

1998

CHAPTER S-35.2

An Act to implement Certain Provisions Respecting a Pension Plan for
Employees of Saskatchewan Telecommunications and Others and to
make consequential amendments to other Acts

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(Assented to June 11, 1998)

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 SaskTel Pension Implementation Act*.

Interpretation

2 In this Act:

- (a) “**board**” means the Saskatchewan Telecommunications Superannuation Board;
- (b) “**corporation**” means Saskatchewan Telecommunications;
- (c) “**disestablished fund**” means the Saskatchewan Telecommunications Superannuation Fund disestablished by subsection 4(1);
- (d) “**former Act**” means *The Saskatchewan Telecommunications Superannuation Act*;

- (e) “**former beneficiary**” means a person who, before the day on which the pension plan is registered pursuant to *The Pension Benefits Act, 1992*, had an obligation to participate in, an interest in or an entitlement to benefits or to a refund from the disestablished fund;
- (f) “**pension plan**” means the pension plan mentioned in section 3;
- (g) “**plan employer**” means any employer whose employees are entitled to participate in the pension plan.

Pension plan

3 The corporation shall establish a pension plan pursuant to section 10.1 of *The Saskatchewan Telecommunications Act* to provide benefits to former beneficiaries.

Fund disestablished

4(1) On the day on which the pension plan is registered pursuant to *The Pension Benefits Act, 1992*:

- (a) the Saskatchewan Telecommunications Superannuation Fund established pursuant to the former Act is disestablished;
 - (b) the assets and liabilities of the disestablished fund are transferred to the pension fund of the pension plan;
 - (c) all agreements entered into by the board are assigned to the administrator of the pension plan; and
 - (d) the administrator of the pension plan is deemed to be the successor of the board for all purposes.
- (2) The administrator of the pension plan shall hold the assets of the disestablished fund, subject to the liabilities of the disestablished fund and the provisions of the pension plan, for the purpose of providing lifetime retirement benefits to former beneficiaries and other members of the pension plan in accordance with the pension plan.
- (3) Without limiting the generality of this section, on and after the day on which the pension plan is registered pursuant to *The Pension Benefits Act, 1992*, all issues relating to any surplus of the pension plan, the disestablished fund or the superannuation plan established by the former Act, whether the issues arise before or after the registration of the pension plan, shall be determined in accordance with the pension plan.
- (4) No person, other than the administrator of the pension plan with respect to a claim or cause of action arising out of the transfer of assets and liabilities pursuant to subsection (1), has a claim and no action lies or shall be commenced against the corporation, the board, the Government of Saskatchewan or a member of the Executive Council or an officer, employee or agent of the corporation, the board, the Government of Saskatchewan or a member of the Executive Council arising out of any obligation, right, interest or entitlement of any person with respect to the disestablished fund or with respect to any issue that arises out of the disestablishment of the disestablished fund.

Application of *Pension Benefits Act*

- 5(1) Subject to this section, *The Pension Benefits Act, 1992* and the regulations made pursuant to that Act apply to the pension plan.
- (2) Sections 29, 31, 32 and 33 of *The Pension Benefits Act, 1992* apply only with respect to benefits that accrue on or after the day on which the pension plan is registered pursuant to *The Pension Benefits Act, 1992* to:
- (a) a former beneficiary; or
 - (b) a person who becomes entitled to benefits from the pension plan by a transfer pursuant to a transfer agreement as defined in section 20 of *The Pension Benefits Act, 1992*.
- (3) Subsection 37(6) of *The Pension Benefits Act, 1992* does not apply with respect to:
- (a) a former beneficiary who retires or terminates his or her membership in the pension plan; or
 - (b) a person who:
 - (i) becomes entitled to benefits from the pension plan by a transfer pursuant to a transfer agreement as defined in section 20 of *The Pension Benefits Act, 1992*; and
 - (ii) retires or terminates his or her membership in the pension plan.
- (4) Section 27 of *The Pension Benefits Regulations, 1993* does not apply to interest, gains and losses to be calculated pursuant to section 30 of *The Pension Benefits Act, 1992*.
- (5) The superintendent of pensions shall not refuse to register the pension plan and shall not cancel the registration of the pension plan by reason of the operation of any provision of this section.
- (6) No person has any right or claim against the pension plan, a fund established pursuant to the pension plan or any plan employer solely on the basis that:
- (a) the pension plan contains a provision consistent with this section that does not comply with *The Pension Benefits Act, 1992*; or
 - (b) the pension plan does not contain a provision required by *The Pension Benefits Act, 1992* that would conflict with this section.

