

# BILL

No. 70 of 1921.

An Act to Provide Pensions and Other Benefits for the  
Alberta Provincial Police.

(Assented to \_\_\_\_\_, 1921.)

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

## SHORT TITLE.

1. This Act may be cited as "*The Police Pension Act, 1921.*"

## INTERPRETATION.

2. In this Act, unless the context otherwise requires,—
- (a) "Alberta Provincial Police," "Member of the Force" or "Member" means and includes the Alberta Provincial Police and the Commissioner and every officer and man of the Alberta Provincial Police Force, as constituted under *The Alberta Police Act*, being chapter 26 of the Statutes of Alberta, 1919;
  - (b) "Pension Fund" means the Pension Fund established under this Act;
  - (c) "Service" means the period of time during which the person has been a member of the Alberta Provincial Police as constituted under *The Alberta Police Act*, 1919, or *The Alberta Provincial Police Act*, 1917;
  - (d) "Commissioner" or "Commissioner of Police" means the Commissioner of the Alberta Provincial Police Force;
  - (e) "Superintendent" means the Superintendent of the Alberta Provincial Police Force.

## PENSION FUND.

3. The Pension Fund established and administered under the provisions of *The Alberta Provincial Police Act*, 1917, shall be wound up and a new pension and benefit fund established by the Commissioner of Police and out of such fund a pension and other benefits and allowances shall be payable to every member of the Alberta Provincial Police Force in accordance with the terms and conditions set out in the schedule hereto.

4. There shall, in addition to the deductions from pay hereinafter authorized, be paid into the Pension and Benefit Fund—

- (a) All costs, fees, mileage and other charges under the control of the Commissioner of Police or now or hereafter collected by or payable to members of the Alberta Provincial Police Force;
- (b) All rewards, moieties of fines and other pecuniary benefits for services hereafter rendered by members of the Alberta Provincial Police Force;
- (c) Such sum or sums of money as, at the time of the coming into force of *The Alberta Police Act*, remained in the hands of the Board of Commissioners appointed under *The Alberta Provincial Police Act*, and is or are directed to be paid into such fund by order in council;
- (d) Such other sum or sums as shall be available for pension and benefit purposes.

#### DEDUCTION FROM PAY.

5. The Commissioner is authorized to deduct three per cent. of the pay of members under fifty years of age and five per cent. of the pay of members fifty years of age and over, as a contribution towards the Pension Fund established under this Act.

(2) The percentage of pay contributed towards the Pension Fund by any member of the Force shall, subject to alteration thereof by order in council, continue the same throughout the period of his service.

6. The amount of all deductions from the pay of and of all sums of money payable to any person by way of pension allowance or benefits shall be liable to change from time to time by order in council.

#### APPLICATION OF WORKMEN'S COMPENSATION ACT.

7. In so far as *The Workmen's Compensation Act* or any accident or injury occurring to a policeman is concerned every member of the Alberta Provincial Police Force shall be deemed to be on duty throughout the entire twenty-four hours of the day, and any accident or injury happening to any such member shall, for the purpose of that Act, be deemed to be an accident arising out of and in the course of his employment as a policeman.

#### OPERATION OF FUND.

8. The Commissioner of Police shall make rules and regulations for the control and operation of the Pension and Benefit Fund in accordance with the provisions of this Act.

## SCHEDULE.

## ALLOWANCES AND PENSIONS.

The allowances and pensions to be paid out of the Pension Fund under this Act shall be as follows:

1.—*Allowances.*

(a) *Seven Years' Service:* Upon retirement after a service of seven years or more, but less than twelve years, an allowance of one month's pay for each completed year of service, such to be computed at the rate, or the average rate, of pay received by such member in the year of his retirement.

(b) *Twelve Years:* Upon retirement after a service of twelve years or more, but less than fifteen years, an allowance of one and one-half months' pay for each complete year of service, such pay to be computed at the rate, or average rate, of pay received by such member in the year of his retirement.

