

No. 94

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3rd Session, 13th Legislature, Alberta  
5 Elizabeth II, 1957

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## **BILL 94**

A Bill to amend The Temporary Provincial Employees  
Retirement Act

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HON. MR. HOOKE

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EDMONTON, ALBERTA  
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1957

## Explanatory Note

**2.** The pension board is being substituted for the head of the department in these two instances. Subsections (2) and (4) of section 9 read:

"9. ....

"(2) If the head of the department so approves, an employee may continue to be employed after he has attained the age of sixty-five years, but he is not entitled to receive any benefits under this Act before the date of final termination of his service or in respect of any service rendered after he has attained the age of sixty-five years.

"(4) An employee who, from physical or other causes, has become incapable of satisfactorily executing his duties may be retired at the discretion of the head of the department."

**3.** This amendment is made for income tax reasons as the income tax provisions require that a lump sum payment be on option of the pension board. Subsection (1) of section 10 presently reads:

"10. (1) Upon his retirement, a person who has been an employee for a period or periods of not less than five years is entitled to receive

"(a) in respect of any periods of prior service for which contributions have not been made, a retiring gratuity, payable in a lump sum, in the amount of fifty dollars for each twelve months of such prior service computed to the nearest complete month thereof, and in respect of his contributory service, a lump sum payment of the amount then standing to the credit of his account, or

"(b) at his option in lieu of the said payments an annuity that is purchasable at such rates as may be fixed by the board by the sum of the two aforesaid amounts."

# BILL

No. 94 of 1957

An Act to amend The Temporary Provincial Employees Retirement Act

(Assented to \_\_\_\_\_, 1957)

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

**1.** *The Temporary Provincial Employees Retirement Act*, being chapter 54 of the Statutes of Alberta, 1956, is hereby amended.

**2.** Section 9 is amended

- (a) as to subsection (2) by striking out the words "head of the department" and by substituting the word "board",
- (b) as to subsection (4) by striking out the words "head of the department" and by substituting the word "board".

**3.** Section 10 is amended

- (a) by striking out subsection (1) and by substituting the following

"**10.** (1) Upon his retirement, a person who has been an employee for a period or periods of not less than five years is entitled to an annuity that is purchasable, at such rates as may be fixed by the board, by

"(a) an amount equivalent to fifty dollars for each twelve months of prior service, which shall be computed to the nearest complete month, in respect of which contributions have not been made under section 8, and

"(b) the amount standing to the credit of the employee's account at the date of his retirement.

"(1a) If a retiring employee so requests and if the board approves, the employee may receive in lieu of an annuity a lump sum payment of the amounts referred to in subsection (1) or such other

4. Section 20a permits reciprocal agreements being made with other bodies and corporations in the same manner as permitted under The Public Service Pension Act.

form of payment as may be deemed by the board to be in the best interests of the employee.”,

- (b) as to subsection (2)
  - (i) by adding at the end of clause (b) the word “or”,
  - (ii) by striking out the word “or” where it occurs at the end of clause (c),
  - (iii) by striking out clause (d).

4. The following new sections are added immediately after section 20:

**“20.** (1) The board may enter into a reciprocal agreement with the pension board of the Alberta Government Telephones, or any other body or corporation or, in the case of a teacher, with the Board of Administrators of the Teachers’ Retirement Fund, for the purpose of transferring any credits to which any person may be entitled who is being transferred to or from employment of the Government, from or to the employment of any other body or corporation or in the case of a teacher, from or to the employment of the employer of a teacher within the meaning of *The Teachers’ Retirement Fund Act*, if

- “(a) the other body or corporation was established by or is operating on behalf of the Government, and
- “(b) the employees of the other body or corporation are subject to the provisions of a retirement pension or superannuation plan involving employee contributions.

“(2) Any agreement made under this section shall be subject to the approval of the Lieutenant Governor in Council and upon being approved its terms and provisions have the same force and effect as if incorporated herein.

“(3) Any agreement made under this section may provide

“(a) in the case of a transfer of an employee from the service of the Government, for the transfer from the General Revenue Fund to the pension fund of the other party to the agreement of

“(i) the amount of the employee’s contributions and interest thereon standing to the credit of his account in the records of the board at the time of transfer of his employment, and

“(ii) a Government contribution equal to the amount in the employee’s account under subclause (i),

“(b) in the case of the transfer of an employee to the Public Service, for the transfer to the General Revenue Fund from the pension fund of the other party to the agreement of

“(i) the amount of the employee’s contributions and interest thereon standing to the credit of his account in the pension fund at the time of transfer of his employment, and

Section 20b. This section will permit The Temporary Provincial Employees Retirement Act to be applied to persons not now permitted to participate in any retirement plan under the Act.

5. Amendments made retroactive to date Act came into force.

- “(ii) the amount of his employer’s contributions and interest thereon,  
and
- “(c) for recognition of the service or period of employment of the employee prior to his transfer, as pensionable service in so far as the same may equitably be so recognized in conformity with the general intent and spirit of the provisions of this Act or such other pension plan as may thereafter apply to him.

“**20b.** Subject to such modifications and exceptions and upon such terms and conditions as may be ordered by the Lieutenant Governor in Council, the provisions of this Act may be applied to any or all of the following:

- “(a) members and employees of
  - “(i) the Workmen’s Compensation Board,
  - “(ii) the University Hospital Board,
  - “(iii) the Liquor Control Board, or
  - “(iv) the Petroleum and Natural Gas Conservation Board;
- “(b) employees of
  - “(i) the University of Alberta,
  - “(ii) Marketing Services Limited,
  - “(iii) the Civil Service Association of Alberta,
  - “(iv) the Alberta General Insurance Company, or
  - “(v) health units constituted pursuant to *The Health Unit Act*;
- “(c) nurses employed pursuant to *The Nursing Service Act*;
- “(d) any other class or group of persons, the nature and terms of whose employment are such as to permit the convenient application to them of the provisions of this Act.”.

**5.** This Act comes into force on the day upon which it is assented to and upon so coming into force shall be deemed to have been in force at all times on and after the first day of April, 1956.

No. 94

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THIRD SESSION

THIRTEENTH LEGISLATURE

5 ELIZABETH II

1957

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**BILL**

An Act to amend The Temporary  
Provincial Employees Retirement Act

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Received and read the

First time.....

Second time.....

Third time.....

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HON. MR. HOOKE

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