

1973 Bill 37

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Second Session, 17th Legislature, 21 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

## **BILL 37**

**The Local Authorities Pension Amendment Act, 1973**

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HONOURABLE DR. HOHOL

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First Reading .....

Second Reading .....

Third Reading .....

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## **BILL 37**

1973

### **THE LOCAL AUTHORITIES PENSION AMENDMENT ACT, 1973**

*(Assented to \_\_\_\_\_, 1973)*

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

*1. The Local Authorities Pension Act is hereby amended.*

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

(a) "Board" means the Local Authorities Pension Board;

*3. The following section is added after section 2:*

**2.1** (1) This Act shall be administered by a board to be known as the Local Authorities Pension Board which shall consist of

- (a) the chief executive officer of the Public Service Pension Administration, who shall be chairman, and
- (b) not less than four other members to be appointed by the Lieutenant Governor in Council,
  - (i) one or more of whom shall represent the employees,
  - (ii) one or more of whom shall represent the employers, and
  - (iii) one of whom shall be designated as vice-chairman.

(2) The vice-chairman shall act as chairman when the office of chairman is vacant or where the chairman is absent or unable to act.

## **Explanatory Notes**

**1.** This Bill will amend chapter 219 of the Revised Statutes of Alberta 1970.

**2.** Consequential to appointment of a new body to administer the Act. Section 2 (a) presently reads:

2. In this Act,

(a) "Board" means the Public Service Pension Board established under The Public Service Pension Act;

**3.** Appointment of a new body, the Local Authorities Pension Board, to administer the Act.

*4. Section 7 is amended*

- (a) as to subsection (2), clause (a), subclause (ii) by striking out the words "section 24 of The Public Service Pension Act" and by substituting the words "the regulations",*
- (b) as to subsection (2), clause (b) by striking out the figure "10" and by substituting the word "five",*
- (c) as to subsection (2) by striking out clause (c) and by substituting the following clause:*
  - (c) a person, if he has attained the age of 55 years and if he so elects, shall be paid a deferred pension to commence on any date before he attains the age of 65 years if on the commencement date the sum of his attained age and pensionable service, calculated in each case to the nearest complete month, equals not less than 85 years.*
- (d) by striking out subsection (4) and by substituting the following subsection:*

*(4) Where a former employee who has received the amount referred to in subsection (1), clause (a) or a deferred pension under subsection (2), clause (b) or (c), is subsequently employed by the same or any other local authority in a class of employees that is participating in the pension plan and is brought under the plan, the pension, if any, shall be suspended and he may, upon such terms as the Board may prescribe, pay to the Provincial Treasurer*

- (a) the total amount of any payment made to him under subsection (1), clause (a) or subsection (2), clause (b) or (c), and*
- (b) interest on such amount from the date a refund of the contributions was made or payment of the pension ceased, as the case may be, to the date of completion of such payment in full,*  
*and upon such payment being made in full, his service prior to the termination of his employment shall be deemed to be part of his pensionable service and any election made by him to receive a deferred pension thereupon becomes void.*

*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 April 1, 1973.*

4. This amendment will

- (a) transfer the authority for the mechanics of payments to beneficiaries from The Public Service Pension Act to regulations made under this Act,
- (b) reduce the period of pensionable service required for vesting to five years and enable the granting of a deferred pension at an earlier age, and
- (c) further define the situation in which former employees may participate upon re-employment. Section 7, subsections (2) and (4) presently read:

(2) Where a former employee leaves an amount on deposit pursuant to subsection (1), clause (b),

(a) that amount

(i) may be withdrawn by the employee at any time on his written request, or

(ii) in the event of his death, shall be paid to his beneficiary as determined in accordance with section 24 of The Public Service Pension Act,

or

(b) a person, if he has not less than 10 years' pensionable service and if he so elects, shall be paid a deferred pension at the age of 65 years but may be granted a pension at any time after he attains the age of 60 years, or

(c) if a person is subsequently employed by the same or any other local authority and again comes under the pension plan, his employment prior to the termination of his employment shall be deemed to be part of his service for the purposes of the plan.

(4) Where a former employee has received the amount referred to in subsection (1), clause (a) and if he is subsequently employed by the same or any other local authority and again comes under the pension plan, he may, upon such terms as the Board may prescribe, pay to the Provincial Treasurer,

(a) the total amount of any payment made to him under subsection (1), clause (a), and

(b) interest on such amount from the date a refund of contributions was made to the date of completion of such payment in full, and upon such payment being made in full, his employment prior to the termination of his employment shall be deemed to be part of his service for the purposes of the plan.