

**ACT RESPECTING RETRAITE QUÉBEC****NOTE**

*This Act was formerly entitled: “Act respecting the Commission administrative des régimes de retraite et d’assurances”. The title of the Act was replaced by section 2 of chapter 20 of the statutes of 2015.*

*The Minister of Labour, Employment and Social Solidarity is responsible for the administration of this Act. (S.Q. 2015, c. 20, s. 63)*

*The Minister of Finance exercises the functions of the Minister of Labour, Employment and Social Solidarity provided for in this Act. Order in Council 412-2016 dated 25 May 2016, (2016) 148 G.O. 2 (French), 2923.*

2015, c. 20, s. 2.

**CHAPTER I  
ESTABLISHMENT**

**1.** A legal person is established under the name “Retraite Québec”.

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2006, c. 49, s. 1; 2015, c. 20, s. 61.

**2.** Retraite Québec is a mandatary of the State.

The property of Retraite Québec forms part of the domain of the State, but the execution of its obligations may be levied against its property.

Retraite Québec binds none but itself when it acts in its own name.

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2006, c. 49, s. 2; 2015, c. 20, s. 61.

**3.** The head office of Retraite Québec is located in the territory of the Communauté métropolitaine de Québec. Retraite Québec may hold its meetings anywhere in Québec.

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2006, c. 49, s. 3; 2015, c. 20, s. 61.

**CHAPTER II  
FUNCTIONS AND POWERS**

**3.1.** The functions of Retraite Québec are to administer the pension plan governed by the Act respecting the Québec Pension Plan ([chapter R-9](#)) and to encourage financial planning for retirement. To that end, it promotes the establishment and improvement of pension plans other than those referred to in section 4. In addition, Retraite Québec may carry out any mandate and exercise any other function conferred on it by the Government. The costs arising out of such a mandate or function are borne by the Government

Retraite Québec may conduct or commission research and studies and make recommendations to the Minister under whose responsibility it acts, subject to section 6.

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2015, c. 20, s. 3.

**4.** The function of Retraite Québec is also to administer the pension plans established under

(1) the Act respecting the Pension Plan of Certain Teachers ([chapter R-9.1](#));

- (2) the Act respecting the Government and Public Employees Retirement Plan ([chapter R-10](#));
- (3) the Act respecting the Teachers Pension Plan ([chapter R-11](#));
- (4) the Act respecting the Civil Service Superannuation Plan ([chapter R-12](#)); and
- (5) the Act respecting the Pension Plan of Management Personnel ([chapter R-12.1](#)).

A further function of Retraite Québec is to administer every other pension or insurance plan entrusted to its administration by statute, the Office of the National Assembly or the Government.

The second paragraph does not apply to the Québec Pension Plan, the plans administered by Retraite Québec under the Supplemental Pension Plans Act ([chapter R-15.1](#)) and the Voluntary Retirement Savings Plans Act ([chapter R-17.0.1](#)), and plans whose provisional administration is entrusted to another administrator it designates under any of those Acts.

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2006, c. 49, s. 4; 2015, c. 20, s. 4.

**5.** Retraite Québec must prepare actuarial valuations at the request of the Minister of Finance in order that its obligations under the pension plans it administers under section 4 may be recorded in the Government's financial statements.

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2006, c. 49, s. 5; 2015, c. 20, s. 5.

**6.** Unless a request to do more is made jointly by the Government and the associations negotiating the conditions of employment of the employees who are members of the pension plans referred to in subparagraphs 1 to 4 of the first paragraph of section 4, or by the Government and the associations representing the employees who are members of the pension plan referred to in subparagraph 5 of that paragraph, the only studies Retraite Québec may carry out on those plans are studies on their administration.

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2006, c. 49, s. 6; 2015, c. 20, s. 61.

**7.** (*Repealed*).

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2006, c. 49, s. 7; 2011, c. 19, s. 30.

**8.** Retraite Québec may enter into a service agreement with the pension committee of a plan it administers under section 4. Such an agreement must be mentioned in the service statement of Retraite Québec.

The service agreement must describe, in particular, the services offered by Retraite Québec, the functions and responsibilities it assumes, the information and communication channels it agrees to use and the reporting procedures to which it is committed.

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2006, c. 49, s. 8; 2015, c. 20, s. 6 and 61.

**9.** Subject to the applicable legislative provisions, Retraite Québec may enter into an agreement with a government other than that of Québec, with a department of such a government, with an international organization or with a body of such a government or organization.

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2006, c. 49, s. 9; 2015, c. 20, s. 61.

**10.** Chapter II of the Public Administration Act ([chapter A-6.01](#)) applies to Retraite Québec.

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2006, c. 49, s. 10; 2011, c. 19, s. 31; 2014, c. 17, s. 30; 2015, c. 20, s. 7.

## CHAPTER III

### ORGANIZATION AND OPERATION

**11.** Retraite Québec is administered by a board of directors composed of 17 members appointed by the Government, including the chair of the board and the president and chief executive officer. At least seven members of the board, including the chair, must qualify as independent directors in the opinion of the Government.

