

1993, chapter 41

## AN ACT TO AMEND VARIOUS LEGISLATION RESPECTING THE PENSION PLANS IN THE PUBLIC AND PARAPUBLIC SECTORS

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### **Bill 89**

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

Introduced 12 May 1993

Passage in principle 4 June 1993

Passage 18 June 1993

**Assented to 18 June 1993**

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**Coming into force: 18 June 1993, except sections 6, 33, 38 and 45, which will come into force  
on 1 July 1993, and paragraph 5 of section 10 and sections 24 to 26, 28  
and 29, which will come into force on 2 July 1993**

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### **Acts 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 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)



## CHAPTER 41

### An Act to amend various legislation respecting the pension plans in the public and parapublic sectors

[Assented to 18 June 1993]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

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

c. C-52.1,  
s. 11.1, am.

**1.** Section 11.1 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

(1) by replacing the word and figure “section 20” in the second line of the first paragraph by the words and figure “the first paragraph of section 23”;

(2) by striking out the words “or in computing, for the purposes of section 89 of the Legislature Act (chapter L-1), the number of months during which the Member holds a mandate as such” in the second, third, fourth and fifth lines of the second paragraph.

c. C-52.1,  
s. 14, am.

**2.** Section 14 of the said Act is amended

(1) by striking out the words “within the meaning of section 20” in the third line of subparagraph 2 of the first paragraph;

(2) by replacing the figure “2,” in the first line of the second paragraph by the words and figure “2 of the first paragraph, a year of service corresponds to a total of three hundred and sixty-five days during which a person was a Member of the National Assembly, whether continuously or not, and”.

c. C-52.1,  
s. 18, am.

**3.** Section 18 of the said Act is amended by replacing the words and figure “contemplated in section 27” in the second and third lines by the words and figure “referred to in section 24”.

ACT RESPECTING THE PENSION PLAN OF CERTAIN TEACHERS

c. R-9.1,  
s. 59.1,  
English  
text, am.

**4.** The English text of section 59.1 of the Act respecting the Pension Plan of Certain Teachers (R.S.Q., chapter R-9.1), amended by section 7 of chapter 77 of the statutes of 1991 and by section 11 of chapter 67 of the statutes of 1992, is again amended by inserting, after the second sentence of the third paragraph, the following sentence: “In that case, the most recent service is credited or counted first.”

ACT RESPECTING THE PENSION PLAN OF PEACE OFFICERS IN CORRECTIONAL SERVICES

c. R-9.2,  
s. 35, am.

**5.** Section 35 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., chapter R-9.2) is amended by replacing the first paragraph by the following paragraph:

Former  
Member of  
National  
Assembly

**“35.** Every employee is entitled to be credited for pension purposes with the years and parts of a year during which he contributed to a pension plan which applied before 1 January 1992 to a Member of the National Assembly and in respect of which he obtained a refund of his contributions, except if he has already exercised a right of redemption in respect of such years and parts of a year under a pension plan other than this plan”.

c. R-9.2,  
s. 51, am.

**6.** Section 51 of the said Act is amended

(1) by striking out the words “the month following the date on which the employee retires by reason of physical or mental disability, from” in the first and second lines of the first paragraph;

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

Physical or  
mental dis-  
ability

“However, where the employee receives a pension by reason of physical or mental disability under this plan, the reduction provided for in the first paragraph applies from the month in which the disability pension granted under the Act respecting the Québec Pension Plan (R.S.Q., chapter R-9) or under an equivalent plan within the meaning of section 1 of the said Act is payable, or from the month following the date on which the employee retires if such a disability pension is payable before the pension granted under this plan.”

c. R-9.2,  
s. 63, am.

**7.** Section 63 of the said Act, amended by section 3 of chapter 9 of the statutes of 1992, is again amended by inserting the word “retirement” after the words “receive the” in the first line of paragraph 3.

c. R-9.2,  
s. 64, am.

