

No. 73

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2nd Session, 13th Legislature, Alberta  
4 Elizabeth II, 1956

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## **BILL 73**

A Bill to amend The Teachers' Retirement Fund Act

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HON. MR. AALBORG

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EDMONTON, ALBERTA  
Printed by A. SHNITKA, Printer to the Queen's Most Excellent Majesty  
1956

## Explanatory Note

2. This amendment changes the definition of "salary", being the amount upon which teachers pay contributions, and also the definition of "teacher". The existing definition of "salary" excludes remuneration for supervision of extra-curricular activities, but the new definition leaves it to the Board of Administrators to decide whether such supervision is a regular school activity and as such should properly be included in the term "salary". The alteration to the definition of "teacher" brings full-time school librarians within the scope of the Act.

3. and 4. The requirement that teachers need not contribute to the Teachers' Retirement Fund after completing 35 years' service is to be deleted. When the Act was originally passed the scheme was that contributions to the Fund should be paid by the Department of Education and deducted from the grants made by the Department to the school boards. For this purpose the school boards were to submit reports to the Department concerning teachers' salaries. An amendment in 1949 provided that the Minister could require school boards to pay the contributions directly to the Fund, and as this has now been put into practice in nearly all cases, the reports concerning teachers' salaries are to be sent to the Board of Administrators of the Fund instead of to the Department.

# BILL

No. 73 of 1956

An Act to amend The Teachers' Retirement Fund Act

(Assented to \_\_\_\_\_, 1956)

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

## PART I

**1.** *The Teachers' Retirement Fund Act*, being chapter 180 of the Revised Statutes of Alberta, 1942, is hereby amended.

**2.** Section 2 is amended

(a) by striking out clause (*bb*) and by substituting the following:

“(*bb*) “salary” means all compensation, including any bonus or other allowance, paid to a teacher by the board of trustees of a school division or school district for the discharge of his regular and ordinary duties as teacher, and for such other duties regularly performed by him as in the opinion of the Board of Administrators form a proper part of school activities, whether or not such other duties are extra-curricular;”

(b) by striking out subclause (i) of clause (*c*) and by substituting the following:

“(i) by the board of trustees of a school district or division, constituted under *The School Act, 1952*, in the capacity of

“(A) a teacher, or

“(B) a librarian devoting his full time to the work of a school;”.

**3.** Section 5 is amended

(a) as to subsection (1)

(i) by striking out the words “until he has made contributions to the Fund for a total period not exceeding thirty-five years”;

(ii) by adding at the end of subclause (i) of clause (*bb*) the words “and shall at the same time furnish the Board of Administrators with a complete and accurate record, certified as such by the secretary or other proper officer of the

5. By these amendments the system by which the Province is to contribute to teachers' pensions is completely changed. Under the Act as it is at present the Province may contribute to the Teachers' Retirement Fund up to 3  $\frac{1}{2}$ % of the teachers' salaries. By these amendments the Province will cease to contribute to the Fund but will carry one-half of the expense of pension payments made on or after April 1st, 1956, except that if any payments out of the Fund relate to some extent to service before April 1939 the Province will to that extent carry the full amount of the payments. The money that the Province has paid into the Fund under the existing arrangement together with interest thereon will, in so far as it exceeds the amount that would have been paid under the proposed arrangement had it been in force since 1948, be used to pay the amounts to be paid by the Province under the proposed arrangement. When that money is exhausted the payments to be made by the Province will be made from moneys appropriated by the Legislature. With respect to teachers who retired before April 1948, the amendments provide that the Province is to carry the full expense of their pensions. The payment of pensions under the Act is also to be guaranteed by the Province.

school district or division, and showing the name of each teacher employed by the board of trustees, the amount of the salary of each teacher and such other information concerning any such salary as the Board of Administrators requires, and the Board of Administrators shall on request transmit all such records to the Department of Education”,

(b) by striking out subsection (3).

4. Section 6 is repealed.

5. Sections 7 and 7*a* are struck out and the following are substituted:

“7. (1) All pension payments that are paid by the Board of Administrators from the Fund and in accordance with this Act and the regulations and the by-laws of the Board of Administrators and that are paid for any month on or after the first day of April, 1956, shall be repaid to the Board of Administrators by the Provincial Treasurer to the following extent:

“(a) pension payments to persons who first became entitled to pensions before the first day of April, 1948, shall be repaid in full;

“(b) pension payments to persons who first became or become entitled to pensions on or after the first day of April, 1948, shall, to the extent that they represent pensionable service before the first day of April, 1939, be repaid in full, and to the extent that they represent pensionable service on or after the first day of April, 1939, be repaid in half the amount.

“(2) Subject to section 7*a*, the Provincial Treasurer shall, out of moneys appropriated by the Legislature for the purpose, pay over to the Board of Administrators at the end of each month the amounts required to be paid under subsection (1) in respect of pension payments paid during that month.

“7*a*. (1) The money that the Lieutenant Governor in Council has paid since the first day of April, 1948, to boards of school districts and divisions and that has been remitted by or on behalf of such boards to the Board of Administrators for deposit in the Fund, together with the interest that such money has earned, shall, in so far as such money and interest exceeds the amount that the Provincial Treasurer would have paid under clause (b) of subsection (1) of section 7 had that clause been in force on and after the first day of April, 1948, instead of the provisions by which the said money was paid by the Lieutenant Governor in Council, be placed in a reserve account.

