

NATIONAL ASSEMBLY
Thirty-fourth Legislature, second session

1992, chapter 34

**AN ACT RESPECTING THE PENSION PLAN OF CERTAIN
EMPLOYEES OF THE CENTRE HOSPITALIER DE
L'UNIVERSITÉ LAVAL AND THE PENSION PLAN OF
CERTAIN EMPLOYEES OF THE COMMISSION DES
ÉCOLES CATHOLIQUES DE QUÉBEC**

Bill 31

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

Introduced 14 May 1992

Passage in principle 4 June 1992

Passage 22 June 1992

Assented to 23 June 1992

Coming into force: 23 June 1992

Act amended: None



CHAPTER 34

An Act respecting the pension plan of certain employees of the Centre hospitalier de l'Université Laval and the pension plan of certain employees of the Commission des écoles catholiques de Québec

[Assented to 23 June 1992]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

No increase
in member
contribu-
tions

1. Notwithstanding section 125 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10), the amendments made by this Act to the pension plan of certain employees of the Centre hospitalier de l'Université Laval and the pension plan of certain employees of the Commission des écoles catholiques de Québec may be made without increasing the member contributions and the additional costs resulting therefrom shall be paid out of the actuarial surplus of each plan.

Use of
member
contribu-
tions

2. The member contributions paid by a member, including accrued interest, shall not be used to pay more than 50 % of the value

(1) of any pension benefit to which the member becomes entitled, including benefits derived therefrom;

(2) of any pension benefit to which a beneficiary becomes entitled, if the member dies before becoming entitled to a pension.

Restriction

3. Section 2 does not apply to a pension benefit acquired by a member or beneficiary in respect of service credited under the plan for a period of employment prior to 1 January 1990.

Death of
member

4. If a member dies before receiving any refund or pension benefit, his spouse or, if there is no spouse, his assigns are entitled to a single payment equal to or greater than

(1) the value of any pension to which the member was entitled before his death;

(2) if the member was not entitled to a pension before his death, the value of the deferred pension to which he would have been entitled had he ceased to be an active member on the day of his death, for a reason other than his death;

(3) if the member was not entitled to a pension before his death or if, under the circumstances described in subparagraph 2, he would not have been entitled to a pension, the member contributions and additional contributions paid by the member, with accrued interest.

Additional or excess contributions

Any additional contributions credited to the account of the member and any member contributions paid in excess of the limit set by section 2, with accrued interest, must be added to the values referred to in subparagraphs 1 and 2 of the first paragraph. Furthermore, the values shall be established without reference to the assumptions as to survival or mortality for the period prior to the first payment of the pension.

Entitlement of spouse

5. The spouse of a member is entitled to a pension from the death of the member if, before his death, the member was receiving a pension. The spouse may, before the date on which payment of the member's pension begins, waive such entitlement or revoke such a waiver, provided the pension committee is notified thereof in writing before that date.

Spouse's pension

The amount of the spouse's pension must be equal to or greater than 60 % of the amount of the member's pension.

Minimum amount of combined pensions

The sum of the pension provided for the spouse and the member's pension, reduced accordingly, must, on the date on which payment of the pension begins, be at least actuarially equivalent to the pension the member would have received had it not been for the spouse's entitlement under this section.

Death during postponement period

6. If a member whose pension was postponed in whole or in part dies during the postponement period, the member's spouse shall, unless the spouse waived such entitlement, be entitled to a pension the value of which must be equal to or greater than the greater of

(1) the value of the pension he could have received pursuant to section 5 if payment of the postponed pension had begun on the day preceding the death of the member; and

(2) the value of the death benefit he could have received as beneficiary pursuant to section 4 under the postponed pension.

7. The amount of any pension payable on 1 January 1991 under the pension plan of certain employees of the Centre hospitalier de l'Université Laval shall, until that date and at the time prescribed under section 119 of the Act respecting the Québec Pension Plan (R.S.Q., chapter R-9), be indexed by the percentage of the increase in the Pension Index determined by that Act that exceeds 3 % for each year following the year in which it becomes payable.

The amount of any pension payable on 1 January 1992 and on 1 January 1993 shall be increased at the time and by the percentage referred to in the first paragraph.

The pensions may, with the authorization of the Commission, be indexed annually for one or several additional years by the same percentage if an actuarial valuation of the plan shows the existence of an actuarial surplus sufficient to cover the total cost.

8. The member contribution of a member of the pension plan of certain employees of the Commission des écoles catholiques de Québec shall be equal to 7.25 % of his salary up to the basic exemption within the meaning of the Act respecting the Québec Pension Plan, 5.45 % of that part of his salary which exceeds the basic exemption up to the Maximum Pensionable Earnings within the meaning of the said Act and 7.25 % of that part of his salary which exceeds the Maximum Pensionable Earnings.

9. Every member of the pension plan of certain employees of the Commission des écoles catholiques de Québec is entitled to early retirement from any date preceding the normal retirement date by not more than ten years. The amount of the early retirement pension shall be reduced, for its duration, by 0.5 % per month, computed for each month between the date on which the early retirement pension is granted and the normal retirement date.

10. Every member of the pension plan of certain employees of the Commission des écoles catholiques de Québec who is sixty-two years of age or over or has thirty-two years of service or more is entitled to an early retirement pension equal to the normal retirement pension credited at that time, without reduction, from the first day of the month following the month in which his employment ceased.

This section applies to every active member who retires within the period extending from 1 January 1990 to 30 June 1993. Such measure may, with the authorization of the Commission, be extended for one or several periods not exceeding three years if an actuarial valuation of the plan shows the existence of a surplus sufficient to cover the total cost.

Effect

11. Sections 1 to 6 and 8 to 10 have effect from 1 January 1990.

Coming into
force

12. This Act comes into force on 23 June 1992.