

1996

CHAPTER 52

An Act to amend *The Municipal Employees' Pension Act*

(Assented to June 25, 1996)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

**Short title**

1 This Act may be cited as *The Municipal Employees' Pension Amendment Act, 1996*.

**R.S.S. 1978, c.M-26 amended**

2 *The Municipal Employees' Pension Act* is amended in the manner set forth in this Act.

**Section 6 amended**

3 **Subsection 6(3) is repealed and the following substituted:**

“(3) Where the date on which an employer commences participation in the plan precedes the date on which the employer commences making contributions to the fund, the employer shall pay into the fund the amount, determined by the commission in accordance with generally accepted actuarial principles, that the commission requires for the purpose of funding any allowances that have accrued to the employees of the employer during the period of participation with respect to which contributions were not made”.

**Section 14 amended**

4(1) **Subsection 14(3) is amended:**

(a) **by striking out “A member” and substituting “Subject to subsection (4), a member”; and**

(b) **by striking out “six months” and substituting “two years”.**

(2) **Subsection 14(4) is repealed and the following substituted:**

“(4) Where, before the expiry of the two-year period mentioned in subsection (3), the commission receives a written request from or on behalf of an employee for an extension of time beyond that period, the commission may grant an extension for any period that the commission sees fit if the commission is satisfied that there are reasonable grounds for the extension”.

**Section 16 amended**

5 **Subsection 16(1.5) is amended by striking out “with interest”.**

**Section 17 amended****6 Subsection 17(1.1) is repealed and the following substituted:**

“(1.1) On and from January 1, 1991, each employer shall contribute to the fund with respect to each employee an amount equal to the amount, determined by the commission in accordance with generally accepted actuarial principles, that the commission requires for the purpose of funding any allowances that may accrue to the employee pursuant to this Act”.

**Section 21 amended****7 Subsection 21(1) is repealed and the following substituted:**

“(1) Where an employee dies on or after the effective date but prior to commencing to receive an allowance, the commission shall, where there is no named beneficiary, pay to the estate of the deceased employee an amount equal to the aggregate of:

- (a) an amount equal to the aggregate of:
  - (i) the commuted value of the employee's allowance, calculated as if the employee's date of death were the employee's date of termination; and
  - (ii) the amount by which the employee's contributions plus interest exceed 50% of the amount mentioned in subclause (i); and
- (b) the following amounts standing to the employee's credit:
  - (i) the amount in the employee additional contribution account;
  - (ii) the amount in the employee annuity account;
  - (iii) the amount in the employee annuity surplus account;
  - (iv) the amount in the employer additional contribution account;
  - (v) the amount in the employer annuity account”.

**Section 23 amended**

**8 Subsection 23(1.2) is amended in the portion that follows clause (b) by adding “less the reduction pursuant to subsection 41(2)” after “and the recalculated allowance”.**

**Section 23.1 amended****9 Subsection 23.1(3) is repealed and the following substituted:**

“(3) If a member has a medical condition that, in the opinion of the commission, is likely to shorten the member's life considerably, the member may elect to receive payment of the commuted value of the allowance, annuity or other benefit to which the member would otherwise have been entitled pursuant to this Act.

“(4) Where a member who has a spouse elects pursuant to subsection (3) to receive payment of the commuted value of the allowance, annuity or other benefit to which the member would otherwise have been entitled pursuant to this Act, the member shall provide a written waiver executed by the spouse, in a form satisfactory to the commission, of the allowance, annuity or other benefit to which the spouse would otherwise be entitled”.

**Section 24 amended**

**10 The following clause is added after clause 24(1)(b):**

“(b.1) is totally and permanently disabled within the meaning of subsection 8500(1) of the *Income Tax Regulations* (Canada)”.

**Section 37 amended**

**11 Subsection 37(1) is amended by striking out “one year” and substituting “two years”.**

**Coming into force**

**12(1)** Subject to subsection (2), this Act comes into force on assent.

(2) Section 6 of this Act comes into force on assent, but is retroactive and is deemed to have been in force on and from January 1, 1991.