**8.** Section 64 of the said Act, amended by section 4 of chapter 9 of the statutes of 1992, is again amended by inserting the word

“retirement” after the words “to a” in the fifth line of the first paragraph.

c. R-9.2,  
s. 132.1,  
English  
text, am.

**9.** The English text of section 132.1 of the said Act, amended by section 32 of chapter 77 of the statutes of 1991 and by section 28 of chapter 67 of the statutes of 1992, is again amended by inserting, after the second sentence of the third paragraph, the following sentence: “In that case, the most recent service is credited first.”

ACT RESPECTING THE GOVERNMENT AND PUBLIC EMPLOYEES RETIREMENT PLAN

c. R-10,  
s. 38, am.

**10.** Section 38 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10) is amended

(1) by replacing the words and figures “paragraphs 3 and 4” in the first line of the first paragraph by the words and figures “subparagraphs 3 and 4 of the first paragraph”;

(2) by replacing the word and figure “paragraph 3” in the second line of subparagraph 1 of the first paragraph by the words and figure “subparagraph 3 of the first paragraph”;

(3) by replacing the words and figures “paragraph 1, 2 or 3” in the second line of subparagraph 2 of the first paragraph by the words and figures “subparagraph 1, 2 or 3 of the first paragraph”;

(4) by replacing the word and figure “paragraph 4” in the third line of subparagraph 2 of the first paragraph by the words and figure “subparagraph 4 of the first paragraph”;

(5) by adding, at the end of the last paragraph, the following words: “under this division or, as the case may be, under Chapter I.1 of Title IV.1”.

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

**11.** Section 51 of the said Act is amended by adding, at the end of paragraph 1 of the first paragraph, the words “or, where applicable, in section 85.14.1”.

c. R-10,  
s. 57, am.

**12.** Section 57 of the said Act, amended by section 5 of chapter 9 of the statutes of 1992, is again amended by inserting the word “retirement” after the words “to a” in the fifth line of the first paragraph.

c. R-10,  
ss. 59.1-  
59.6, added

**13.** The said Act is amended by inserting, after section 59, the following division:

“DIVISION III.1

“EMPLOYEE SUFFERING FROM A TERMINAL ILLNESS

Illness **“59.1** Except in the case of a pensioner, an employee who has ceased to participate in this plan and who, according to a medical certificate, is suffering from an illness likely to lead to death within a period of two years is, if he is entitled only to a deferred pension or to an actuarially reduced pension under section 38 or, where that is the case, section 85.15, entitled to receive the higher of the following amounts:

(1) the total contributions with interest accumulated up to the date on which the application is received;

(2) the actuarial value of his pension established on that date in accordance with the actuarial assumptions and methods determined by regulation under section 46.1.

Illness The same applies to an employee able to provide such a certificate who, if he ceased to participate in this plan on the date on which the application is received, would be entitled only to one or other of those pensions. However, an employee who receives the amount referred to in the first paragraph ceases to participate in the plan on that date and, subject to section 59.4, is not considered to be an employee for the purposes of the plan, even if he continues to hold pensionable employment after the date on which the application is received.

Contributions For the purposes of this section, the contributions include the sums referred to in section 50, with the exception of the sums paid by the employee or transferred to this plan and for which he has obtained a pension credit, and in establishing the total of such contributions, the second paragraph of section 55 and section 58 are taken into account. In addition, where section 99 applies, the contributions and the actuarial value of the pension relating to the years and parts of a year of service credited under sections 85.1, 85.3 and 98 are excluded.

Interest The amount referred to in the first paragraph bears interest, compounded annually, at the rates determined for each period by this Act, from the date on which the application is received until the date on which the refund is made.

Illness **“59.2** The employee referred to in the first or second paragraph of section 59.1 is also entitled, where applicable, to receive the sums he has paid or which have been transferred to this plan and for which he has obtained a pension credit, with interest accumulated up to the date on which the refund is made.

Refund           **“59.3** The refund of the amount referred to in section 59.1 and, where applicable, section 59.2, cancels entitlement to any other benefit, advantage or reimbursement provided for by this plan.

