



CHAPTER 69

An Act to amend the Supplemental Pension Plans Act

[Assented to 22 December 1978]

HER MAJESTY, with the advice and consent of the Assemblée nationale du Québec, enacts as follows:

1965,
(1st sess.),
c. 25, s. 26,
am.

1. Section 26 of the Supplemental Pension Plans Act (1965, 1st session, chapter 25), replaced by section 8 of chapter 18 of the statutes of 1975, is amended:

(a) by replacing the first paragraph by the following paragraph:

Written
explanation.

“**26.** The administrator of a supplemental plan must provide every member of that plan with a written explanation of the pertinent provisions of the plan and of any amendments to it, together with an explanation of the member’s rights and duties.”;

(b) by striking out the fourth paragraph.

1965,
(1st sess.),
c. 25, s. 27,
am.

2. Section 27 of the said act, replaced by section 8 of chapter 18 of the statutes of 1975, is amended by adding at the end the following paragraphs:

Access to
documents.

“Where the member of a plan or his mandatary applies to the employer to take cognizance of any prescribed documents, the employer must, within thirty days following receipt of such application, allow the member or his mandatary to do so, during normal business hours, at the employer’s main office situated in Québec, unless the employer provides the member or his mandatary with a copy of those documents.

Written
application.

The application contemplated in the second paragraph must be made in writing. It must indicate those prescribed documents of which the member or his mandatary wishes to take cognizance. No such application may be made more than once in any period of twelve consecutive months.

Free of charge.

No employer may, under this section, require a fee from the member or his mandatary."

1965, (1st sess.), c. 25, ss. 27a, 27b, added. Statement of prescribed information.

3. The said act is amended by inserting after section 27 the following sections:

"**27a.** The administrator of a supplemental plan must, in the prescribed manner, at the prescribed times and within the prescribed periods, furnish a statement containing the prescribed information to every member of that plan and every beneficiary under it, or to the mandatary or assign of such person.

Employer, etc., deemed administrator.

"**27b.** In the case of an insured plan to which an employer contributes or which has been established by a professional syndicate for its members, the employer or the professional syndicate is deemed to be the administrator of the plan for the purposes of sections 26 and 27a.

Professional syndicate deemed administrator.

In the case of a plan established by a professional syndicate for its members, the syndicate is deemed to be the employer for the purposes of section 27."

1965, (1st sess.), c. 25, s. 32a, am.

4. Section 32a of the said act, enacted by section 9 of chapter 18 of the statutes of 1975, is amended by adding at the end the following paragraph:

No reduction of benefit.

"The same rule applies in respect of the amount of any other benefit in payment under a supplemental plan on 22 December 1978, or the payment of which begins after that date."

1965, (1st sess.), c. 25, s. 46, replaced.

5. Section 46 of the said act is replaced by the following section:

Delegation.

"**46.** Unless otherwise provided in the plan, an administrator may delegate all or part of his duties to a trust company registered in Québec or in another province having similar legislation."

6. Section 58 of the said act, amended by section 3 of chapter 50 of the statutes of 1969 and by section 11 of chapter 19 and section 18 of chapter 18 of the statutes of 1975, is again amended by adding at the end the following paragraph:

1965, (1st sess.), c. 25, s. 58, am.

"(w) the information or documents which an administrator or an employer must furnish to a member or a beneficiary, or to his mandatary or assign, or of which he must allow such person to take cognizance, as well as the manner, times and periods for so doing."

1965 (1st
sess.),
c. 25, s. 60,
am.

7. Section 60 of the said act, replaced by section 19 of chapter 18 of the statutes of 1975, is amended by replacing paragraph *d* by the following paragraph:

“(d) contravenes any provision contained in a supplemental plan according to sections 33 and 37.”.

Coming
into force.

8. This act comes into force on the day of its sanction.