

Authority: Government Management Committee GM24.1, as adopted by City of Toronto Council on January 31, February 1 and 2, 2018

CITY OF TORONTO

Bill 117

BY-LAW -2018

To consolidate former Metropolitan By-law 181-81 and all amendments respecting pensions and other benefits.

Whereas By-law 181-81 of the former Municipality of Metropolitan Toronto, a by-law "To provide pensions and death benefits to members of the Metropolitan Police Force", as heretofore amended, governs the Metropolitan Toronto Police Benefit Fund; and

Whereas the City has entered into an agreement with the OMERS Sponsors Corporation and the OMERS Administration Corporation for the transfer of the Fund's assets and liabilities to the OMERS Primary Pension Plan pursuant to section 80.4 of the *Pension Benefits Act* (Ontario), and the agreement requires that the City enact a revised version of the Plan's text consolidating all amendments; and

Whereas it is desirable that such revised version include certain administrative harmonizations;

The Council of the City of Toronto enacts:

1. In this by-law,
 - (a) "Schedule" means Schedule A attached to this by-law;
 - (b) "Plan" means the pension plan financed by the Metropolitan Toronto Police Benefit Fund.
2. The revised version of the text of Plan set forth in Schedule A is adopted as the text of the Plan in substitution for the text of the Plan as expressed in the content of By-law 181-81 of the former Metropolitan Corporation, as amended.
3. The text of Schedule A shall be interpreted having regard to the assumption by the City of all obligations of the former Metropolitan Corporation as of January 1, 1998.
4. By-law 181-81 of the former Metropolitan Corporation and all by-laws amending same are repealed.

Enacted and passed by an affirmative vote of at least two-thirds of the Members of Council present and voting on February , 2018.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

SCHEDULE A

METROPOLITAN TORONTO POLICE BENEFIT FUND PLAN

EFFECTIVE January 1, 1980

AS AMENDED TO JANUARY, 2018

METROPOLITAN TORONTO POLICE BENEFIT FUND PLAN

**To provide pensions and death benefits to certain members of the Metropolitan
Police Force and the Toronto Police Force.**

DEFINITIONS

Interpretation

- 1.** (1) In this Plan,
- (a) "accumulated interest" means interest earnings compounded annually in accordance with item 24(1)(b)(i)(C) until the 31st day of December, 1987, and thereafter at the rate and on such basis of calculation as may be determined by the Board of Trustees from time to time in accordance with the *Pension Benefits Act*, provided that any interest accumulated with respect to contributions to a superseded plan remaining in the fund thereof shall not be less than that accumulated in accordance with the terms of such plan;
 - (b) "actuarially equivalent" means of equal value according to the actuarial assumptions prescribed by the actuary;
 - (c) "actuary" means the actuary appointed by the Board of Trustees under the provisions of this Plan;
 - (d) "area municipality" means "area municipality" as defined in the *Municipality of Metropolitan Toronto Act*;
 - (e) "child" or "children" includes a step-child or a legally adopted child;
 - (f) "estate" includes a designated beneficiary under a superseded plan;
 - (g) "benefit fund" means the Metropolitan Toronto Police Benefit Fund referred to in section 2 and consists of the moneys, securities, negotiable instruments and other property in the custody of the Board of Trustees including assets assigned or otherwise transferred from a superseded plan for the carrying out of the purposes of the Plan;
 - (h) "Benefit Fund Committee" means the committee of that name formerly having the duties set forth in subsections 4(9) and (10);
 - (i) "Board" means (except in the expression "Board of Trustees") the Toronto Police Services Board continued by section 10 of the *City of Toronto Act, 1997 (No. 1)*;
 - (i.1) "Board of Trustees" means the Board of Trustees provided for in section 3;