(c) *Fifteen Years:* Upon retirement after a service of fifteen years or more, but less than twenty years, an allowance of one and two-thirds months' pay for each complete year of service, such pay to be computed at the rate, or average rate, of pay received by such member in the year of his retirement.

2.—*Pensions.*

(d) *Twenty years:* Upon retirement after a service of twenty years or more, but less than twenty-five years, every member of the Force shall, with the consent of the Commissioner, be entitled to retire and shall receive an annual pension for life of one-half the annual pay the said member is receiving at the time of his retirement; provided, however, that in the case of any member who has not served three years in the rank at which he retires, he shall be paid according to the rank from which he was last promoted.

(e) *Twenty-five years or over:* Upon retirement after a service of twenty-five years or over, every member of the Force shall receive an annual pension for life of three-fifths of the annual pay the said member is receiving at the time of his retirement; provided, however, that in the case of any member who has not served three years in the rank at which he retires, he shall be paid according to the rank from which he was last promoted.

3.—*Sickness and Injury.*

(f) *Sickness and Injury:* Where any policeman, owing to any mental or physical injury, becomes physically unfit to perform further duty and is not entitled to any relief under *The Workmen's Compensation Act* as extended under this Act, the Commissioner may, on the certificate of a medical practitioner and the Superintendent certifying to the facts, grant a compassionate allowance not exceeding the following sum or sums of money, namely:

One year's service.....	\$200
Two years' service.....	225
Three years' service.....	250
Four years' service.....	275
Five years' service.....	300
Six years' service or more—An allowance not exceeding two months' pay for each complete year of service.	

4.—*Special Cases.*

(g) *Members fifty years of age or over:* In the case of any member who, at the time of the passing of this Act, is a member of the Force and is fifty years of age or over, the Commissioner may, upon the retirement of such member after seven years' service, grant a sum equal to two months' pay for each full year of service on the Force. If the said member is, at the time of retirement, entitled to any benefit under this clause, and also to any benefit under any of the above clauses (a) to (f), he must elect which of the benefits hereinbefore mentioned he will accept; but if he is entitled to any payment under *The Workmen's Compensation Act*, as extended under this Act, he shall, in any event, only receive from the Pension Fund the excess of the payment payable out of that fund over the sum payable under the said Act, or the capitalized value of the sums payable thereunder, as the case may be

(h) *Refunds of Deductions from Pay:* In the case of any member who dies or retires from the Force after the completion of five years' service, but before he becomes entitled to any pension benefit or other allowance under the Act, the Commissioner shall refund to such member, or his dependents, as the case may be, all moneys deducted from his pay, but without any interest thereon.

## CONDITIONS.

1. Every application for pension or allowance must be made to the Commissioner, who shall determine the same, subject to the approval of the Attorney General.

2. Any member claiming an allowance or pension, who is dismissed or compelled to resign, shall have his case

considered by the Commissioner, and his right to any allowance or pension shall be determined by the Commissioner subject to the approval of the Attorney General.

3. No sum payable as a pension, allowance or benefit, or by way of commutation of any periodical payment shall be assignable at law or otherwise howsoever attachable for debt or liability, nor shall any claim be set off against it by operation of law or otherwise.

4. When the Commissioner is of the opinion that the member is incapable of expending his pension intelligently, or that he is not maintaining his wife or infant children, the Commissioner may order that the pension allowance or benefit be paid to his wife or to such other person as the Commissioner may appoint, for the benefit of the members of his family dependent upon him.

5. If the Pension Fund is insufficient to discharge all claims lawfully made upon it, then all such claims shall abate proportionally.

No. 70.

---

---

FOURTH SESSION  
FOURTH LEGISLATURE  
11 GEORGE V  
1921

---

---

**BILL**

An Act to Provide Pensions and Other  
Benefits for the Alberta Provincial  
Police.

---

Received and read the

First time . . . . .

Second time . . . . .

Third time . . . . .

---

---

HON. J. R. BOYLE.

---

---

EDMONTON:  
J. W. JEFFERY, KING'S PRINTER.  
A.D. 1921