

Bill No. 117 of 1954

A BILL TO AMEND THE PUBLIC SERVICE
PENSION ACT

NOTE

This Bill amends *The Public Service Pension Act*, being chapter 7 of the Statutes of Alberta, 1947.

Section 2 is amended to extend the definition of the term "employee" to include certain full-time employees who have heretofore not been subject to the provisions of the Act.

Subsection (4) of section 6 is amended to permit the re-employment for a limited period of a person previously retired without causing a forfeiture of the employee's pension benefits.

The new section 8b authorizes the Pension Board to decide in such cases whether the retirement with full pension rates is justified or not in the circumstances, and to give a reduced pension to employees retiring before sixty-five years of age under section 6 (3) (a) on an actuarial basis where the circumstances so warrant.

Section 14 is amended to modify the service requirements applicable in connection with the payment of pension benefits to the widow of a deceased employee.

New sections 27 to 34 are added. Under these sections a pension plan for members of the Executive Council is authorized and set up. The pension plan is a contributory one and very similar to the present civil service pension plan.

This Bill comes into force upon assent and section 4 is retroactive to September 25th, 1953.

J. W. RYAN,
Acting Legislative Counsel.

(This note does not form any part of the Bill but is offered in explanation of its provisions.)

BILL

No. 117 of 1954

An Act to amend The Public Service Pension Act

(Assented to _____, 1954)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The Public Service Pension Act*, being chapter 7 of the Statutes of Alberta, 1947, is hereby amended.

2. Section 2, clause (c) is amended by striking out sub-clause (ii). Section 2 amended

3. Section 6 is amended by striking out subsection (4) and by substituting the following: Section 6 amended

"(4) Subject to the approval of the Board, a person receiving a pension under this Act may be re-employed without forfeiture of pension payments for periods not exceeding a total of four months in any twelve-month period." Re-employment

4. The following new section is added immediately after section 8a: New section 8b

"8b. (1) Where a retirement is authorized by the Lieutenant Governor in Council under clause (a) of subsection (3) of section 6, the Pension Board may determine on its judgment of the merits of the case whether in the circumstances the pension to be paid to the employee is to be Determining pension payable

"(a) in an amount determined in accordance with the provisions of section 9, or

"(b) in an amount that is the actuarial equivalent at the employee's age of retirement of the normal pension that would have been payable to the employee were his age then sixty-five as determined by actuarial tables which may be approved by the Pension Board for the purpose.

"(2) The pension payable to an employee so retiring shall be in such amount as is determined by the Pension Board under subsection (1), subject to the exercise by the employee of the option of selecting an alternative pension as provided by section 10."

5. Section 14a, subsection (4) is amended by striking out the words "If an employee's age at the date of his death" Section 14a amended

exceeds fifty-five years" and by substituting the words "If the pensionable service of an employee at the date of his death has been not less than ten years,".

New sec-
tions 27
to 34

6. The following new heading and sections are added immediately after section 26a:

"Members of the Executive Council

Pensions for
Executive
Council

"27. Subject to such modifications and exceptions as are set out in sections 28 to 34, the provisions of this Act in respect of pensions apply with whatever changes are necessary, to the members of the Executive Council.

Contribu-
tions

"28. (1) Each member of the Executive Council may make contributions to the General Revenue Fund at the rate of five per cent of the annual compensation payable to him under subsection (4) of section 54 of *The Legislative Assembly Act*.

"(2) The contributions shall be made at such times and in such manner as the Lieutenant Governor in Council may determine and, upon payment into the General Revenue Fund shall be accounted for as part of the General Revenue Fund.

"(3) No contributions shall be made by a member of the Executive Council after the member has contributed in respect of a total period of twenty-five years.

Credit for
contributions

"29. (1) The Pension Board shall keep a separate account of the contributions credited under section 28 in respect of each member of the Executive Council.

"(2) Interest at the rate of three per cent per annum or at such other rate as is fixed from time to time by the Pension Board in regard to government employees generally,

"(a) shall be credited by the Pension Board to each member's account on the last day of June and December respectively in each year, and

"(b) shall be computed on the amounts to the credit of the said accounts on the first day of January and July respectively preceding the months of June and December referred to in clause (a).

Interest

"(3) The interest referred to in subsection (2) shall continue to be credited to the accounts of a member until the day he ceases to be a member of the Executive Council.

Pensionable
service

"30. The pensionable service of a member of the Executive Council shall be any term or terms of his service on the Executive Council in respect of which he has contributed to the General Revenue Fund pursuant to sections 28 and 34.

Entitlement
to pension

"31. When a person has served on the Executive Council for a total period of at least ten years, whether continuously or otherwise, he is entitled upon ceasing to be a member of the Executive Council to receive

- “(a) if his age is then sixty-five, a normal pension within the meaning of section 9, or, at his option, an alternative pension within the meaning of section 10, or
- “(b) if his age is then more or less than sixty-five, a pension that is the actuarial equivalent at his age on ceasing to be a member of the Executive Council of the pension that would be paid to him under clause (a) of this section, were his age then sixty-five as determined by the actuarial tables approved by the Pension Board.

“32. (1) If a person ceases to be a member of the Executive Council after he has served thereon for a period of five years or more but less than ten years, the amount standing at his credit in the General Revenue Fund including the accrued interest credited on his contributions under this Act shall be paid to him. Refund

“(2) If a person ceases to be a member of the Executive Council after he has served thereon for a period of less than five years, the amount standing at his credit in the General Revenue Fund less the accrued interest credited on his contributions under this Act shall be paid to him.

“(3) If a member of the Executive Council dies during his term of service on the Executive Council, section 14a with whatever changes are necessary applies.

“33. Where a person is appointed to serve as a member of the Executive Council after a prior term as a member thereof, he may pay into the General Revenue Fund in such manner and upon such terms as the Pension Board may direct Previous service on Executive Council

- “(a) any sum paid pursuant to section 32 to that member from the General Revenue Fund at the time of his ceasing to be a member of the Executive Council on the previous occasion he served thereon, together with interest on that sum from the date of his re-appointment to the Executive Council to the date of completion of the payment in full, or
- “(b) an amount equal to the contributions that could have been made by that member in respect of his previous service as a member of the Executive Council had he been subject to this Act during the period or periods of that previous service, together with interest that would have accumulated thereon during such period or periods.

“34. (1) Upon the coming into force of sections 27 to 33, each member of the Executive Council may pay into the General Revenue Fund in such manner and upon such terms as the Pension Board may direct an amount equal to the contributions that could have been made by the member in respect of all his previous service as a member of the Executive Council had this Act been applicable to members of the Executive Council during the period of that service, together with interest that would have accumulated thereon during such period. Payments

“(2) Upon payment in full by a member of the Executive Council of the amounts required to be paid under subsection (1), the previous service of the member on the Executive Council shall be recognized as pensionable service.”.

Section 27
renumbered

7. The present section 27 is renumbered as section 35.

Coming into
force

8. This Act comes into force on the day upon which it is assented to and upon so coming into force section 4 shall be deemed to have been in force at all times on and after the twenty-fifth day of September, 1953.

No. 117

SECOND SESSION
TWELFTH LEGISLATURE
3 ELIZABETH II

1954

BILL

An Act to amend The Public Service
Pension Act

Received and read the

First time

Second time.....

Third time.....

HON. MR. HOOKE