Notice           **“59.4** An employee who has ceased to participate in this plan under the second paragraph of section 59.1 and who, at the end of a period of two years from the date on which the application for a refund of the amount referred to in that section is received, holds pensionable employment under this plan may elect to again participate in this plan by sending a notice to that effect to the Commission. Notwithstanding section 3.1, he shall participate in this plan from the date on which the notice is received by the Commission.

Years credited   **“59.5** An employee who has availed himself of the first or second paragraph of section 59.1 may be credited with the years or parts of a year of service that had been credited to him before the date of the refund if he applies therefor and pays an amount equal to the amount that was refunded to him, with interest, compounded annually, at the rates determined for each period by this Act. The interest runs from the date of the refund until the date of the redemption proposal made by the Commission.

Payment         The amount established under the first paragraph is payable either in a lump sum or by instalments spread over the period and at the times determined by the Commission. If it is paid by instalments, it bears interest, compounded annually, at the rate in force on the date on which the application is received, computed from the date on which the redemption proposal made by the Commission expires.

Years credited   The employee may also be credited with the years or parts of a year of service with which he had been credited before the date of the refund of the amount referred to in section 59.2, and the first and second paragraphs apply, adapted as required. He is then entitled to a pension credit equal to that to which he would have been entitled if the amount had not been refunded.

Years credited   **“59.6** An employee who has availed himself of the second paragraph of section 59.1 may be credited with the years and parts of a year of service of the period during which he would have participated in this plan had it not been for the application of that paragraph if he applies therefor and pays an amount equal to the contribution he would have paid if he had participated in this plan, with interest, compounded annually, at the rates determined for each period by this Act. The interest runs from the mid-point of each year up to the date of the redemption proposal made by the Commission. However, in respect of the years and parts of a year of service credited

to the employee, section 21 applies, where that is the case, as though the employee had participated in this plan during that period.

**Payment** The amount established under the first paragraph is payable either in a lump sum or by instalments spread over the period and at the times determined by the Commission. If it is paid by instalments, it bears interest, compounded annually, at the rate in force on the date on which the application is received, computed from the date on which the redemption proposal made by the Commission expires.”

c. R-10,  
s. 85.14.1,  
added **14.** The said Act is amended by inserting, after section 85.14, the following section:

**Eligibility** **“85.14.1** Notwithstanding section 33.1, a pension shall also be granted to an employee who ceases to be a member of the plan when he is at least 55 years of age and who is not otherwise eligible for a pension, if he applies therefor not later than 180 days after the date on which the plan ceased to apply to him.

**Eligibility** If the employee dies, he is deemed to be eligible for a pension for the purposes of sections 43 and 46 to 46.2. The same applies where his death occurs within 180 days after the date on which the plan ceased to apply to him, even where he did not apply therefor.”

c. R-10,  
s. 85.15,  
am. **15.** Section 85.15 of the said Act is amended

(1) by inserting the words “the first paragraph of” after the word “Notwithstanding” in the first line;

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

**Reduction** “In the case referred to in section 85.14.1, the pension is reduced, for its duration, by 0.5 % per month, computed for each month between the date on which the pension is granted and the nearest date on which a pension would otherwise have been granted to him without actuarial reduction under this division or, where applicable, Chapter I.1 of Title IV.1.”

c. R-10,  
s. 85.19.1,  
added **16.** The said Act is amended by inserting, after section 85.19, the following section:

**Transfer** **“85.19.1** The Commission shall, on the dates fixed by the Government, transfer, with interest, from the employees’ contribution fund at the Caisse de dépôt et placement du Québec to the employers’ contributory fund at the Caisse, an amount equivalent to one-half of the premium paid or payable by the employer in relation to persons who, having availed themselves of the measures financed

out of the amounts obtained under section 85.18, continue to be covered by the basic health insurance plan in accordance with the conditions of employment applicable to them. In addition, the Government may determine any amount of contribution from which it may be exempted as compensation for the sums it has taken out of the consolidated revenue fund to pay such a premium.”

