civil Service Superannuation Plan (R.S.Q., chapter R-12) is amended by adding, at the end of the third paragraph, the words “, but does not include the salary insurance referred to in section 69.0.1”.

c. R-12,
s. 63.5, re-
pealed
c. R-12,
s. 69.0.1,
added

52. Section 63.5 of the said Act is repealed.

53. The said Act is amended by inserting, after section 69, the following section:

Deduction

69.0.1 Except in the case referred to in the second paragraph of section 69, the insurer shall deduct the amount to be deducted under section 69 from the lump sum benefit it pays to an officer under a mandatory supplementary long-term salary insurance plan applicable to management staff in the public and parapublic sectors, within the scope of measures designed to protect the officer’s salary following rehabilitation.”

c. R-12,
s. 72.2,
added

54. The said Act is amended by inserting, after section 72.1, the following section:

Payment

72.2 In the case referred to in section 69.0.1, the insurer shall pay to the Commission, at the same time as it sends the contributions of the officers, an amount corresponding to the contribution it would have to pay as the employer.”

c. R-12,
s. 99.9.1,
am.

55. Section 99.9.1 of the said Act is amended

(1) by replacing the word “three” in the fourth line of the first paragraph by the word “five”;

(2) by replacing the word “three” in the sixth line of the third paragraph by the word “five”.

c. R-12,
s. 108.1, am.

56. Section 108.1 of the said Act is amended by adding, at the end, the following paragraph:

Statement
of benefits

“The officer or former officer and his spouse are also entitled to obtain such a statement, upon application to the Commission on the conditions and according to the terms prescribed by regulation, for the purposes of mediation conducted prior to proceedings in family matters.”

c. R-12,
s. 108.2, am.

57. Section 108.2 of the said Act is amended by replacing the second paragraph by the following paragraph:

Date of es-
tablishment
and assess-
ment

“The benefits shall be established and assessed on the date of institution of the proceedings or the date on which the spouses ceased to live together, as the case may be.”

CONSEQUENTIAL, MISCELLANEOUS AND
TRANSITIONAL PROVISIONS

ACT RESPECTING THE CONDITIONS OF EMPLOYMENT AND THE PENSION PLAN
OF THE MEMBERS OF THE NATIONAL ASSEMBLY

c. C-52.1,
s. 56, am.

58. Section 56 of the Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (R.S.Q., chapter C-52.1) is amended by adding, at the end, the following paragraph:

Statement

“The Member or former Member and his spouse are also entitled to obtain such a statement, upon an application made to the Office on the conditions and in the manner prescribed by regulation, for the purposes of mediation conducted prior to proceedings in family matters.”

c. C-52.1,
s. 57, am.

59. Section 57 of the said Act is amended by replacing the second paragraph by the following paragraph:

Date of es-
tablishment
and assess-
ment

“The benefits shall be established and assessed on the date of institution of the proceedings or the date on which the spouses ceased to live together, as the case may be.”

COURTS OF JUSTICE ACT

- c. T-16,
s. 246.16,
am.
- 60.** Section 246.16 of the Courts of Justice Act (R.S.Q., chapter T-16) is amended by adding, at the end, the following paragraph:
- Statement
of benefits
- “The judge or former judge and his spouse are also entitled to obtain such a statement, upon application to the Commission on the conditions and according to the terms prescribed by regulation, for the purposes of mediation conducted prior to proceedings in family matters.”
- c. T-16,
s. 246.17,
am.
- 61.** Section 246.17 of the said Act is amended by replacing the second paragraph by the following paragraph:
- Date of es-
tablishment
and assess-
ment
- “The benefits shall be established and assessed on the date of institution of the proceedings or the date on which the spouses ceased to live together, as the case may be.”
- Review
committee
- 62.** The review committee set up under section 141 of the Act respecting the Pension Plan of Peace Officers in Correctional Services, as it read on 14 December 1995, shall continue to hear applications filed under section 140 of the said Act until the date on which the first regulation is made pursuant to section 141 of the said Act, as replaced by section 13 of this Act.
- Authority
- Except where the parties to a dispute decide otherwise, the committee shall continue to have authority over the applications it has begun to hear but in respect of which it has yet to render a decision.
- Calculation
- 63.** The years and parts of years of service in excess of 35 years of service that are credited on 31 December 1995, under the Government and Public Employees Retirement Plan, to an employee who ceases to participate in the plan after that date shall, notwithstanding the second paragraph of section 35 of the Act respecting the Government and Public Employees Retirement Plan, be taken into consideration in calculating the employee’s pension.
- Applicabil-
ity
- 64.** Sections 18 to 21, 24 to 33, 36, 38 to 42, 45, 55 and 63 of this Act do not apply to employees who belong to a category or subcategory of employees determined by the Government according to the union or association representing them.
- Period of
applicabil-
ity
- The Government may also determine, in respect of employees belonging to such a category or subcategory, the date on which the sections mentioned in the first paragraph begin to apply. The years