The Government appoints the members of the board other than the chair of the board and the president and chief executive officer taking into consideration the expertise and experience profiles approved by the board of directors. The members include

(1) two members representing the Government;

(2) three members representing the employees who are members of the pension plans administered by Retraite Québec under section 4, including two representing the employees covered by the Government and Public Employees Retirement Plan, appointed after consultation with the unions and associations referred to in subparagraph 1 of the first paragraph of section 164 of the Act respecting the Government and Public Employees Retirement Plan ([chapter R-10](#)), and one representing the employees covered by the Pension Plan of Management Personnel, appointed after consultation with the associations referred to in subparagraph 1 of the first paragraph of section 196.3 of the Act respecting the Pension Plan of Management Personnel ([chapter R-12.1](#));

(3) one member representing the pensioners of one of the pension plans administered under section 4 and appointed after consultation with the associations that are the most representative of the pensioners under those plans, unless a different consultation process is determined by the Government; and

(4) nine members appointed after consultation with bodies the Minister considers representative, including four from the business sector, three who are workers, one from the socio-economic sector and one representing retired persons.

A member of the board may not be a member of the pension committee of a pension plan administered by Retraite Québec under section 4.

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2006, c. 49, s. 11; 2015, c. 20, s. 8.

**12.** In addition to being required to comply with the independence rules prescribed by the Act respecting the governance of state-owned enterprises ([chapter G-1.02](#)), an independent member may not be in the employ of a body some of whose employees are members of a pension plan administered under section 4 or have been in such employ in the three years preceding appointment to office, or be in the employ or be an officer of an association of employees or an association of managers representing those employees or have been in such employ or have been such an officer during that period.

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2006, c. 49, s. 12; 2015, c. 20, s. 9.

**13.** *(Repealed).*

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2006, c. 49, s. 13; 2015, c. 20, s. 10.

**14.** *(Repealed).*

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2006, c. 49, s. 14; 2015, c. 20, s. 10.

**15.** No act or document of Retraite Québec or decision of the board of directors is invalid because fewer than seven members are independent members.

2006, c. 49, s. 15; 2015, c. 20, s. 11.

**16. (Repealed).**

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2006, c. 49, s. 16; 2015, c. 20, s. 12.

**17. (Repealed).**

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2006, c. 49, s. 17; 2015, c. 20, s. 12.

**18. (Repealed).**

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2006, c. 49, s. 18; 2015, c. 20, s. 12.

**19. (Repealed).**

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2006, c. 49, s. 19; 2015, c. 20, s. 12.

**20. (Repealed).**

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2006, c. 49, s. 20; 2015, c. 20, s. 12.

**21.** On the recommendation of the board of directors, the Government appoints the president and chief executive officer taking into consideration the expertise and experience profile approved by the board.

If the board of directors does not recommend a candidate for the position of president and chief executive officer within a reasonable time, the Government may appoint the president and chief executive officer after notifying the members of the board.

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2006, c. 49, s. 21; 2015, c. 20, s. 13.

**22.** The Government may dismiss the president and chief executive officer after consulting with the board of directors.

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2006, c. 49, s. 22.

**23.** Members of the board of directors, other than the president and chief executive officer, receive no remuneration except in the cases and on the conditions that may be determined by the Government. They are entitled, however, to the reimbursement of expenses incurred in the exercise of their functions in the cases, on the conditions and to the extent determined by the Government.

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2006, c. 49, s. 23.

**24.** Members of the board of directors are appointed for a term of up to four years, except for the chair of the board and the president and chief executive officer, who are appointed for a term of up to five years.

On expiry of their term, the members of the board remain in office until replaced or reappointed.

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2006, c. 49, s. 24.

**25.** A vacancy on the board of directors, except for the position of president and chief executive officer, must be filled for the remainder of the term of office in accordance with the rules of appointment provided in this Act.

Absence from the number of board meetings determined by by-law of Retraite Québec constitutes a vacancy in the cases and circumstances indicated in the by-law.

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2006, c. 49, s. 25; 2015, c. 20, s. 61.

**26.** *(Repealed).*

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2006, c. 49, s. 26; 2015, c. 20, s. 14.

**27.** In addition to the functions prescribed by the Act respecting the governance of state-owned enterprises ([chapter G-1.02](#)), the responsibilities of the board of directors include

(1) adopting the service statement;

(2) approving the service agreements entered into under section 8; and

(3) approving the financial statements of the pension plans administered by Retraite Québec under section 4 unless that function has been assigned to a pension committee under the provisions of an Act or of a pension plan and the pension committee has exercised it within the time prescribed by those provisions.

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2006, c. 49, s. 27; 2015, c. 20, s. 15.

**28.** The quorum at meetings of the board of directors is the majority of its members, including the chair.

Decisions of the board are made by a majority vote of the members present. In the case of a tie vote, the person presiding at the meeting has a casting vote.

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2006, c. 49, s. 28.

**29.** The members of the board of directors may waive notice of a meeting. Attendance at a meeting of the board constitutes a waiver of notice, unless the members are present to contest the legality of the meeting.

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2006, c. 49, s. 29.

**30.** Written resolutions signed by all the members of the board of directors entitled to vote have the same value as if they had been adopted during a meeting of the board.

A copy of all such resolutions is kept with the minutes of the proceedings or other equivalent record.

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2006, c. 49, s. 30.

**31.** If all agree, the members of the board of directors may take part in a meeting by means of equipment enabling all participants to communicate directly with one another.

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2006, c. 49, s. 31.

**32.** The minutes of the meetings of the board of directors, approved by the board and certified by the chair of the board, the president and chief executive officer, the secretary or any other person authorized by Retraite Québec, are authentic. The same applies to documents and copies of documents emanating from Retraite Québec or forming part of its records, if they are certified in the same manner.

