

Bill No. 40 of 1943.

A BILL TO AMEND THE SUPERANNUATION ACT.

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NOTE.

Section 1 of the Bill amends subsection (4) of section 9 of the Act to ensure that no employee whose services are retained, or who is re-engaged, shall be entitled to both superannuation and salary at the same time.

Section 2 of the Bill amends section 10 of the Act to provide that the employee must select the type of annuity he desires within sixty days of his reaching the age of retirement, otherwise the Board may make the selection for him.

Section 3 of the Bill makes the same amendment with respect to a non-contributory annuity.

The change made in the new section 19 enacted by section 4 of the Bill is to make the amount of interest repayable to an employee who retires before becoming entitled to an annuity, subject to regulation.

Section 5 of the Bill enables an employee who has resigned or been dismissed, and who within a period of three years thereafter is re-employed or reappointed, to be reinstated in the Superannuation Fund by repaying the amount of moneys withdrawn by him from the Fund and may be placed in the same position as he was at the time of his resignation or dismissal.

The new section 28 added by section 6 of the Bill brings permanent employees of the University, except members of the academic staff, under the Act. Provision is made for repayment of the University contributions to the University where an employee retires before becoming entitled to an annuity. These refunds are to be held in trust for payment of non-contributory annuities.

The new section 29 added by section 6 of the Bill brings permanent employees of the University Hospital under the Act under similar conditions.

W. S. GRAY,  
*Acting Legislative Counsel.*

*(This note does not form any part of the Bill but is offered in explanation of its provisions.)*

# BILL

No. 40 of 1943.

An Act to amend The Superannuation Act.

(Assented to \_\_\_\_\_, 1943.)

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

**1.** *The Superannuation Act*, being chapter 35 of the Revised Statutes of Alberta, 1942, is hereby amended as to section 9 by striking out the words "if re-engaged", where the same occur in the first line of subsection (4) thereof, and by substituting therefor the words "whose services are retained or who is re-engaged".

**2.** The said Act is further amended as to section 10 by adding immediately after subsection (1) thereof the following new subsection:

"(1a) The Civil Service Commissioner not less than thirty days before the employee has reached the age of retirement shall notify him in writing as to the types of annuity from which the employee may make a selection, and the employee not later than sixty days after he has reached the age of retirement, shall advise the Commissioner which type of annuity he has selected, and in default of his making a selection, the Board may exercise the option for the employee and pay him the annuity selected."

**3.** The said Act is further amended as to section 14,—

(a) by adding at the end of subsection (1) thereof the following new subsection:

"(1a) The Civil Service Commissioner not less than thirty days before the employee has reached the age of retirement, shall notify him in writing as to the types of annuity from which the employee may make a selection, and the employee not later than sixty days after he has reached the age of retirement, shall advise the Commissioner which type of annuity he has selected, and in default of his making a selection, the Board may exercise the option for the employee and pay him the annuity selected."

(b) by striking out the words "the preceding subsection", where the same occur in subsection (2) thereof, and by substituting therefor the words "subsection (1)".

4. The said Act is further amended as to section 19 by striking out the same and by substituting therefor the following:

“19. When an employee, before he becomes entitled to a contributory annuity, retires or is dismissed or resigns from the service, the statutory deductions from his salary under this Act and interest accrued thereon up to and including the thirtieth day of June, 1943, and thereafter in addition thereto, such portion of the interest accrued subsequent to the said date as may be determined by regulation of the Board, shall be paid to him, or if he dies leaving no widow or children under eighteen years of age, then to his legal personal representatives, and the Government contributions made in respect of him shall be dealt with as directed by the Lieutenant Governor in Council.”

5. The said Act is further amended by adding immediately after section 19 thereof the following new section:

“19a.—(1) Any employee who has resigned or has been dismissed, and who within a period of three years thereafter is re-employed or reappointed, may within one year after his re-employment or reappointment, apply to the Board for the reinstatement of his account in the Superannuation Fund as of the date when he originally became an employee.

“(2) Upon such application, the Board may in its discretion, reinstate the account of the employee in the Fund upon such terms and conditions as to repayment of moneys withdrawn by him from the Fund or otherwise as the Board may deem advisable.

“(3) Upon such reinstatement, the Provincial Treasurer shall pay to the Fund amounts equal to the amounts repaid by the employee and the Board shall endeavour in so far as possible to place the employee in the same position as he was at the time of his resignation or dismissal.”

6. The said Act is further amended by adding immediately after section 27 thereof, the following new sections:

“28.—(1) The provisions of this Act shall, except as hereinafter provided apply *mutatis mutandis* to persons employed otherwise than temporarily by the Governors of the University of Alberta, and in this section designated University employees, except members of the academic staff and such other University employees as may be excluded from the operation of this Act by regulation of the Governors, approved by order of the Lieutenant Governor in Council.

“(2) The statutory deduction and the statutory contribution directed by section 5 of the Act shall each be made and paid into the Superannuation Fund by the Governors of the University of Alberta in lieu of the Provincial Treasurer, and in every section of the Act reference to the Government contribution shall be deemed to refer to the Governors' contribution, and the interest payments directed by section 5 shall be made by the Provincial Treasurer.

“(3) In the application of section 23 of this Act to University employees, the reference to the Board shall be deemed to refer to the Governors of the University of Alberta.

“(4) No payments shall be made in respect to any University employee out of the Special Reserve provided by this Act, but all moneys representing the statutory contribution directed by section 5 to be paid by the Governors of the University of Alberta, which have been paid by the Governors in respect of a University employee who has failed to become eligible for superannuation benefits, shall, together with such portion of the accrued interest thereon as may be determined from time to time by regulation of the Board, be repaid to the Governors out of the Superannuation Fund; and the Governors shall hold such moneys in trust for the payment of non-contributory annuities which, subject to the approval of the Lieutenant Governor in Council, may be granted by the Governors out of such moneys or other moneys available to the Governors for this purpose.

“29.—(1) The provisions of this Act shall, except as hereinafter provided, apply *mutatis mutandis* to persons employed otherwise than temporarily by the University Hospital Board and in this section designated Hospital Board employees, except such Hospital Board employees as may be excluded from the operation of this Act by order of the Lieutenant Governor in Council.

“(2) The statutory deduction and the statutory contribution directed by section 5 of the Act shall each be made and paid into the Superannuation Fund by the University Hospital Board in lieu of the Provincial Treasurer, and in every section of the Act reference to the Government contribution shall be deemed to refer to the Hospital Board contribution, and the interest payments directed by section 5 shall be made by the Provincial Treasurer.

“(3) No payments shall be made in respect to any Hospital Board employees out of the Special Reserve provided by this Act, but all moneys representing the statutory contribution directed by section 5 to be paid by the University Hospital Board, which have been paid by the Hospital Board in respect of a Hospital Board employee who has failed to become eligible for superannuation benefits shall, together with such portion of the accrued interest thereon as may be determined from time to time by regulation of the Board, be repaid to the University Hospital Board out of the Superannuation Fund; and the Hospital Board shall hold such moneys in trust for the payment of non-contributory annuities which, subject to the approval of the Lieutenant Governor in Council, may be granted by the Hospital Board out of such moneys or other moneys available to the Hospital Board for this purpose.”

7. This Act shall come into force on the day upon which it is assented to.

No. 40.

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THIRD SESSION  
NINTH LEGISLATURE  
7 GEORGE VI  
1943

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**BILL**

An Act to amend The Superannua-  
tion Act.

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Received and read the

First time.....

Second time.....

Third time.....

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HON. MR. MANNING.

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