

Increase.

22. In the case of promotion from one class to another, the increase of salary shall only be payable from and after the first day of the month following the date of promotion.

Reports to
Legislature.

23. Within the first fifteen days of every session of this legislature, a statement showing the appointments and promotions which have been made in the civil service, since the preceding session, and also copies of the orders in council concerning such promotions, shall be submitted to the legislative assembly.

Oath.

24. The form of oath of schedule A, of the act 31 Vict., ch. 8, shall be replaced by the following :

" I, A. B., swear that I will fulfil the duties of my office of . . . , honestly and justly, and that I will not receive any sum of money or consideration, for what I have done, or may do in the discharge of any of the duties of my office, to promote the purchase or exchange of any thing whatever by or with the government, other than my salary, or what may be allowed me by law, or by an order of the lieutenant-governor in council. So help me God." .

31 V., ch. 8,
amended.

25. Any provision of the act of this province, 31 Vict., ch. 8, inconsistent with the present act, is repealed.

Act in force.

26. The present act shall come into force on the day of its sanction.

C A P. X.

An Act to establish a superannuation and aid fund, in favor of certain public employees and their families.

[Assented to 28th December, 1876.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Annual pen-
sion to mem-
bers of civil
service.

1. The lieutenant-governor in council may grant an annual pension to any employee or member of the civil service, who has become incapable of discharging his ordinary duties, by reason of physical or mental infirmities, or who has attained the full age of sixty years.

Pension how
calculated.

2. Such pension shall be calculated according to the total number of the years of services of such employee, and the average of his salary during the three years im-

mediately preceding his superannuation, in the manner following, that is to say :

For three to ten years service, ten fiftieths of such average salary ;

For eleven years, eleven fiftieths ;

For twelve years, twelve fiftieths ; and so on, adding one fiftieth of such average salary, for each additional year's service, up to thirty-five fiftieths inclusive.

3. The time which any employee may have served before the coming into force of " The British North America Act, 1867," as the permanent and salaried holder of any office which entitles to a pension under this act, shall be reckoned.

Time served before the Union to be computed.

4. No additional grant shall be made for more than thirty-five years service.

Calculation limited to 35 years. Interruptions in service.

The interruptions which may have occurred during the time of service shall not be computed in the number of years which entitle to the pension.

5. The same pension shall be granted, upon the same conditions, to the clerk of the legislative council, to the clerk of the legislative assembly, to the clerk of the crown in chancery, and to all the permanent officers, clerks and messengers of the legislative council and legislative assembly, who for all the purposes of this act, shall be deemed to have formed part, and shall in future continue to form part, of the civil service.

Similar pension to other officers and employees.

The law clerk of the legislature, together with his permanent clerks and messengers shall be also deemed to have formed part and shall continue to form part of the civil service, for the purposes of this act.

6. A special fund to be called " Pension Fund " shall be established, to provide for the payment of pensions in conformity with this act, and invested at interest.

Pension fund established.

7. A deduction shall be annually made from and out of the salary of every employee to whom this act applies, of five per cent for the first three years he shall contribute, and of three per cent for the subsequent years of his service.

Monthly deduction from salary.

Such sum deducted shall be paid monthly into the pension fund.

A sum equal to one fourth of the sums so yearly retained, shall be by the treasurer of this province, added annually to the pension fund.

Annual contribution from the province.

8. The pension of every superannuated employee shall be paid to him during his life, by the treasurer of

Payment of pension to employee.

the province, by monthly payments but not in advance. In the event of the death of such employee, his pension shall run to the first day of the following month, and his widow, or in default of his widow his heirs, shall receive the monthly payment then due.

Fifteen years
contributions
necessary.

9. No employee shall be entitled to the full amount of his pension, until he shall have contributed for fifteen years to the pension fund; and if the pension becomes payable before the expiration of such delay, a sum equal to the deduction which would have been made from the salary of the employee, if he had remained in the service, shall be retained each month from the amount of his pension, until such fifteen years of contribution have elapsed.

Half pension
to widows.

10. From and after the first day of the month which follows the date of the death of any employee to whom this act applies, half the pension which the deceased received, or would have been entitled to receive, if he had been superannuated, shall be paid to his widow for life and during her widowhood.

Half pension
to children.

If the wife of such employee dies before him, or if, having survived him, she dies or marries again, such half pension shall be paid to such of the children of the employee, as have not attained the age of eighteen years, and until they do attain such age.

Manner of
payment.

Such half pension shall be also paid in monthly payments, and shall continue until the first day of the month next after the date of the marriage or death of the widow, or the date at which the children of the deceased shall have attained the age of eighteen years.

Previous ser-
vice required.

11. No person shall be entitled to any pension under this act either for himself or for the members of his family, unless he is and has been employed at least three years as a member of the civil service, either before or after the coming into force of this act.

Superannua-
tion obliga-
tory.

12. Superannuation shall be obligatory on every employee to whom the pension shall be offered, on the conditions specified in this act; nor shall such offer be deemed as in any manner a censure upon such employee.

Reimburse-
men of con-
tributions in
case of
resignation.

13. If any employee retire voluntarily from the service, or is compelled to retire from it, on account of the abolition of his office, the sums which shall have been so retained out of his income or salary, to be paid into the pension fund, shall be forthwith returned to him, but without interest.

In the case of any employee removed from his office for negligence, misconduct or otherwise, no reimbursement whatever shall be made. In case of dismissal.

14. The pension or half pension payable under this act shall be neither transferable nor subject to seizure. Pension not liable to seizure.

15. No pension or half pension under this act, shall be paid to persons residing out of the limits of this province, unless for special reasons the lieutenant-governor in council determine otherwise. Residence of pensioners.

16. If the superannuation fund become insufficient to meet its obligations, a proportional reduction shall be made on the pensions then payable, until it shall have been otherwise provided for. In case of insufficiency of the fund.

17. Any superannuated employee less than sixty years of age, and who is not prevented from serving through any physical or mental infirmity, may be called upon to fill any other public office, the duties of which his previous services render him capable of discharging, and not inferior in rank and emoluments to that which he previously filled, provided always that the discharge of the duties of such office permit him to reside, either at the seat of government, or in the district in which he last resided. Offer of employment to pensioners.

If such employee refuse or neglect to discharge the duties of the office so offered, he shall by the fact of such refusal, as shall also his widow and children, lose all further right to any pension or half pension.

18. This act shall come into force on the day of the sanction thereof. Act in force.

C A P. XI.

An act to amend chapter 93, of the consolidated statutes for Lower Canada, with respect to the salary of certain sheriffs.

[Assented to 28th December, 1876.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The following section shall be inserted after section 15, of chapter 93, of the consolidated statutes for Lower Canada: C. S. L. C. ch. 93, s. 15, amended.