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2006, c. 49, s. 32; 2015, c. 20, s. 61.

**33.** The board of directors establishes an investment policy committee and a client services committee in addition to the governance and ethics committee, the audit committee and the human resources committee prescribed by section 19 of the Act respecting the governance of state-owned enterprises ([chapter G-1.02](#)).

The governance and ethics committee, the human resources committee, the investment policy committee and the client services committee must be chaired by an independent director and may not include the president and chief executive officer. The second paragraph of section 19 of the Act respecting the governance of state-owned enterprises does not apply to those committees.

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2006, c. 49, s. 33; 2015, c. 20, s. 16.

**34.** *(Repealed).*

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2006, c. 49, s. 34; 2015, c. 20, s. 17.

**35.** *(Repealed).*

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2006, c. 49, s. 35; 2015, c. 20, s. 17.

**36.** In addition to the functions prescribed by the Act respecting the governance of state-owned enterprises ([chapter G-1.02](#)), the functions of the audit committee include

The functions of the committee include

- (1) *(subparagraph repealed)*;
- (2) examining with the Auditor General the financial statements of the pension plans administered by Retraite Québec under section 4;
- (3) recommending the approval of the financial statements of those pension plans by the pension committee concerned if the function of that committee is to approve them; and
- (4) recommending the approval by the board of the financial statements of those pension plans except the pension plan financial statements approved by the pension committee concerned.

If the function of the pension committee of a plan administered by Retraite Québec under section 4 is to approve the financial statements, the meeting of the audit committee of the board concerning the submission and examination of those financial statements is held in the presence of four members of the pension committee, namely two representatives of the participants and beneficiaries under the plan and two representatives of the Government. Those members are not entitled to vote.

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2006, c. 49, s. 36; 2012, c. 11, s. 32; 2015, c. 20, s. 18.

**37.** *(Repealed).*

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2006, c. 49, s. 37; 2015, c. 20, s. 19.

**38.** *(Repealed).*

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2006, c. 49, s. 38; 2015, c. 20, s. 19.

**39.** *(Repealed).*

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2006, c. 49, s. 39; 2015, c. 20, s. 19.

**40.** The functions of the client services committee include

- (1) assessing the strategies and general policy directions of Retraite Québec in the area of client services;
- (2) following up on Retraite Québec's policy directions in that area;
- (3) recommending the approval by the board of directors of the service agreements entered into under section 8; and
- (4) seeing to the adequate implementation of the service agreements.

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2006, c. 49, s. 40; 2015, c. 20, s. 20.

**40.1.** The functions of the investment policy committee include

- (1) formulating and submitting to the board of directors a policy for investing the sums deposited with the Caisse de dépôt et placement du Québec under the Act respecting the Québec Pension Plan ([chapiter R-9](#));
- (2) making recommendations on the investment policy to the board of directors; and
- (3) reporting to the board of directors on the implementation of the investment policy by the Caisse de dépôt et placement du Québec, the yield of the sums deposited and any other issue concerning the investment policy.

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2015, c. 20, s. 20.

**41.** The president and chief executive officer must see that the decisions of the pension committees of the plans administered by Retraite Québec under section 4 are carried out.

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2006, c. 49, s. 41; 2015, c. 20, s. 21.

**42.** The president and chief executive officer must see that the pension committees of the plans administered by Retraite Québec under section 4 have, on request, adequate human, material and financial resources to exercise their functions.

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2006, c. 49, s. 42; 2015, c. 20, s. 22.

**43.** The president and chief executive officer is assisted by vice-presidents appointed by the Government.

The board of directors designates the vice-president who will exercise the functions of president and chief executive officer if the incumbent of that office is absent or unable to act.

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2006, c. 49, s. 43; 2015, c. 20, s. 23.

**44.** The vice-presidents are appointed for a term of up to five years.

On expiry of their term, the vice-presidents remain in office until replaced or reappointed.

If a vice-president is absent or unable to act, the president and chief executive officer designates a member of Retraite Québec's personnel to exercise the vice-president's functions.

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2006, c. 49, s. 44; 2015, c. 20, s. 24.

**45.** The offices of president and chief executive officer and of vice-president are full-time positions.

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2006, c. 49, s. 45.



**46.** The Government determines the remuneration, the benefits and the other conditions of employment of the president and chief executive officer and the vice-presidents of Retraite Québec.

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2006, c. 49, s. 46; 2015, c. 20, s. 61.

**47.** The secretary and other employees of Retraite Québec are appointed under the Public Service Act ([chapter F-3.1.1](#)).

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2006, c. 49, s. 47; 2015, c. 20, s. 61.

**48.** No proceedings may be brought against Retraite Québec, the members of the board of directors, the vice-presidents or the personnel members of Retraite Québec by reason of an omission made or an act performed in good faith in the exercise of their functions.

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2006, c. 49, s. 48; 2015, c. 20, s. 61.

**48.1.** Except on a question of jurisdiction, no extraordinary recourse within the meaning of the Code of Civil Procedure ([chapter C-25](#)) may be exercised or any injunction granted against Retraite Québec or the members of its board of directors acting in their official capacity.

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2015, c. 20, s. 25.

**48.2.** A judge of the Court of Appeal may, on a motion, annul by a summary proceeding any judgment rendered or order or injunction made contrary to section 48 or 48.1.

