

chapter R-12, r. 3

Updated to 1 May 2017

## **Supplementary benefits plan in respect of civil servants**

### **Act respecting the Civil Service Superannuation Plan**

(chapter R-12, s. 111.2)

#### **DIVISION I**

##### **MINIMUM BENEFITS GRANTED TO THE BENEFICIARY OF A PENSION**

**1.** Where a pension granted under the Act respecting the Civil Service Superannuation Plan (chapter R-12), after 10 years of credited service, except a pension granted to a child and those provided for in section 83 of the Act, is lower than the benefit calculated in accordance with section 2 of this Plan, a benefit, equal to the amount by which the benefit set out in section 2 exceeds that which would have been paid under the Civil Service Superannuation Plan, shall be paid.

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T.B. 195705, s. 1.

**2.** For the purposes of section 1, the amount of the benefit dated 1 January 2000 shall be equal to \$5,221.40. For each year in question after that date and until the year where the pension has become payable, the benefit is indexed at the time prescribed by section 119 of the Act respecting the Québec Pension Plan (chapter R-9) by the rate of increase in the pension index and, for following years, indexed as provided in section 64 of the Act respecting the Civil Service Superannuation Plan (chapter R-12), reduced in accordance with section 63.3 or paragraph 1 of the first paragraph of section 76 of that Act, as the case may be, even if no pension under the Act respecting the Québec Pension Plan is paid.

Notwithstanding the foregoing, the calculation applies only with respect to that part of the pension relating to the years of service credited before 1 January 1992, and the amount referred to in the first paragraph is multiplied by the fraction that the number of those years is of the total number of years of service credited.

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T.B. 195705, s. 2.

#### **DIVISION II**

##### **BENEFITS FOR PHYSICAL OR MENTAL DISABILITY**

**3.** A benefit is paid to a civil servant who is physically or mentally disabled and who does not receive a disability pension in accordance with subparagraph 3 of the first paragraph of section 56 of the Act respecting the Civil Service Superannuation Plan (chapter R-12). That supplementary benefit shall be equal to the amount by which the pension which would have been paid if he had been entitled to a pension under that subparagraph exceeds the pension to which he is entitled under the Civil Service Superannuation Plan.

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T.B. 195705, s. 3.

**4.** For the purposes of section 3, a civil servant is physically or mentally disabled if he suffers from a serious, prolonged pathological condition.

A pathological condition is serious if it makes the civil servant totally incapable of performing the work required by the position he occupied for an extended period of time.

A pathological condition is prolonged if it is to last indefinitely, that is, if it is unlikely that a cure is possible in the present state of medical knowledge.

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T.B. 195705, s. 4.

**5.** The benefit provided for in section 3 is payable until the end of the disability.

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T.B. 195705, s. 5.

### **DIVISION III**

#### **MISCELLANEOUS AND FINAL**

**6.** The applicable provisions of the Act, except those that are inconsistent, shall apply in respect of a civil servant who receives a benefit referred to in section 1 or 3 or, as the case may be, of the spouse or child of that civil servant, as if that benefit was granted under the Act. Notwithstanding the foregoing, that benefit shall be paid under this Plan.

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T.B. 195705, s. 6.

**7.** 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 (chapter R-12, r. 2) shall apply in respect of the benefits provided for in this Plan, with the necessary modifications.

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T.B. 195705, s. 7.

**8.** *(Omitted).*

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T.B. 195705, s. 8.

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#### **REFERENCES**

T.B. 195705, 2001 G.O. 2, 457