c. R-10,  
s. 85.21,  
am. **17.** Section 85.21 of the said Act is amended by inserting the figure “, 85.19.1” after the figure “85.19” in the first line.

c. R-10,  
s. 96, am. **18.** Section 96 of the said Act is amended by replacing subparagraph 2 of the second paragraph by the following subparagraph:

“(2) 31 December of the year in which he attains 71 years of age.”

c. R-10,  
s. 115, am. **19.** Section 115 of the said Act is amended by replacing the first paragraph by the following paragraph:

Former  
Member of  
National  
Assembly **“115.** Every employee is entitled to be credited for pension purposes with the years and parts of a year during which he contributed to a pension plan which applied before 1 January 1992 to a Member of the National Assembly and in respect of which he obtained a refund of his contributions, except if he has already exercised a right of redemption in respect of such years and parts of a year under a pension plan other than this plan.”

c. R-10,  
s. 137, am. **20.** Section 137 of the said Act is amended by inserting the figures “59.5, 59.6,” after the figure “28,” in the first line of subparagraph 1 of the second paragraph.

c. R-10,  
s. 146.1,  
added **21.** The said Act is amended by inserting, before section 147, the following section:

Fraud or  
deceit **“146.1** Except in cases of fraud or deceit, where a pensioner would no longer be entitled to a pension as a result of a correction made to the years or parts of a year of service credited or counted, the Commission shall not question that person’s eligibility for the pension it established in his respect following a pension application. However, the pension shall be recomputed, as of the time the pensioner retired, on the basis of the corrected data and reduced, if necessary, by the amount of actuarial reduction which applied at that time.”

c. R-10,  
s. 201, am. **22.** Section 201 of the said Act is amended by replacing the words “the pension is cancelled and he is no longer entitled, for purposes of entitlement to and computation of any new pension, to the number added to his years of service and age” in the fifth, sixth,

seventh and eighth lines by the words “his pension continues to be paid to him, but is reduced by the amount of the pension pertaining to the number added to his years of service pursuant to section 198, on the date on which the person holds or again holds such employment, and the provisions of the pension plans governing a pensioner’s return to work apply to his reduced pension”.

**23.** Section 202 of the said Act is repealed.

c. R-10,  
s. 202,  
repealed

**24.** The said Act is amended by inserting, after Chapter I of Title IV.1 of the said Act, repealed by section 20 of chapter 62 of the statutes of 1992, the following chapter:

c. R-10,  
ss. 215.5.1-  
215.5.4,  
added

“CHAPTER I.1

“SPECIFIC APPLICATION OF A CRITERION OF ELIGIBILITY FOR THE PENSION

Non-  
unionizable  
employee

**“215.5.1** Notwithstanding the first paragraph of section 38 or, as the case may be, the first paragraph of section 85.15, an unreduced pension shall be granted to a non-unionizable employee who retires under the criterion of 60 years of age provided for in subparagraph 4 of the first paragraph of section 33 or, as the case may be, subparagraph 5 of the first paragraph of section 85.14, if he meets the following conditions:

(1) he was participating on 31 December 1988, as a non-unionizable employee, in the pension plan provided for in this Act;

(2) he has never availed or is not availing himself of the temporary criterion of eligibility for the pension of 35 years of service provided for in Division IV of Chapter V.1 of Title I, the early retirement measures provided for in Division III of Chapter V.1 of Title I, in Chapter III of Title IV, including the special provisions of Chapter I of Title IV.1, or in subdivision 3 of Division II.1 of the Act respecting the Civil Service Superannuation Plan, or the measures provided for in the Act respecting the payment of a retirement allowance and other benefits and amending the Act respecting the Government and Public Employees Retirement Plan (1992, chapter 62);

(3) he applies therefor to the Commission, retires and ceases to participate in the pension plan provided for in this Act before this chapter ceases to have effect.