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2015, c. 20, s. 25.

**49.** A deed, document or writing is binding on and may be attributed to Retraite Québec only if it is signed by the chair of the board of directors, the president and chief executive officer, a vice-president, the secretary or another personnel member of Retraite Québec, but in the latter case, only to the extent determined by by-law of Retraite Québec.

However, Retraite Québec may also, subject to the conditions it sets, allow a document to be binding on it or attributed to it without it being signed.

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2006, c. 49, s. 49; 2015, c. 20, s. 26.

**50.** Subject to the conditions it sets, Retraite Québec may allow the required signature to be affixed on certain documents by means of an automatic device. Retraite Québec may allow a facsimile of a signature to be engraved, lithographed or printed on certain documents. A facsimile has the same force as the signature itself.

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2006, c. 49, s. 50; 2015, c. 20, s. 27.

**51.** An intelligible transcription of a decision or other data stored by Retraite Québec in a computer or in a computer-readable medium is a document of Retraite Québec and is evidence of its contents if it is certified by a person referred to in section 32.

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2006, c. 49, s. 51; 2015, c. 20, s. 61.

**51.1.** Retraite Québec may delegate any of its powers under the laws it administers to a member of its board of directors or of its personnel. It may also, in the instrument of delegation, authorize the subdelegation of the delegated powers. It identifies the member of its board of directors or of its personnel to whom a power may be subdelegated, when that is the case. The instrument of delegation is posted on Retraite Québec's website.

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2015, c. 20, s. 28.



**51.2.** Every internal by-law of Retraite Québec comes into force on the date of its publication on Retraite Québec's website or on any later date specified in it.

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2015, c. 20, s. 28.

## **CHAPTER IV**

*(Repealed, 2015, c. 20, s. 29).*

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2015, c. 20, s. 29.

**52.** *(Repealed).*

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2006, c. 49, s. 52; 2015, c. 20, s. 29.

**53.** *(Repealed).*

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2006, c. 49, s. 53; 2015, c. 20, s. 29.

**54.** *(Repealed).*

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2006, c. 49, s. 54; 2015, c. 20, s. 29.

**55.** *(Repealed).*

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2006, c. 49, s. 55; 2015, c. 20, s. 29.

**56.** *(Repealed).*

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2006, c. 49, s. 56; 2015, c. 20, s. 29.

## **CHAPTER V**

### **FINANCIAL PROVISIONS**

**57.** The annual budget of Retraite Québec must specify the amount attributable to

- (1) the administrative expenses related to the Government and Public Employees Retirement Plan;
- (2) the administrative expenses related to the Pension Plan of Management Personnel;
- (3) the administrative expenses related to the other pension plans administered by Retraite Québec under section 4;
- (4) the expenses related to the actuarial valuations of the plans for the purposes of section 5; and
- (5) the administrative expenses related to the insurance plans.

The administrative expenses related to the pension plans include those related to the pension committees and those related to any additional services requested by the pension committees and offered to employees and beneficiaries under the pension plans concerned. The administrative expenses related to the pension credits referred to in section 3.2 of the Act respecting the Government and Public Employees Retirement Plan ([chapter R-10](#)) are included in the administrative expenses related to the Pension Plan of Management Personnel.

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2006, c. 49, s. 57; 2015, c. 20, s. 30.

**58.** The sums required to cover the administrative expenses related to the Government and Public Employees Retirement Plan are taken in equal proportions

(1) out of the employees' contribution fund under the plan, at the Caisse de dépôt et placement du Québec; and

(2) out of the employers' contributory fund under the plan, at the Caisse de dépôt et placement du Québec, and then in accordance with section 133 of the Act respecting the Government and Public Employees Retirement Plan ([chapter R-10](#)).

However, the sums required to cover the administrative expenses related to additional services offered to employees and beneficiaries under the plan are taken in the proportions determined by the pension committee in its request.

The sums taken out of the Consolidated Revenue Fund are deemed to be contributions by the Government as employer with respect to that plan.

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2006, c. 49, s. 58.

**59.** The sums required to cover the administrative expenses related to the Pension Plan of Management Personnel are taken in equal proportions

(1) out of the employees' contribution fund under the plan, at the Caisse de dépôt et placement du Québec; and

(2) out of the employers' contributory fund under the plan, at the Caisse de dépôt et placement du Québec, and then in accordance with section 182 of the Act respecting the Pension Plan of Management Personnel ([chapter R-12.1](#)).

However, the sums required to cover the administrative expenses related to additional services offered to employees and beneficiaries under the plan are taken in the proportions determined by the pension committee in its request.

Despite the first and second paragraphs, the sums required to cover the administrative expenses related to the special provisions applicable to the classes of employees designated under the first paragraph of section 23 of the Act respecting the Pension Plan of Management Personnel and to the provisions on supplemental benefits payable to certain classes of employees under section 208 of that Act are taken out of the Consolidated Revenue Fund.

The sums taken out of the Consolidated Revenue Fund are deemed to be contributions by the Government as employer with respect to that plan.

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2006, c. 49, s. 59.

**59.1.** The sums required to cover the administrative expenses related to the Pension Plan of Peace Officers in Correctional Services are taken

(1) in a proportion of 46% out of the employees' contribution fund under the plan, at the Caisse de dépôt et placement du Québec; and

(2) in a proportion of 54% out of the employers' contributory fund under the plan, at the Caisse de dépôt et placement du Québec, and then in accordance with section 134.4 of the Act respecting the Pension Plan of Peace Officers in Correctional Services ([chapter R-9.2](#)).