R.S.S. 1978, c.S-35, repeal and transitional

- 6(1) *The Saskatchewan Telecommunications Superannuation Act* is repealed.
- (2) Notwithstanding the repeal of section 57 of *The Saskatchewan Telecommunications Superannuation Act*, the corporation shall prepare and transmit to the minister responsible for that Act a report setting out the matters described in that section for the portion of a calendar year that ends on the day on which the pension plan is registered pursuant to *The Pension Benefits Act, 1992*.

S.S. 1990-91, c.C-16.01 amended

7 Clause 13(4)(d) of *The Communications Network Corporation Act* is repealed.

S.S. 1993, c.C-50.101 amended

8 Subclause 26(2)(a)(v) of *The Crown Corporations Act, 1993* is repealed.

S.S. 1993, c.F-13.4 amended

9 Clause 8(4)(l) of *The Financial Administration Act, 1993* is repealed.

R.S.S. 1978, c.L-19 amended

10 Subsection 29(2) of *The Liquor Board Superannuation Act* is amended:

(a) by striking out “, Saskatchewan Telecommunications”; and

(b) by striking out “, the Saskatchewan Telecommunications Superannuation Fund”.

S.S. 1979, c.M-11.1 amended

11 Clause 68(3)(i) of *The Meewasin Valley Authority Act* is repealed.

R.S.S. 1978, c.P-43 amended

12(1) *The Public Service Superannuation Act* is amended in the manner set forth in this section.

(2) Subsection 36(2) is amended:

(a) by striking out “, Saskatchewan Telecommunication”; and

(b) by striking out “, the Saskatchewan Telecommunications Superannuation Fund”.

(3) Subsection 36(3) is amended by striking out “, Saskatchewan Telecommunications”.

(4) Subsection 56(10) is amended:

(a) in the portion that precedes clause (a) by striking out “*The Saskatchewan Telecommunications Superannuation Act,*”; and

(b) in clause (b) by striking out “the Saskatchewan Telecommunications Superannuation Fund.”.

(5) Subclause 57(3)(c)(ii) is amended by striking out “*The Saskatchewan Telecommunications Superannuation Act,*”.

S.S. 1994, c.S-32.11 amended

13 Subclause 14(2)(a)(v) of *The Saskatchewan Opportunities Corporation Act* is repealed.

R.S.S. 1978, c.S-34 amended

14 *The Saskatchewan Telecommunications Act* is amended by adding the following section after section 10:

“Pension plans and benefits programs

10.1(1) The corporation may establish, operate, administer and manage any pension plan or benefits program for all or any class of employees of the corporation or any other body corporate that has applied to the corporation to participate in the pension plan or benefits program and been approved by the corporation to participate.

(2) For the purposes of establishing, operating, administering and managing a pension plan or benefits program mentioned in subsection (1) or managing, investing or disposing of all or any part of the assets of any pension plan or benefits program, the corporation may:

- (a) enter into any agreements with any person;
- (b) engage the services of or retain any technical, professional or other advisers, specialists or consultants that the corporation considers necessary; and
- (c) do any other thing that the corporation considers necessary, incidental or conducive to those purposes”.

S.S. 1991, c.S-34.1 amended

15 Clause 13(2)(a) of *The Saskatchewan Telecommunications Holding Corporation Act* is amended:

- (a) by adding “or” after subclause (i);**
- (b) by striking out “or” after subclause (ii); and**
- (c) by repealing subclause (iii).**

R.S.S. 1978, c.S-64 amended

16 Subclause 2(k)(iv) of *The Superannuation (Supplementary Provisions) Act* is repealed.

R.S.S. 1978, c.W-4 amended

17 Clause 63(2)(a) of *The Wascana Centre Act* is repealed.

S.S. 1983-84, c.W-4.1 amended

18 Subclause 11(3)(a)(iv) of *The Water Corporation Act* is repealed.

R.S.S. 1978, c.W-19 amended

19 Subsection 29(2) of *The Workers’ Compensation Board Superannuation Act* is amended:

- (a) by striking out “, Saskatchewan Power Corporation or Saskatchewan Telecommunications” and substituting “or Saskatchewan Power Corporation”; and**
- (b) by striking out “, the Saskatchewan Telecommunications Superannuation Fund”.**

Coming into force

20(1) Subject to subsection (2), this Act comes into force on assent.

(2) Sections 5 to 13 and 15 to 19 of this Act come into force on the day on which the pension plan is registered pursuant to *The Pension Benefits Act, 1992*.

