

1967 Bill 45

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Fifth Session, 15th Legislature, 15 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ~~ALBERTA~~

## **BILL 45**

**An Act to amend The Public Service Pension Act**

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HONOURABLE MR. HOOKE

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First Reading .....

Second Reading .....

Third Reading .....

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# BILL 45

1967

An Act to amend The Public Service Pension Act

(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 Public Service Pension Act* is hereby amended.

2. Section 12 is amended by striking out the words "after attaining the age of sixty-five and".

3. Section 13, subsection (1) is amended by adding after the words "Government or the Legislative Assembly," the words "if he is eligible to make further contributions pursuant to section 5,".

4. Section 14, subsection (1), clause (g), subclause (ii) is amended by striking out the words "ten per cent of" and by substituting the words "the employee and employer contributions on".

5. Section 19 is amended

- (a) as to subsection (1) by adding after the words "retirement shall be" the word "an",
- (b) by adding the following subsection after subsection (1):

(1a) Notwithstanding subsection (1), if during any part of the five consecutive years referred to therein in respect of which contributions were required to be made under section 5, the employee

(a) earned an annual salary in excess of \$16,000, but

(b) did not make contributions under this Act with respect to any portion of his salary that exceeded \$16,000,

then for the purposes of subsection (1), his salary shall be taken to be the amount on which he made contributions and not an amount of his actual salary, but any such person may, at his option and

## Explanatory Notes

1. This Bill amends chapter 264 of the Revised Statutes.

2. Section 12 presently reads:

12. A person receiving a pension under this Act may, after attaining the age of sixty-five and without forfeiture of pension payments, be re-employed by the Government or the Legislative Assembly for such period or periods as may be prescribed by the Lieutenant Governor in Council.

3. Section 13 (1) presently reads:

13. (1) Where a person has retired on pension under this Act before the retirement age of sixty-five and is re-employed by the Government or the Legislative Assembly, the payment of any pension received by him pursuant to section 16, in respect of his prior service, shall be suspended until he again ceases to be employed.

4. Section 14 (1) (g) (ii) presently reads:

14. (1) For the purposes of this Act, pensionable service shall be deemed to include

.....

(g) any period of service with any public body or local authority which is a party to a reciprocal agreement pursuant to section 32, in the case of a person who is not eligible to come under such agreement,

(i) if the period between the employment with such body or local authority and the employment with the Government or the Legislative Assembly was not greater than six months, except in a case where circumstances in the opinion of the Board warrant an extension of such period, and

(ii) if he pays in such manner and on such terms as the Board may direct an amount equal to ten per cent of the annual salary paid to him by such body or local authority together with interest on such amount from the date of the commencement of contributions on his prior service to the date of completion of such payment in full,

and

5. Section 19 (1) presently reads:

19. (1) The normal pension payable to an employee upon his retirement shall be annual amount equal to two per cent of whichever is the lesser of

(a) his average annual salary for the five consecutive years of his pensionable service during which his salary was the highest to a maximum of eighteen thousand dollars for each year, or

(b) eighteen thousand dollars,

multiplied by the total number of years of his pensionable service computed to the nearest complete month thereof, or by thirty-five, whichever number is the less.

in such manner as the Board may by regulation prescribe, make contributions on the difference between \$16,000 and his actual salary for the period in question up to a maximum of \$18,000, and is thereupon entitled to a pension calculated in accordance with subsection (1).

**6.** Section 23a is amended by adding the following subsection after subsection (5) :

(5a) Where a former employee is entitled to a deferred pension and becomes mentally or physically disabled for gainful employment, he may apply for an immediate pension.

**7.** This Act comes into force on the day upon which it is assented to.

**6.** Under section 23a an employee who leaves the Public Service before retirement may elect to receive a deferred pension after he reaches age 60.