- (i.2) "City" means The Corporation of the City of Toronto incorporated by the *City of Toronto Act, 1997 (No. 1)*;
- (j) "contributory earnings" means, notwithstanding the operation of clause 8(1)(c) and/or subsection 8(4),
 - (i) before the 1st day of January, 1978 the earnings of a member, and
 - (ii) on and after the 1st day of January, 1978 the earnings of a member exclusive of salary or wages paid for overtime, payments made with respect to unused sick leave credit gratuities and payments made as retirement bonuses or otherwise as a result of retirement or other termination of employment whether in respect of long service or otherwise;
- (k) (REPEALED: By-law 149-97)
- (l) "Council" means the Council of the City;
- (m) "credited service" means the total period of service of a member in respect of which all required contributions have been made under the Plan or a superseded plan and includes any service established for a member in accordance with section 13;
- (m.1) "dependent" means, with respect to an individual, dependent in the manner set forth in the definition of "dependant" in subsection 8500(1) of the ITAR;
- (n) "earnings" means the compensation, as that word is defined in subsection 147.1(1) of the *Income Tax Act* (Canada), paid to an officer including the value of any perquisites received from the employer;
- (o) "full accrued pension credit" means the pension benefit accrued at any stated date and calculated in the manner prescribed in section 11 as if the stated date was the date of normal retirement;
- (o.1) "fund" means the monies, securities, negotiable instruments, investments and other property administered by the Board of Trustees, including assets assigned or otherwise transferred from a superseded plan, for the carrying out of the purposes of the Plan;
- (o.2) "ITAR" means the Regulations under the *Income Tax Act* (Canada);
- (p) "member" means an officer as defined herein;
- (q) "officer" means a police officer in good standing who is a member of the Metropolitan Police Force or its successor, as certified by the Board, and who prior to the 1st day of July, 1968, either was transferred from a police force of an area municipality or whose application for membership in the Plan was accepted by the Benefit Fund Committee;

- (r) "pensionable earnings" means the result obtained by taking the sum of the member's contributory earnings for the sixty months of consecutive credited service during which such contributory earnings were the highest and dividing such sum by five provided that for the purposes of clause (m) and this clause, "month" means any calendar month in which the member is employed for fifteen days or more;
- (s) "pensioner" means a person in receipt of a pension payable out of the fund;
- (t) "Plan" means the pension plan for officers of the Toronto Police Force as set forth in this Schedule , as amended from time to time;
- (u) "police force" means, unless the context otherwise requires, the police force of the Municipality of Metropolitan Toronto prior to the 1st day of January, 1998 and after that date, the police force of the City;
- (v) "retire" means retire from service and "retirement" has a corresponding meaning;
- (w) "service" means continuous service in the police force, or in the police force of an area municipality prior to January 1, 1957, provided that
 - (i) a leave of absence for any reason where the Board has authorized such leave and either before or after the commencement of such leave has agreed that it shall be deemed not to be a break in service, to the extent not inconsistent with the statutory and regulatory provisions mentioned in clauses 11(5)(a) to (c) including, without restriction, sections 8503 and 8507 of the ITAR, or
 - (ii) a period, prior to the normal retirement date of a member, during which the member is in receipt of a pension under section 13,shall be deemed not to be interruptions of service, provided that this clause shall be interpreted, in the case of service accruing prior to the 1st day of January, 1992, in accordance with Pension Reform Update 92-8R and Information Circular No. 72-13R8 issued by Revenue Canada;
- (x) "superseded plan" means the pension plan of an area municipality in force on December 31, 1956 applicable to its police officers;
- (y) "Trustees" means those Trustees who are elected or appointed from time to time in accordance with section 3;

- (ya) "war service" means war service as defined in the *Municipal Act*;
- (z) "widow" or "widower" in the expression "widow of a member" or "widower of a member" includes, to the exclusion of any other person who would otherwise be included therein, a woman or man who establishes to the satisfaction of the Board of Trustees that she or he was living together with the member in a conjugal relationship that ceased only on the member's death, if such relationship was
 - (i) of a continuous duration of at least three years; or
 - (ii) of some permanence, if they are the parents of a child, as set out in the *Children's Law Reform Act*,

provided that this clause shall apply with respect to a member and a person of the same sex only if the member has died on or after the 5th day of June, 1998.