or parts of years of service in excess of 35 years of service that are credited to an employee under the Government and Public Employees Retirement Plan on the day preceding the date of the order shall, notwithstanding the second paragraph of section 35 of the Act respecting the Government and Public Employees Retirement Plan, be taken into consideration in calculating the employee's pension if the employee's contributions have been paid and have not been reimbursed.

Provisions
applicable

Sections 19, 23, 24, 29, 33, 33.1, 35, 36, 37, 38, 51, 85.5.1, 86, 87, 134, 215.5.0.2, 215.5.1 and 221 of the said Act, together with Chapter I.0.2 of Title IV.1 of that Act, section 28.5.1 of the Act respecting the Teachers Pension Plan and section 99.9.1 of the Act respecting the Civil Service Superannuation Plan, as they read on 31 December 1995, shall continue to apply to employees who belong to a category or subcategory determined pursuant to the first paragraph until the date, if any, fixed under the second paragraph. The rate of contribution applicable to the employees who are members of the Government and Public Employees Retirement Plan by virtue of the Act respecting the Government and Public Employees Retirement Plan shall be fixed, for 1996, at 7.68% if they do not belong to a category or subcategory of employees determined pursuant to the second paragraph during that year, and the same rule shall apply for the two following years.

Effect

Any order made pursuant to the second paragraph may have effect from any date not prior to 1 January 1996.

Effect

65. The first regulation made pursuant to sections 24 and 221 of the Act respecting the Government and Public Employees Retirement Plan may, if it so provides, have effect from any date not prior to 1 January 1996.

Effect

66. The first regulations made after 31 December 1995 to amend the Regulation respecting the partition and assignment of benefits accrued under the Government and Public Employees Retirement Plan (Order in Council 351-91 dated 20 March 1991), the Regulation respecting the partition and assignment of benefits accrued under the Teachers Pension Plan (CT 176506 dated 19 March 1991) and the Regulation respecting the partition and assignment of benefits accrued under the pension plans provided for by the Act respecting the Civil Service Superannuation Plan (CT 176507 dated 19 March 1991) may, if they so provide, have effect from any date not prior to 1 January 1996 if they give effect to an amendment resulting from the provisions of this Act.

- Statement **67.** Notwithstanding any inconsistent provision of an order or regulation concerning the partition and assignment of benefits accrued under a pension plan administered by the Commission administrative des régimes de retraite et d'assurances, the Commission may issue to a member or ex-member of the plan, or to his spouse, a statement for the purposes of mediation conducted prior to proceedings in family matters until so authorized by such an order or regulation.
- Provisions applicable **68.** Sections 10, 48 and 52 apply with respect to the calculation of every pension payable after 14 December 1995.
- Provisions not applicable **69.** Section 41 does not apply to persons who cease to participate in their pension plan before 1 January 1996.
- Effect **70.** Section 43 has effect from 1 July 1973.
- Effect **71.** Sections 6 and 7 have effect from 23 October 1995.
- Coming into force **72.** This Act comes into force on 15 December 1995, except sections 18 to 21, 24 to 33, 36, 38 to 42, 45, 55, 63, 65 and 69, which come into force on 1 January 1996.