Cancellation

**“215.5.2** If the pensioner again holds pensionable employment under the plan provided for in this Act or holds pensionable

employment under the Pension Plan of Peace Officers in Correctional Services, the unreduced pension that had been granted to him pursuant to this chapter is cancelled and he is not entitled to avail himself again of this chapter.

**Applicable provisions** Chapter VII of Title I of this Act or Division IV of Chapter V of the Act respecting the Pension Plan of Peace Officers in Correctional Services, as the case may be, applies in respect of the pension for which the pensioner was otherwise eligible at the time he retired and, where applicable, to the other benefits paid to him.

**Expiry** “**215.5.3** Except with respect to a person who availed himself thereof, the Government may determine the date on which the measure provided for in this chapter expires. The Government may also determine, following the valuation referred to in section 215.7 or following any subsequent such valuation, any other later date until which the measure provided for in this chapter may continue to apply.

**Order** No order made pursuant to the first paragraph may take effect more than 12 months before its adoption.

**Contestation** “**215.5.4** A decision rendered in respect of a person pursuant to the provisions of this chapter may be contested in the manner prescribed for the pension plan provided for in this Act.”

**c. R-10, s. 215.6, am.** **25.** Section 215.6 of the said Act, amended by section 21 of chapter 62 of the statutes of 1992, is again amended

(1) by inserting the words “, the actuarial value of the benefits resulting from the measure provided for in Chapter I.1 of this Title” after the words “Chapter I” in the fifth line of the first paragraph;

(2) by inserting the words “or the special provisions applicable to non-unionizable employees provided for in Chapter I of this title as it read on 1 September 1992 or provided for in Chapter I.1 of that Title” after the words “Title I” in the third line of the last paragraph;

(3) by inserting the words “or of Chapter I or Chapter I.1” after the word “division” in the ninth line of the last paragraph.

**c. R-10, s. 215.7, am.** **26.** Section 215.7 of the said Act is amended

(1) by replacing the word and figure “January 1992” in the first line by the word and figure “September 1993”;

(2) by inserting the words and figures “, on 2 July 1993,” after the word “valuation” in the second line.

c. R-10,  
s. 215.7.1,  
added

**27.** The said Act is amended by inserting, after section 215.7, the following section:

Transfer

**“215.7.1** The Commission shall, on the dates fixed by the Government, transfer, with interest, from the non-unionizable employees’ contribution fund at the Caisse de dépôt et placement du Québec to the employers’ contributory fund at the Caisse, an amount equivalent to one-half of the premium paid or payable by the employer in relation to the non-unionizable employees who, having availed themselves of the measures financed out of the amounts obtained under section 215.6, continue to be covered by the basic health insurance plan in accordance with the conditions of employment applicable to them. In addition, the Government may determine any amount of contribution from which it may be exempted as compensation for the sums it has taken out of the consolidated revenue fund to pay such a premium.”

c. R-10,  
s. 215.8,  
am.

**28.** Section 215.8 of the said Act is amended

(1) by adding, at the end, the words “who meet the conditions set out in paragraphs 1 to 3 of section 215.5.1”;

(2) by replacing the words “cet article” in the fourth line of the French text by the word and figure “l’article 85.17”;

(3) by adding, at the end, the following sentence and paragraph: “The Government, after taking into account the valuation referred to in section 215.7 or any subsequent such valuation, may determine any other later date until which the measure may continue to apply.

Order

No order made pursuant to the first paragraph may take effect more than 12 months before its adoption.”

c. R-10,  
s. 215.10,  
am.

**29.** Section 215.10 of the said Act is amended by adding, at the end, the following sentences: “The actuarial value of the benefits resulting from the measure provided for in Chapter I.1 of this Title must also be taken into account for the purposes of such valuations. Such valuations must take account of the actuarial value of the benefits which begin to be paid after the date of valuation and which result from that measure and from Division IV of Chapter V.1 of Title I, to the extent that this division adds, for the purposes of eligibility for and computation of a pension, the criterion of eligibility for a pension of 35 years of service.”

c. R-10,  
s. 216.1,  
am.