However, the sums required to cover the expenses related to additional services offered to employees and beneficiaries under the plan are taken in the proportions determined by the pension committee in its request.

In addition, the sums required to cover the administrative expenses related to the development of Retraite Québec's information resources project entitled "Renouvellement et intégration des systèmes essentiels" are taken in full out of the Consolidated Revenue Fund.

The sums taken out of the Consolidated Revenue Fund are deemed to be contributions by the Government as employer with respect to that plan.

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2013, c. 9, s. 52; 2015, c. 20, s. 61.

**60.** Despite sections 58 and 59, the sums required to cover the administrative expenses related to benefits paid by Retraite Québec or to pension credits obtained under the Government and Public Employees Retirement Plan, resulting from the termination of a supplemental pension plan and from a transfer of the funds of that plan after 31 December 2006 to a special fund at the Caisse de dépôt et placement du Québec, are taken out of that fund.

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2006, c. 49, s. 60; 2015, c. 20, s. 61.

**61.** The sums required to cover the administrative expenses related to the pension plans referred to in section 4 other than the Government and Public Employees Retirement Plan, the Pension Plan of Management Personnel, the Pension Plan of Peace Officers in Correctional Services, the pension plan established under the Act respecting the Syndical Plan of the Sûreté du Québec ([chapter R-14](#)), the Pension Plan of Elected Municipal Officers and the supplementary benefits plan for participants under the Pension Plan of Elected Municipal Officers are taken out of the Consolidated Revenue Fund.

The sums taken out of the Consolidated Revenue Fund are deemed to be contributions by the Government as employer with respect to the plan concerned.

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2006, c. 49, s. 61; 2013, c. 9, s. 53; 2015, c. 20, s. 31.

**62.** The sums required to cover the expenses related to the actuarial valuations of the pension plans for the purposes of section 5 are taken out of the Consolidated Revenue Fund.

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2006, c. 49, s. 62.

**63.** The administrative expenses related to the Pension Plan of Elected Municipal Officers and the expenses of the supplementary benefits plan for participants under that pension plan are paid under sections 81 and 76.3 respectively of the Act respecting the Pension Plan of Elected Municipal Officers ([chapter R-9.3](#)).

The administrative expenses related to the pension plan established under the Act respecting the Syndical Plan of the Sûreté du Québec ([chapter R-14](#)) are paid in accordance with section 67.3 of the Police Act ([chapter P-13.1](#)).

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2006, c. 49, s. 63.

**64.** The sums required to cover the administrative expenses related to insurance plans are taken out of the Consolidated Revenue Fund.

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2006, c. 49, s. 64.

**65.** Retraite Québec may not, without the Government's authorization,

(1) contract a loan that causes the total of its current outstanding loans to exceed the amount determined by the Government;

(2) make a financial commitment in excess of the limits determined by the Government;

- (3) acquire or hold shares in a legal person or an interest in a partnership in excess of the limits or contrary to the conditions determined by the Government;
- (4) dispose of shares in a legal person or an interest in a partnership in excess of the limits or contrary to the conditions determined by the Government;
- (5) acquire or dispose of other assets in excess of the limits or contrary to the conditions determined by the Government; or
- (6) accept a gift or legacy to which a charge or condition is attached.

However, the first paragraph does not apply if the loan or financial commitment charges a pension or insurance plan, including the Québec Pension Plan, that is administered, even provisionally, by Retraite Québec. The same is true of the transfer, acquisition or holding of shares, stock or other assets for such a plan and the acceptance of a gift or a legacy if the charge or condition attached relates to such a plan.

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2006, c. 49, s. 65; 2015, c. 20, s. 32.

**66.** The Government may, on the conditions and in the manner it determines,

- (1) secure the payment in capital and interest of any loan referred to in the first paragraph of section 65 that is contracted by Retraite Québec and any of its obligations; and
- (2) authorize the Minister of Finance to advance to Retraite Québec any amount considered necessary to meet its obligations or to carry out its mission.

The sums required for the purposes of this section are to be taken out of the Consolidated Revenue Fund.

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2006, c. 49, s. 66; 2015, c. 20, s. 33.

## **CHAPTER VI**

### **ACCOUNTS AND REPORTS**

**67.** The fiscal year of Retraite Québec ends on 31 December each year.

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2006, c. 49, s. 67; 2015, c. 20, s. 61.

**68.** The annual management report required to be prepared under section 24 of the Public Administration Act ([chapter A-6.01](#)) must be produced before 30 June and must also include the financial statements of Retraite Québec, those of the pension plans it administers under section 4 and any other information required by the Minister.

The report must also include or provide information on

- (1) the mandates conferred on Retraite Québec;
- (2) the service agreements entered into under section 8; and
- (3) the programs placed under the administration of Retraite Québec.

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2006, c. 49, s. 68; 2015, c. 20, s. 34.

**69.** The Minister must table Retraite Québec's report in the National Assembly within 30 days of its receipt or, if the National Assembly is not sitting, within 30 days of resumption.

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2006, c. 49, s. 69; 2015, c. 20, s. 61.

**70.** Retraite Québec must provide the Minister with any information the Minister requires.

Retraite Québec must also provide the Minister of Finance, on request, with the data and information required to conduct the necessary analyses and follow-up concerning pension plan obligations and liabilities shown in the financial statements of the Government.

