

NATIONAL ASSEMBLY
Thirty-fourth Legislature, second session

1993, chapter 45
**AN ACT TO AMEND THE SUPPLEMENTAL PENSION PLANS
ACT**

Bill 103

Introduced by Mr André Bourbeau, Minister of Manpower, Income Security and Vocational Training

Introduced 14 June 1993

Passage in principle 18 June 1993

Passage 18 June 1993

Assented to 18 June 1993

Coming into force: on the date or dates to be fixed by the Government, except section 4 which comes into force on 18 June 1993

Act amended:

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



CHAPTER 45

An Act to amend the Supplemental Pension Plans Act

[Assented to 18 June 1993]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

c. R-15.1,
s. 2, am. **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 paragraphs:

Exemption “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.

Exemption The Government may also, by order and on the conditions it determines, exempt from the application of all or part of this Act a pension plan established for all the workers of a particular commercial or industrial sector and any pension plan 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.”

c. R-15.1,
s. 156.1,
added **2.** The said Act is amended by inserting, after section 156, the following section:

Guarantee “**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.”

c. R-15.1,
s. 244, am. **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;”.

Exemption

4. From 1 January 1990 to the date of coming into force of an order made in respect of the Supplemental Pension Plan for Employees 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.

Applicable provisions

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.

Coming into force

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 comes into force on 18 June 1993.