**30.** Section 216.1 of the said Act, amended by section 61 of chapter 77 of the statutes of 1991 and by section 49 of chapter 67 of the statutes of 1992, is again amended

(1) by inserting, after the second sentence of the third paragraph of the English text, the following sentence: "In that case, the most recent service is credited or counted first.";

(2) by inserting the figures "59.5, 59.6," after the figure "27," in the tenth line of the third paragraph.

c. R-10,  
Sched. I,  
am.

**31.** Schedule I to the said Act, amended by orders in council 1353-91 of 9 October 1991, 398-92 and 399-92 of 25 March 1992, 669-92 of 6 May 1992, 1263-92 of 1 September 1992, 1666-92 of 25 November 1992 and 327-93 of 17 March 1993 and by section 293 of chapter 21 of the statutes of 1992, section 71 of chapter 44 of the statutes of 1992, section 53 of chapter 67 of the statutes of 1992 and section 153 of chapter 68 of the statutes of 1992, is again amended

(1) by inserting, in paragraph 1 and in alphabetical order, the following:

"the Conseil des services essentiels";

(2) by striking out the words "the Régie des entreprises de construction du Québec if they are appointed under the second paragraph of section 8 of the Act respecting building contractors vocational qualifications (chapter Q-1)" in paragraph 3;

(3) by inserting, in paragraph 3 and in alphabetical order, the following:

"the Régie du bâtiment du Québec if they are employed full-time".

#### ACT RESPECTING THE TEACHERS PENSION PLAN

c. R-11,  
s. 25, am.

**32.** Section 25 of the Act respecting the Teachers Pension Plan (R.S.Q., chapter R-11), amended by section 12 of chapter 16 of the statutes of 1992, is again amended by replacing the first paragraph by the following paragraph:

Former  
Member of  
National  
Assembly

"**25.** Every teacher is entitled to be credited for pension purposes with the years and parts of a year during which he contributed to a pension plan which applied before 1 January 1992 to a Member of the National Assembly and in respect of which he obtained a refund of his contributions, except if he has already exercised a right of redemption in respect of such years and parts of a year under a pension plan other than this plan."

c. R-11,  
s. 38, am.

**33.** Section 38 of the said Act is amended

(1) by striking out the words “the month following the teacher’s retirement by reason of physical or mental disability, from” in the first and second lines of the first paragraph;

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

Reduction “However, where the teacher receives a pension by reason of physical or mental disability under this plan, the reduction provided for in the first paragraph applies from the month in which the disability pension granted under the Act respecting the Québec Pension Plan (R.S.Q., chapter R-9) or under an equivalent plan within the meaning of section 1 of the said Act is payable, or from the month following the date on which the teacher retires if such a disability pension is payable before the pension granted under this plan.”

c. R-11, s. 51, am. **34.** Section 51 of the said Act, amended by section 6 of chapter 9 of the statutes of 1992 and by section 13 of chapter 16 of the statutes of 1992, is again amended by inserting the word “retirement” after the words “receive the” in the first line of subparagraph 4 of the first paragraph.

c. R-11, s. 52, am. **35.** Section 52 of the said Act, amended by section 7 of chapter 9 of the statutes of 1992 and by section 14 of chapter 16 of the statutes of 1992, is again amended by inserting the word “retirement” after the words “to a” in the fifth line of the first paragraph.

ACT RESPECTING THE CIVIL SERVICE SUPERANNUATION PLAN

c. R-12, ss. 12, 18, 24.1, 44-46 and heading, repealed **36.** Sections 12, 18, 24.1 and 44 to 46 of the Act respecting the Civil Service Superannuation Plan (R.S.Q., chapter R-12) and the heading preceding section 24.1 of that Act are repealed.

c. R-12, s. 25, replaced **37.** Section 25 of the said Act is replaced by the following section:

Applicable provisions **“25.** Sections 68 and 74 to 81 apply, adapted as required.”