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2006, c. 49, s. 70; 2015, c. 20, s. 61.

**71.** The books and accounts of Retraite Québec are to be audited by the Auditor General every year and whenever ordered by the Government.

The Auditor General's report must accompany Retraite Québec's annual report.

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2006, c. 49, s. 71; 2015, c. 20, s. 61.

## **CHAPTER VII**

### **AMENDING PROVISIONS**

#### **PUBLIC ADMINISTRATION ACT**

**72.** (*Amendment integrated into c. A-6.01, s. 40*).

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2006, c. 49, s. 72.

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

**73.** (*Amendment integrated into c. C-52.1, s. 74*).

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2006, c. 49, s. 73.

#### **ACT RESPECTING THE PENSION PLAN OF CERTAIN TEACHERS**

**74.** (*Amendment integrated into c. R-9.1, s. 35.8*).

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2006, c. 49, s. 74.

**75.** (*Amendment integrated into c. R-9.1, s. 41.8*).

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2006, c. 49, s. 75.

**76.** (*Amendment integrated into c. R-9.1, s. 56*).

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2006, c. 49, s. 76.

#### **ACT RESPECTING THE PENSION PLAN OF PEACE OFFICERS IN CORRECTIONAL SERVICES**

**77.** (*Amendment integrated into c. R-9.2, s. 7*).

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2006, c. 49, s. 77.

**78.** (*Amendment integrated into c. R-9.2, s. 134*).

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2006, c. 49, s. 78.

**79.** (*Amendment integrated into c. R-9.2, s. 143.27*).

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2006, c. 49, s. 79.

## ACT RESPECTING THE PENSION PLAN OF ELECTED MUNICIPAL OFFICERS

**80.** *(Amendment integrated into c. R-9.3, heading of Chapter IX.1).*

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2006, c. 49, s. 80.

**81.** *(Amendment integrated into c. R-9.3, s. 70.1).*

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2006, c. 49, s. 81.

**82.** *(Amendment integrated into c. R-9.3, s. 70.2).*

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2006, c. 49, s. 82.

**83.** *(Amendment integrated into c. R-9.3, s. 70.4).*

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2006, c. 49, s. 83.

**84.** *(Amendment integrated into c. R-9.3, s. 70.6).*

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2006, c. 49, s. 84.

**85.** *(Amendment integrated into c. R-9.3, s. 70.10).*

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2006, c. 49, s. 85.

## ACT RESPECTING THE GOVERNMENT AND PUBLIC EMPLOYEES RETIREMENT PLAN

**86.** *(Amendment integrated into c. R-10, heading of Chapter I of Title III).*

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2006, c. 49, s. 86.

**87.** *(Omitted).*

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2006, c. 49, s. 87.

**88.** *(Amendment integrated into c. R-10, Division II of Chapter I of Title III).*

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2006, c. 49, s. 88.

**89.** *(Amendment integrated into c. R-10, s. 158).*

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2006, c. 49, s. 89.

**90.** *(Omitted).*

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2006, c. 49, s. 90.

**91.** *(Amendment integrated into c. R-10, heading of Chapter II of Title III).*

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2006, c. 49, s. 91.

**92.** *(Amendment integrated into c. R-10, s. 163).*

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2006, c. 49, s. 92.

**93.** *(Amendment integrated into c. R-10, Division I of Chapter II of Title III).*

2006, c. 49, s. 93.

**94.** (*Amendment integrated into c. R-10, s. 164*).

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2006, c. 49, s. 94.

**95.** (*Amendment integrated into c. R-10, s. 165*).

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2006, c. 49, s. 95.

**96.** (*Amendment integrated into c. R-10, ss. 165.1 and 165.2*).

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2006, c. 49, s. 96.

**97.** (*Amendment integrated into c. R-10, s. 166.1*).

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2006, c. 49, s. 97.

**98.** (*Amendment integrated into c. R-10, s. 167*).

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2006, c. 49, s. 98.

**99.** (*Amendment integrated into c. R-10, s. 168*).

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2006, c. 49, s. 99.

**100.** (*Amendment integrated into c. R-10, s. 169*).

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2006, c. 49, s. 100.

**101.** (*Amendment integrated into c. R-10, s. 170*).

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2006, c. 49, s. 101.

**102.** (*Amendment integrated into c. R-10, s. 173*).

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2006, c. 49, s. 102.

**103.** (*Amendment integrated into c. R-10, s. 173.0.1*).

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2006, c. 49, s. 103.

**104.** (*Amendment integrated into c. R-10, s. 173.0.2*).

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2006, c. 49, s. 104.

**105.** (*Omitted*).

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2006, c. 49, s. 105.

**106.** (*Amendment integrated into c. R-10, s. 174*).

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2006, c. 49, s. 106.

**107.** (*Amendment integrated into c. R-10, s. 179*).

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2006, c. 49, s. 107.

**108.** (*Amendment integrated into c. R-10, s. 183*).



2006, c. 49, s. 108.

**109.** *(Amendment integrated into c. R-10, s. 215.19).*

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2006, c. 49, s. 109.

**110.** *(Amendment integrated into c. R-10, Schedules I and II.1).*

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2006, c. 49, s. 110.

