



CHAPTER 153

An Act to amend the charter of the Montreal Firemen's Benefit Association

[Assented to, the 15th of March, 1933]

WHEREAS the Montreal Firemen's Benefit Association ^{Preamble.} has, by its petition, represented: that it is in the interest of the proper administration of its affairs to amend its charter the act 5 George V, chapter 142, as amended by the act 14 George V, chapter 113, for the purpose of extending the service from twenty to twenty-five years, for any member admitted on or after the 1st December, 1932; of fixing at twelve hundred dollars the maximum pension, but that every member earning a salary in excess of two thousand four hundred dollars, before the 1st December 1932, may be entitled to a pension not exceeding that which he would have obtained if he had been put on the list of pensioners at that date; that the pension of any member cannot be decreased or suspended, but must be paid to his wife, for herself and her minor children, or to the tutor or guardian appointed by the Court, in the case of imprisonment of a member, or to himself, without interest, after his release, in the event of his having neither a wife nor children; of changing the powers of the board of directors so that the secretary and treasurer be appointed by by-law; of adding that the pension and benefits of the corporation are unalienable and unseizable, even for debts of an alimentary nature;

Whereas it has prayed for the passing of an act to the above effect; and

Whereas it is expedient to grant such prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

5 Geo. V, c. 142, s. 25, replaced. **1.** Section 25 of the act 5 George V, chapter 142, as replaced by the act 14 George V, chapter 113, section 8, is again replaced by the following:

Pension of members.

"25. The pension of any member of the Montreal Firemen's Benefit Association, admitted before the 1st of December, 1932, and who has been a member for twenty years or more, and for twenty-five years or more as regards a member admitted on or after the 1st of December, 1932, or who has sustained permanent injuries rendering him unfit for service, shall be fifty per cent of the annual salary earned by the member at the time he is put on his pension; but the member who is earning, at the time he is put on his pension, an annual salary of less than one thousand dollars, shall receive a pension of not less than four hundred and fifty dollars annually, and the member who is earning, at the time he is put on his pension, an annual salary of more than two thousand, four hundred dollars, shall not receive a pension of more than twelve hundred dollars annually, the said sum of twelve hundred dollars being the maximum pension which, in any case, a member of the association may receive; nevertheless, the pension of any member who is earning a salary of over two thousand, four hundred dollars, on or before the 1st of December, 1932, shall not exceed that which he would have obtained if he had been put on the pension list at that date.

Members admitted after December 1st, 1932.

The pension of any member admitted to the said association on or after the 1st of December, 1932, who has been a member for twenty-five years or over, shall be fifty per cent of the annual salary earned by such member at the time he is put on his pension, subject to the above provisions and restrictions, but the pension of any member in this category, who has sustained permanent injuries rendering him unfit for service, shall be twenty per cent of his annual salary if he has less than five full years of service; thirty per cent if he has five full years of service but less than ten years; forty per cent if he has ten full years of service but less than fifteen years; fifty per cent if he has fifteen years of service or over; the maximum of the said pension shall, in no case, exceed the sum of twelve hundred dollars per annum.

Number of years service.

The twenty years' or twenty-five years' service, mentioned in this section, shall be of twenty or twenty-five consecutive years, as fixed by by-law.

Members sentenced to imprisonment.

In the case of a member who, on or after the 1st of December, 1932, is found guilty of a criminal offence and sentenced to imprisonment, the pension of such member shall be payable during such imprisonment to his wife, for

herself and his minor children, but, in the case where the said wife is deprived of the custody of the children by a judgment, such pension shall be payable to the guardian or tutor appointed to the said children by the court. In the case where a member is a bachelor or a widower without minor children, the pension falling due during such imprisonment shall be paid to him, without interest, upon his release."

2. Section 26 of the said act, as replaced by the act 5 Geo. V, c. 14 George V, chapter 113, section 9, is again replaced by 142, s. 26, replaced.
the following:

"**26.** A member who is put on the list of pensioners after a service of twenty or twenty-five years, as the case may be, shall have a pension based on the salary that his rank gave him, provided he has had such rank for three consecutive years; otherwise he shall have a pension based on the salary that his previous rank gave him, the whole subject to the restrictive provisions of section 25 of this act. Basis of the amount of pension.

Every member of the association, after a service of at least ten years but less than twenty or twenty-five consecutive years, as the case may be, shall be entitled, on his retirement, to withdraw without interest all sums hitherto paid in by him as a contribution to the association during said years." Right to withdraw sums paid.

3. Section 28 of the said act is replaced by the following: 5 Geo. V, c. 142, s. 28, replaced.

"**28.** The pensions and all other benefits paid by the association, and any capital or other sum paid in lieu of said pensions or benefits, shall be given as alimony, and as such shall not be transferable nor liable to seizure, even for debts of an alimentary nature." Pensions, etc., unseizable.

4. This act shall come into force on the day of its sanction. Coming into force.