c. R-12, s. 63.3, am. **38.** Section 63.3 of the said Act is amended

(1) by striking out the words “the month following the retirement of an officer by reason of physical or mental disability, from” in the first and second lines of the first paragraph;

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

Physical or mental disability “However, where the officer receives a pension by reason of physical or mental disability under the plan provided for in this

division, the reduction provided for in the first paragraph applies from the month in which the disability pension granted under the Act respecting the Québec Pension Plan (R.S.Q., chapter R-9) or under an equivalent plan within the meaning of section 1 of the said Act is payable, or from the month following the date on which the officer retires if such a disability pension is payable before the pension granted under the plan provided for in this division.”

c. R-12,  
s. 84, am.

**39.** Section 84 of the said Act, amended by section 8 of chapter 9 of the statutes of 1992 and by section 18 of chapter 16 of the statutes of 1992, is again amended by inserting the word “retirement” after the words “receive the” in the first line of subparagraph 4 of the first paragraph.

c. R-12,  
s. 85, am.

**40.** Section 85 of the said Act, amended by section 9 of chapter 9 of the statutes of 1992 and by section 19 of chapter 16 of the statutes of 1992, is again amended by inserting the word “retirement” after the words “to a” in the sixth line of the first paragraph.

c. R-12,  
s. 90, am.

**41.** Section 90 of the said Act, amended by section 83 of chapter 67 of the statutes of 1992, is again amended by replacing the words “He is also entitled to be credited for pension purposes with the years and parts of a year during which he contributed to the system of retirement pensions established under the Legislature Act (chapter L-1) and in respect of which he obtained, before 1 January 1983, the withdrawal of his contributions under the said Act, except if he has already redeemed such years and parts of a year under section 29 of the Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (chapter C-52.1)” in the first eight lines of the second paragraph by the words “He is also entitled to be credited for pension purposes with the years and parts of a year during which he contributed to a pension plan which applied before 1 January 1992 to a Member of the National Assembly and in respect of which he obtained a refund of his contributions, except if he has already exercised a right of redemption in respect of such years and parts of a year under a pension plan other than the plan provided for in this division”.

**42.** Section 98 of the said Act is repealed.

c. R-12,  
s. 98,  
repealed

c. R-12,  
s. 111.0.1,  
English  
text, am.

**43.** The English text of section 111.0.1 of the said Act, amended by section 103 of chapter 77 of the statutes of 1991 and by section 87 of chapter 67 of the statutes of 1992, is again amended by inserting, after the second sentence of the third paragraph, the following sentence: “In that case, the most recent service is credited first.”

TRANSITIONAL AND FINAL PROVISIONS

- Applicability**     **44.** Sections 14 and 15 apply to the computation of every pension granted to employees who cease to participate in the Government and Public Employees Retirement Plan after 31 December 1990 or who die after that date.
- Reduction**       **45.** Any reduction arising out of section 6, 33 or 38 shall not apply before 1 July 1993 in respect of a pension in payment on 1 July 1993.
- Applicable provisions**     **46.** The second paragraph of section 244.11 of the Courts of Justice Act (R.S.Q., chapter T-16), struck out by section 98 of chapter 67 of the statutes of 1992, continues to apply in respect of any pension granted before 1 January 1992 and determined pursuant to section 232 or the first paragraph of section 237 of that Act, as they read on 31 December 1991.
- Effect**           **47.** Paragraph 1 of section 31 has effect from 10 November 1982.
- Effect**           **48.** Sections 22 and 23 have effect from 1 July 1983.
- Effect**           **49.** Sections 4, 9, paragraph 1 of section 30 and section 43 have effect from 1 January 1991.
- Effect**           **50.** Section 46 has effect from 1 January 1992.
- Effect**           **51.** Paragraphs 2 and 3 of section 31 have effect from 1 February 1992.
- Coming into force**     **52.** This Act comes into force on 18 June 1993, except sections 6, 33, 38 and 45, which will come into force on 1 July 1993, and paragraph 5 of section 10 and sections 24 to 26, 28 and 29, which will come into force on 2 July 1993.