#### ACT RESPECTING THE TEACHERS PENSION PLAN

**111.** *(Amendment integrated into c. R-11, s. 66.7).*

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2006, c. 49, s. 111.

**112.** *(Amendment integrated into c. R-11, s. 78).*

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2006, c. 49, s. 112.

#### ACT RESPECTING THE CIVIL SERVICE SUPERANNUATION PLAN

**113.** *(Amendment integrated into c. R-12, s. 114).*

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2006, c. 49, s. 113.

#### ACT RESPECTING THE PENSION PLAN OF MANAGEMENT PERSONNEL

**114.** *(Amendment integrated into c. R-12.1, s. 23).*

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2006, c. 49, s. 114.

**115.** *(Amendment integrated into c. R-12.1, s. 54).*

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2006, c. 49, s. 115.

**116.** *(Amendment integrated into c. R-12.1, s. 170).*

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2006, c. 49, s. 116.

**117.** *(Amendment integrated into c. R-12.1, s. 171).*

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2006, c. 49, s. 117.

**118.** *(Amendment integrated into c. R-12.1, s. 190).*

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2006, c. 49, s. 118.

**119.** *(Amendment integrated into c. R-12.1, s. 196).*

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2006, c. 49, s. 119.

**120.** *(Amendment integrated into c. R-12.1, s. 196.1).*

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2006, c. 49, s. 120.

**121.** *(Amendment integrated into c. R-12.1, ss. 196.2 to 196.26).*

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2006, c. 49, s. 121.

**122.** *(Amendment integrated into c. R-12.1, s. 203).*

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2006, c. 49, s. 122.

**123.** *(Amendment integrated into c. R-12.1, s. 209).*

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2006, c. 49, s. 123.

**124.** *(Amendment integrated into c. R-12.1, Schedule II).*

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2006, c. 49, s. 124.

## COURTS OF JUSTICE ACT

**125.** *(Amendment integrated into c. T-16, s. 246.28).*

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2006, c. 49, s. 125.

## OTHER AMENDING PROVISIONS

**126.** In the following provisions, “comité de retraite” is replaced wherever it appears by “pension committee”:

- (1) *(amendment integrated into c. R-9.1, ss. 52, 59.1.1 and 113);*
- (2) *(amendment integrated into c. R-10, ss. 85.17, 85.33, 134, 173.0.1, 180, 181, 215.11.9, 216.1.1 and 230);*
- (3) *(amendment integrated into c. R-11, ss. 8, 10.1.1 and 73);*
- (4) *(amendment integrated into c. R-12, ss. 99.28, 109 and 111.0.1.1);*
- (5) *(amendment integrated into c. R-12.1, ss. 200 and 418 ).*

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2006, c. 49, s. 126.

**127.** In the following provisions, “chairman”, “vice-chairman” and “vice-chairmen” are replaced wherever they appear by “chair”, “vice-chair” and “vice-chairs”:

- (1) *(amendment integrated into c. R-9.3, ss. 70.5 and 70.9);*
- (2) *(amendment integrated into c. R-10, s. 172 and Schedule I);*
- (3) *(amendment integrated into c. R-12, Schedules I, II, III);*
- (4) *(amendment integrated into c. R-12.1, Schedule II).*

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2006, c. 49, s. 127; 2007, c. 43, s. 165.

## CHAPTER VIII

### MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS

**128.** The Commission administrative des régimes de retraite et d’assurances established under this Act is substituted for the Commission administrative des régimes de retraite et d’assurances established under section 136 of the Act respecting the Government and Public Employees Retirement Plan ([chapter R-10](#)). It acquires the rights and assumes the powers and obligations of that Commission. In addition, the policies on the security and management of information resources applicable to the Commission continue to apply until the Commission adopts new ones under section 7 of this Act.

The chairman and vice-chairmen of the Commission administrative des régimes de retraite et d'assurances in office on 31 May 2007 become, on the same conditions and for the remainder of their term, president and chief executive officer and vice-presidents, respectively, of the Commission administrative des régimes de retraite et d'assurances established under this Act.

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2006, c. 49, s. 128.

**NOTE**

*Note that the provision became effective when the Act respecting the Commission administrative des régimes de retraite et d'assurances (former title of this Act) came into force.*

**129.** The members of the pension committees and sub-committees established within the Commission administrative des régimes de retraite et d'assurances, who are in office on 31 May 2007, remain in office until replaced or reappointed under this Act.

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2006, c. 49, s. 129.

**NOTE**

*Note that the provision became effective when the Act respecting the Commission administrative des régimes de retraite et d'assurances (former title of this Act) came into force.*

**130.** The employees of the Commission administrative des régimes de retraite et d'assurances in office on 31 May 2007 become, without further formality, the employees of the Commission administrative des régimes de retraite et d'assurances established under this Act.

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2006, c. 49, s. 130.

**NOTE**

*Note that the provision became effective when the Act respecting the Commission administrative des régimes de retraite et d'assurances (former title of this Act) came into force.*

**131.** The Commission administrative des régimes de retraite et d'assurances, established under this Act, becomes, without continuance of suit, a party to all proceedings to which the Commission administrative des régimes de retraite et d'assurances established under section 136 of the Act respecting the Government and Public Employees Retirement Plan ([chapter R-10](#)) was a party.

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2006, c. 49, s. 131.

