

1967 Bill 13

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Fifth Session, 15th Legislature, 15 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

**BILL 13**

**An Act to amend The Teachers' Retirement Fund  
Act, 1965**

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THE MINISTER OF EDUCATION

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First Reading .....

Second Reading .....

Third Reading .....

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Printed by L. S. Wall, Queen's Printer, Edmonton

# BILL 13

1967

An Act to amend The Teachers' Retirement Fund Act, 1965

(Assented to \_\_\_\_\_, 1967)

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

1. *The Teachers' Retirement Fund Act, 1965*, is hereby amended.

2. Section 2 is amended by striking out clause (g) and by substituting the following:

(g) "school board" means

(i) the board of trustees of a school district or a school division constituted under *The School Act*, or the school committee of a county council appointed under *The County Act*, or the school committee appointed by the council of a city or town under *The Municipal and School Administration Act*, and includes the board of trustees of the Lloydminster Public School District and the Lloydminster Roman Catholic Separate School District, and

(ii) any corporation approved for the purpose by the Lieutenant Governor in Council

(A) whose object is the advancement of public secular education by television programs, and

(B) the members of which are school boards as defined in subclause (i), or universities incorporated under *The Universities Act*, or junior colleges incorporated under *The Public Junior Colleges Act*, or the Government of Alberta by a designated representative, or any one or more or combination of them, and

(C) whose directors are themselves trustees or governors or officers or administrative employees of constituent members appointed for the purpose, or any combination thereof, and

(D) whose programs and plans for such education are approved by the Minister

## **Explanatory Notes**

- 1.** This Bill amends chapter 91 of the Statutes of Alberta, 1965.
- 2.** The definition of school board is revised to add subclause (ii).

and in each case only during the currency of such approvals.

**3.** Section 14 is struck out and the following section is substituted:

**14.** (1) Payments that are made by the Board from the Fund pursuant to this Act and the by-laws of the Board and that are paid for any month on or after the first day of April, 1956, shall be repaid to the Board by the Provincial Treasurer to the following extent:

- (a) pension payments and disability allowances to persons who first became entitled thereto before the first day of April, 1948, shall be repaid in full;
  - (b) pension payments and disability allowances to persons who first became entitled thereto on or after the first day of April, 1948, shall to the extent that they represent pensionable service before the first day of September, 1939, be repaid in full and to the extent that they represent pensionable service on or after the first day of September, 1939, be repaid in half the amount;
  - (c) the amounts charged to the reserve account pursuant to subsection (1) of section 37 shall be repaid in full;
  - (d) the amounts in excess of teachers' contributions and interest thereon which are transferred to other pension authorities pursuant to an approved agreement or arrangement shall be repaid in full.
- (2) Subject to section 15, the Provincial Treasurer shall, out of moneys appropriated by the Legislature for the purpose, pay over to the Board at the end of each month the amounts required to be repaid under subsection (1) in respect of payments made during that month.

**4.** Section 31 is amended

- (a) as to subsection (1), clause (b), subclause (iii) by striking out the words "of the University of Alberta" and by substituting the words "of a university under *The Universities Act*",
- (b) as to subsection (1) by striking out the words "when his employment or engagement under clauses (a), (b) and (c) is continuous" and by substituting the words "when his employment or engagement under subclauses (i), (ii) and (iii) of clause (b) is continuous",
- (c) by adding the following subsection:

(4) The Board shall credit to the reserve account established by section 15 one-half of the payments so made by an applicant including one-half of the payment of prescribed interest, but nevertheless it shall be taken into account upon any application by

3. Section 14 is revised to add clauses (c) and (d) to subsection (1) and to add references to disability allowances.

4. Section 31, subsection (1), clause (b) presently reads:

31. (1) A person who  
(a) .....  
(b) thereafter is or becomes employed or engaged in  
    (i) serving in Canadian or allied forces while Canada is at war,  
        or  
    (ii) an occupation, service or activity approved by the Board, or  
    (iii) attending and completing a course of university studies approved by the Faculty of Education of the University of Alberta leading to an improvement in his teacher qualifications, or  
    (iv) any consecutive combination of the employments or engagements designated in subclauses (i) to (iii),  
        and  
    .....  
may, when his employment or engagement under clauses (a), (b) and (c) is continuous (except for such periods of absence as in the opinion of the Board are justified in the circumstances) apply to the Board for permission to contribute to the Fund in respect of the periods designated in subclauses (i) and (ii) of clause (b).

the contributor for a refund of his contributions under the by-laws of the Board, and shall be subject to the payment to him in accordance therewith.

**5.** Section 37 is amended by striking out subsection (1) and by substituting the following:

**37.** (1) When the teacher so elects he shall be granted an annuity out of the Fund in an amount which can be purchased, at such rate as may be fixed by the Board, by the amount standing to the credit of his separate account in the Fund at the date of his retirement or at age 65, whichever is the earlier (after taking into account contributions required to be made in respect of salary earned up to that date), together with an equal amount contributed by the Board from the Fund, which latter amount shall be charged to the reserve account established under section 15.

**6.** Section 40 is amended by striking out clause (b) and by substituting the following:

(b) engage such officers, employees, consultants and advisors it considers necessary or advisable for the due administration of the Fund and the proper performance of its duties, upon such terms as it considers fit, with power to enter into and contribute from the Fund to pension plans for such of its officers and employees who are not teachers, and

**7.** 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 May, 1965.

**5. Section 37, subsection (1) presently reads:**

37. (1) When the teacher so elects he shall be granted an annuity out of the Fund in an amount which can be purchased, at such rate as may be fixed by the Board, by the amount standing to the credit of his separate record in the Fund at the date of his retirement or at age sixty-five, whichever is the earlier, together with an equal amount contributed by the Board from the Fund, which latter amount shall be charged to the reserve account established under section 15.

**6. Section 40, clause (b) presently reads:**

40. The Board shall

.....

(b) engage such officers, employees, consultants and advisors as it considers necessary or advisable for the due administration of the Fund and the proper performance of its duties, upon such terms as it considers fit, and