



CHAPTER 52

An Act to amend the Education Act respecting the pension fund for teachers

[Assented to, the 18th of May, 1935]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Section 2 of the Education Act (Revised Statutes, R. S., c. 133, 1925, chapter 133) is amended by striking out the words: ^{s. 2, am.} "or in those subsidized by them or by the Government out of the funds voted for education", in the eighth and ninth lines of paragraph 13 thereof.

2. Section 519 of the said act is amended by replacing ^{Id., s. 519,} the word: "twenty", in the third line of the first paragraph ^{am.} thereof, by the word: "twenty-five";

3. Section 520 of the said act, as amended by the act 17 ^{Id., s. 520,} George V, chapter 38, section 2, is again amended by re-^{am.} placing the first paragraph thereof by the following:

"520. The pension of every officer of primary educa- ^{Fixing of pension.} tion shall be fixed at the sum obtained by multiplying two one-hundredths of his average salary, or, if he have taught for more than twenty-five years, then of his average salary for the twenty-five years during which his salary was the highest, by the number of years of service up to thirty-five years."

4. Sections 521, 522 and 523 of the said act are repealed. ^{R. S., c. 133, ss. 521-523, repealed.}

5. Section 524 of the said act is replaced by the fol- ^{Id., s. 524, replaced.} lowing:

Maximum
pension.

"524. For the purposes of this Part no pension shall be more than twelve hundred dollars per annum."

R. S., c. 133,
s. 525, am.

6. Section 525 of the said act, as amended by the act 23 George V, chapter 53, section 2, is again amended:

a. By replacing the word: "twenty", in the first line of the first paragraph thereof, by the word: "twenty-five";

b. By replacing the word: "twenty", in the fourth line of the second paragraph thereof, by the word: "twenty-five";

c. By replacing the word: "fifty", in the said fourth line of the said second paragraph thereof, by the word: "fifty-six";

d. By replacing the word: "ten", in the first line of the third paragraph thereof, by the word: "fifteen";

e. By replacing the word: "twenty", in the said first line of the said third paragraph thereof, by the word: "twenty-five";

f. By replacing the word: "ten", in the first line of the fourth paragraph thereof, by the word: "fifteen".

Id., s. 528,
am.

7. Section 528 of the said act is amended by replacing the word: "July", in the sixth line of the second paragraph thereof, by the word: "January".

Id., s. 534,
am.

8. Section 534 of the said act is amended by replacing the figures: "1929", in the seventh line thereof, by the figures: "1937".

Id., s. 542,
replaced.

9. Section 542 of the said act, as amended by the act 23 George V, chapter 53, section 3, is replaced by the following:

How pen-
sion fund
made up.

"542. The pension fund of officers of primary education shall be made up of:

1. A reduction or stoppage of three per cent, per annum, from the salary of every officer of primary education, as well as from that of every layman teaching without a diploma in schools of commissioners or trustees.

Professors of music, drawing and other specialties, holding a diploma recognized by the Roman Catholic or Protestant Committee of the Council of Education, who do not come under the provisions of the preceding paragraph, may pay into the pension fund of primary education the stoppage mentioned in the said paragraph and, in the event of such payment, the provisions of Part VIII of this act shall apply to them.

The provisions of the immediately preceding paragraph shall be deemed to have been in force since the establishing of the pension fund.

2. A deduction of ten per cent, annually, from the public school fund."

10. Section 544 of the said act is replaced by the following: R. S., c. 133, s. 544, replaced.

"**544.** The sums contemplated by section 542 shall be paid into the consolidated revenue fund. Payment of sums.

In the event of such sums being insufficient to meet the payment of the annual pensions, the Provincial Treasurer is authorized to pay out of the consolidated revenue fund the amounts necessary to complete such payment." Id., out of consolidated revenue fund.

11. Sections 535, 540, 545, 546 and 547 of the said act are repealed. R. S., c. 133, ss. 535, 540, 545-547, repealed.

12. Section 548 of the said act is replaced by the following: Id., s. 548, replaced.

"**548.** That portion of the pension fund established by the act passed on the 22nd of December, 1856 (19-20 Victoria, chapter 14, section 7), which shall, from time to time, be relieved, according to the provisions of the said act, by the death of pensioners, shall be paid into the consolidated revenue fund, and the pensions payable under such act shall be paid out of the said consolidated revenue fund." Portion of pension fund under 19-20 Vict., c. 14, s. 7.

13. The said act is amended by adding thereto, after section 549 thereof, the following section: R. S., 133, s. 549a, added.

"**549a.** Every layman, with a diploma, teaching in a private school subsidized by the Government or by a school municipality, may pay the reduction or stoppage mentioned in the first paragraph of paragraph 1 of section 542 into the pension fund of primary education, provided that he obtains authorization from the Superintendent, to whom he must apply. The reduction or stoppage from his salary must be paid regularly, and on such payment the provisions of Part VIII of this act shall apply to him." Pension fund and payments by certain laymen.

14. Section 554 of the said act is amended:

a. By striking out the words: "after resigning his office," in the first and second lines of the first paragraph thereof; R. S., c. 133, s. 554, am.

b. By striking out the second, third and fourth paragraphs thereof.

R. S., c. 133,
s. 555,
replaced.
Filing of
claims.

15. Section 555 of the said act is replaced by the following:

"555. All claims for pensions must be made before the 15th of September of each year; pensions claimed after that date shall not be paid until the following year. (*Form 22*)."

R. S., c. 133,
s. 556, am.

16. Section 556 of the said act is amended by inserting therein after the word: "municipalities", in the third line thereof, the words: ",who have complied with the provisions of section 554".

Id., s. 564,
am.

17. Section 564 of the said act is amended:

a. By striking out the word: "the", in the third line thereof;

b. By adding thereto, after the word: "Province", in the fourth line thereof, the words: ", designated by the chairman of the administrative commission of the pension fund".

Id., s. 567,
am.

18. Section 567 of the said act is amended:

a. By striking out the words: "before a justice of the peace, a notary or a Commissioner of the Superior Court", in the third and fourth lines thereof;

b. By replacing the word: "last", in the sixth line thereof, by the word: "first".

Non-appli-
cation of ss.
2 and 6.

19. The provisions of sections 2 and 6 of this act shall not apply to:

a. The persons who were retired on pension, under the provisions of the Education Act, on or before January 1st, 1935;

b. The persons who, prior to the 1st of January, 1935, discontinued teaching at 50 years of age after having taught for 20 years or more, which persons shall be entitled to their pension at 56 years of age;

c. The persons carrying on their functions of teaching at the date of January 1st, 1935, who are unable to complete 25 years of teaching before attaining the age of 65 years but who can complete at least 20 years of teaching before attaining such age, which persons shall be entitled to their pension after completing the said period of 20 years.

The said sections 2 and 6 shall be deemed to have been in force since the 1st of January, 1935.

20. The provisions of section 3 of this act shall apply ^{Application} to all persons already receiving a pension on the 1st of ^{of s. 3.} July, 1935, or who will thereafter receive a pension, under the Education Act.

21. Sections 1, 3, 9, 10, 13 and 20 of this act shall come ^{Coming into} into force on the 1st of July, 1935, and the remaining ^{force.} sections of this act shall come into force on the day of its sanction.