**NOTE**

*Note that the provision became effective when the Act respecting the Commission administrative des régimes de retraite et d'assurances (former title of this Act) came into force.*

**132.** A request respecting a decision of the Commission administrative des régimes de retraite et d'assurances or a pension committee that was made under Chapter IV of Title III of the Act respecting the Government and Public Employees Retirement Plan ([chapter R-10](#)), that is pending on 31 May 2007, and that concerns an employee or a beneficiary under the Pension Plan of Management Personnel is continued under the provisions of Chapter XI.2 of the Act respecting the Pension Plan of Management Personnel ([chapter R-12.1](#)), enacted under section 121 of this Act.

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2006, c. 49, s. 132.

**NOTE**

*Note that the provision became effective when the Act respecting the Commission administrative des régimes de retraite et d'assurances (former title of this Act) came into force.*

**133.** The Regulation respecting the signing of certain deeds, documents or writings of the Commission administrative des régimes de retraite et d'assurances, made under Order in Council 989-2006 (2006, G.O. 2, 3579), is deemed to have been made under this Act.

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2006, c. 49, s. 133.

**NOTE**

*Note that the provision became effective when the Act respecting the Commission administrative des régimes de retraite et d'assurances (former title of this Act) came into force.*

**134.** The provisions of the Règlement sur l'exercice des pouvoirs et la régie interne du Comité de retraite du régime de retraite des employés du gouvernement et des organismes publics, du régime de retraite des enseignants, du régime de retraite des fonctionnaires, des régimes établis en vertu des articles 9, 10 et 10.0.1 de la Loi sur le régime de retraite des employés du gouvernement et des organismes publics et du régime de retraite de certains enseignants, made by Order in Council 38-99 (1999, G.O. 2, 243) and of the Règlement sur l'exercice des pouvoirs et la régie interne du Comité de retraite du régime de retraite du personnel d'encadrement, made by Order in Council 38-99 (1999, G.O. 2, 243) continue to apply to the pension committees established under sections 163 of the Act respecting the Government and Public Employees Retirement Plan ([chapter R-10](#)) and 196.2 of the Act respecting the Pension Plan of Management Personnel ([chapter R-12.1](#)), enacted respectively by sections 92 and 121 of this Act, to the extent that they are consistent with the workings of those committees.

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2006, c. 49, s. 134.

**NOTE**

*Note that the provision became effective when the Act respecting the Commission administrative des régimes de retraite et d'assurances (former title of this Act) came into force.*

**135.** In order to satisfy the requirements of section 21 of this Act, the first chair of the board of directors of the Commission administrative des régimes de retraite et d'assurances is appointed by the Government, after consultation with the associations referred to in section 6 of this Act, on the basis of the expertise and experience profile the Government determines.

For the appointment of the remaining first independent members of the board, the expertise and experience profile the board must establish under section 21 is established by a committee made up of the chair of the board of directors of the Commission, the president and chief executive officer of the Commission and the members referred to in subparagraphs 1 to 3 of the first paragraph of section 11. In the case of a tie vote during this process, the chair of the board has a casting vote.

For the purposes of the second paragraph, the pensioners' representative on the board of directors of the Commission is appointed after consultation with the associations of pensioners under the pension plans concerned that are the most representative.

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2006, c. 49, s. 135.

**NOTE**

*Note that the provision became effective when the Act respecting the Commission administrative des régimes de retraite et d'assurances (former title of this Act) came into force.*

**136.** The first consultation to be held for the appointment of the first chair of the pension committee referred to in section 164 of the Act respecting the Government and Public Employees Retirement Plan ([chapter R-10](#)) and of the pension committee referred to in section 196.3 of the Act respecting the Pension Plan of Management Personnel ([chapter R-12.1](#)) is carried out in the same manner as that provided for in those sections for the appointment of the members of those committees.

For the purposes of the first paragraph, the chair of each pension committee is appointed after consultation with the associations of pensioners under the pension plans concerned that are the most representative.

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2006, c. 49, s. 136.

**NOTE**

*Note that the provision became effective when the Act respecting the Commission administrative des régimes de retraite et d'assurances (former title of this Act) came into force.*

**137.** In any other Act and in any regulation, order or other document, a reference to the Commission administrative des régimes de retraite et d'assurances established under section 136 of the Act respecting the Government and Public Employees Retirement Plan ([chapter R-10](#)) becomes a reference to the Commission administrative des régimes de retraite et d'assurances established under this Act, unless the context indicates otherwise.

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2006, c. 49, s. 137.

**NOTE**

*Note that the provision became effective when the Act respecting the Commission administrative des régimes de retraite et d'assurances (former title of this Act) came into force.*

**138.** Not later than 1 January 2021 and, subsequently, every 10 years, the Minister must report to the Government on the administration of this Act. The report must contain recommendations on the implementation of this Act and the updating of the mission of Retraite Québec.

The report must be tabled in the National Assembly within 30 days or, if the Assembly is not sitting, within 30 days of resumption.

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2006, c. 49, s. 138; 2015, c. 20, s. 35.

**139.** (*Repealed*).

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2006, c. 49, s. 139; 2015, c. 20, s. 36.

**140.** (*Omitted*).

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2006, c. 49, s. 140.

## REPEAL SCHEDULE

In accordance with section 9 of the Act respecting the consolidation of the statutes and regulations (chapter R-3), chapter 49 of the statutes of 2006, in force on 1 August 2008, is repealed, except section 140, effective from the coming into force of chapter C-32.1.2 of the Revised Statutes.