“(2) The Board of Administrators shall take from such reserve account the moneys payable under section 7 by the Provincial Treasurer, so that no money shall be paid by the Provincial Treasurer under that section until the reserve

**6.** This amendment is to give the Board of Administrators a wider selection of securities in which they may invest the Teachers' Retirement Fund.

**7.** This section is to be replaced by the new section 7, subsection (1), and the explanation is given in the note to clause 5.

Part II relates the amendments in Part I to the 1955 revision.

account, together with the interest that such money has earned, is exhausted.

“7b. The payment of all benefits payable under this Act, the regulations and the by-laws of the Board of Administrators is guaranteed by the Government of the Province.”.

6. Section 9 is amended by striking out the proviso to subsection (1) and by substituting the following:

“(1a) Moneys to be invested by the Board of Administrators shall be invested in securities of a kind and in the proportion allowed under the *Canadian and British Insurance Companies Act*.”.

7. Section 11 is repealed.

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## PART II

8. *The Teachers' Retirement Fund Act*, being chapter 330 of the Revised Statutes of Alberta, 1955, is hereby amended.

9. Section 2 is amended

(a) by striking out clause (c) and by substituting the following:

“(c) “salary” means all compensation, including any bonus or other allowance, paid to a teacher by the board of trustees of a school division or school district for the discharge of his regular and ordinary duties as teacher, and for such other duties regularly performed by him as in the opinion of the Board of Administrators form a proper part of school activities, whether or not such other duties are extra-curricular;”.

(b) by striking out subclause (i) of clause (d) and by substituting the following:

“(i) by the board of trustees of a school district or division, constituted under *The School Act*, in the capacity of

“(A) a teacher, or

“(B) a librarian devoting his full time to the work of a school,

or by the Lloydminster Public School District in the capacity of a teacher.”.

10. Section 10 is amended by striking out the words “until he has made contributions to the Fund for a total period not exceeding thirty-five years”.





**11.** Section 13 is amended

- (a) by renumbering the section as subsection (1),
- (b) by adding at the end of clause (a) of the renumbered subsection (1) the words "shall at the same time furnish the Board of Administrators with a complete and accurate record, certified as such by the secretary or other proper officer of the school district or division, and showing the name of each teacher employed by the board of trustees, the amount of the salary of each teacher and such other information concerning any such salary as the Board of Administrators requires, and",
- (c) by adding immediately after the renumbered subsection (1) the following:
  - "(2) The Board of Administrators shall on request transmit to the Department of Education all the records received by it pursuant to clause (a) of subsection (1)."

**12.** Sections 16, 17, 18 and 19 are struck out and the following substituted:

**"16.** (1) All pension payments that are paid by the Board of Administrators from the Fund and in accordance with this Act and the regulations and the by-laws of the Board of Administrators and that are paid for any month or other period starting on or after the first day of April, 1956, shall be repaid to the Board of Administrators by the Provincial Treasurer to the following extent:

- "(a) pension payments to persons who first became entitled to pensions before the first day of April, 1948, shall be repaid in full;
- "(b) pension payments to persons who first became or become entitled to pensions on or after the first day of April, 1948, shall, to the extent that they represent pensionable service before the first day of April, 1939, be repaid in full, and to the extent that they represent pensionable service on or after the first day of April, 1939, be repaid in half the amount.

"(2) Subject to section 17, the Provincial Treasurer shall, out of moneys appropriated by the Legislature for the purpose, pay over to the Board of Administrators at the end of each month the amounts required to be paid under subsection (1) in respect of pension payments paid during that month.

**"17.** (1) The money that the Lieutenant Governor in Council has paid since the first day of April, 1948, to boards of school districts and divisions and that has been remitted by or on behalf of such boards to the Board of Administrators for deposit in the Fund, together with the interest that such money has earned, shall, in so far as such money and interest exceeds the amount that the Provincial Treasurer would have paid under clause (b) of subsection (1) of section 16 had that clause been in force on and after the first



day of April, 1948, instead of the provisions by which the said money was paid by the Lieutenant Governor in Council, be placed in a reserve account.

“(2) The Board of Administrators shall take from such reserve account the moneys payable under section 16 by the Provincial Treasurer, so that no money shall be paid by the Provincial Treasurer under that section until the reserve account, together with the interest that such money has earned, is exhausted.

“**18.** The payment of all benefits payable under this Act, the regulations and the by-laws of the Board of Administrators is guaranteed by the Government of the Province.”.

**13.** Section 20 is amended by striking out subsection (2) and by substituting the following:

“(2) Moneys to be invested by the Board of Administrators shall be invested in securities of a kind and in the proportion allowed under the *Canadian and British Insurance Companies Act*.”.

**14.** Section 23 is repealed.

**15.** Part I and this section come into force on the first day of April, 1956, and Part II, except this section, comes into force and Part I is repealed on the day the Revised Statutes of Alberta, 1955, come into force.

No. 73

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SECOND SESSION  
THIRTEENTH LEGISLATURE  
4 ELIZABETH II  
1956

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**BILL**

An Act to amend The Teachers' Retirement Fund Act

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Received and read the

First time.....

Second time.....

Third time.....

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HON. MR. AALBORG

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