

1979 BILL 34

First Session, 19th Legislature, 28 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 34

**THE TEACHERS' RETIREMENT FUND
AMENDMENT ACT, 1979**

MR. D. ANDERSON

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 34
Mr. D. Anderson

BILL 34

1979

THE TEACHERS' RETIREMENT FUND AMENDMENT ACT, 1979

(Assented to , 1979)

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

1 The Teachers' Retirement Fund Act is amended by this Act.

2 Section 2 is amended

(a) by repealing clause (d)(ii) and substituting the following:

(ii) a person or organization, other than a school board, that qualifies for a grant under regulations made pursuant to section 7.1 of *The Department of Education Act* in respect of early childhood services programs provided by that person or organization;

(b) by repealing clause (g)(i) and substituting the following:

(i) the board of trustees of a school district, division or regional district, the board of education of a county or the school committee of a city or town whose administration has been merged under *The Municipal and School Administration Act*, and includes the trustees of the Lloydminster Public School Division and the Lloydminster Roman Catholic Separate School Division, and

Explanatory Notes

1 This Bill will amend chapter 361 of the Revised Statutes of Alberta 1970.

2 Section 2 presently reads in part:

2 In this Act,

(d) “private school” means

(i) a school approved by the Minister under section 8 of The Department of Education Act, or

(ii) a person or organization, other than a school board, who operates an early childhood services program approved under regulations made pursuant to section 7 of The Department of Education Act;

(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 Minister

(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 sub-

3 *Section 16 is amended by adding the following after subsection (2):*

(2.1) Notwithstanding subsection (1), a teacher who is 65 years of age or over at the commencement of a school year need not contribute to the Fund if he receives the permission of the Board in writing not to so contribute.

4 *The following is added after section 23:*

23.1(1) Upon the written application of a university teacher who has elected to continue to contribute to the Fund under section 22, the Board may approve the transfer of that teacher's contributions to the plan established under *The Universities Academic Pension Act* in accordance with a reciprocal agreement entered into by the Board under section 45.

(2) This Act does not apply to a university teacher whose contributions have been transferred under subsection (1).

5 *Section 24(8) is amended by striking out "Alberta Colleges Commission" and substituting "Minister of Advanced Education and Manpower".*

6 *Section 34(2) is repealed and the following is substituted:*

(2) The Board shall adjust a teacher's normal pension, or the formula by which it is determined, to the extent that it considers proper by taking into account any adjustment made in the teacher's contributions under section 16(3), or under section 27(2) in the case of a private school teacher.

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

clause (i), or universities incorporated under The Universities Act, or boards of governors of public colleges incorporated under The 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

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

3 Teachers who are over 65 may be exempted from contributing to the Fund.

4 University teachers who elected to continue to contribute to the fund may transfer to the plan established under The Universities Academic Pension Act.

5 Section 24(8) presently reads:

(8) The Fund shall be deemed to be approved by the Alberta Colleges Commission for the purposes of sections 48 and 49 of The Colleges Act.

6 Section 34(2) presently reads:

(2) When a teacher has made contributions to any other pension plan to which he is compelled by law to contribute and those contributions have been taken into account by the Board under section 16, subsection (3), or under section 27 in the case of a private school teacher, the Board shall adjust his normal pension, or the formula by which it is determined, to such extent as it considers proper by taking into account the benefits he receives from that other pension plan upon retirement.