"Metropolitan"

- (1.1) Effective as of the 1st date of January, 1998, every reference in this Plan to the "Metropolitan Police Force" shall be read as a reference to the Toronto Police Force.

References to
"Benefit Fund
Committee"

- (1.2) Except in clauses 1(1)(h) and (q) and subsections 7(2) and 33(2), every reference to the Benefit Fund Committee in this Plan, whether in its body or in any heading or marginal note, shall be read as a reference to the Board of Trustees.

- (2) For the purposes of this Plan,

Deemed
Marriage

- (a) a person who is a widow or widower of a member by the operation of clause (1)(z) shall, if the Board of Trustees so directs, be deemed to have become married to the member at such time as the relationship referred to in that clause commenced;
- (b) a person who could establish that she or he is a widow or widower under clause (1)(z) but for her or his marriage to the member after the time referred to in clause (a) shall, if the Board of Trustees so directs, be deemed to have become married to the member at the time so referred to.

Statutory
Enact-
ments

- (3) Any reference in this Plan to a statutory enactment or any regulations thereunder shall be taken as a reference to such enactment or regulations as amended from time to time, including any successor enactment or regulations.

BENEFIT FUND

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| Benefit Fund | 2. The Metropolitan Toronto Police Benefit Fund heretofore established is continued under the same name and, from and after the coming into force of this Plan, shall be maintained and conducted in accordance with its provisions. |
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TRUSTEES

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| Members | 3. (1) The administration of the Plan shall be vested in a Board of Trustees consisting of |
| Chair | (a) one person appointed by the Council who is neither a member of the Plan nor a member of the Council and who shall be the Chair of the Board of Trustees; |
| CM Appointee | (b) one person appointed by the City Manager from among his or her subordinates; |
| CFO Appointee | (c) one person appointed by the Chief Financial Officer from among his or her subordinates; |
| City Treasurer | (d) the City Treasurer, who may from time to time designate one of his or her subordinates, other than the secretary of the Board or a person acting for that secretary, to attend and vote at one or more specific Board meetings or at Board meetings generally, in his or her stead; |
| Officer | (e) subject to clause (1.1)(b) and subsections (1.2) and (1.3), one officer member of the Plan elected by the officer members in accordance with subsection (5); |
| Pensioners | (ea) subject to clauses (1.1)(b) and (1.3)(b), two persons, each of whom is an officer member of the Plan or a pensioner, elected by the pensioners in accordance with subsection (5); |
| | (f) (REPEALED: By-law 129-2016) |
| | (g) (REPEALED: By-law 46-90) |
| Changes on December 1, 2010 | (1.1) Effective the 1st day of December, 2010, |
| | (a) (REPEALED: By-law 129-2016) ; and |
| | (b) the number of Trustees to be elected by the pensioners pursuant to clause (1)(ea) shall be |
| | (i) as long as subsection (1.3) has not come into operation, two; |

(ii) once subsection (1.3) comes into operation, three.

(1.2) If clause 5(1)(c) comes into operation with respect to the election of a member of the Board of Trustees by the officers and no timely nominations are submitted thereunder, such Board position shall be filled by election among the pensioners pursuant to clause (2.1)(b).

(1.3) From the time of the cessation of the existence of the class of officer members,

(a) the following shall cease to apply:

(i) clauses (1)(e) and subclause (6)(a)(ii) and subsections (6a) and 5(2.1); and

(ii) except insofar as required for the purposes of subsection 5(2), subsection 5(1);

(b) if such cessation coincides with the retirement of the person holding office as a Trustee pursuant to clause (1)(e), such person shall be deemed to have been elected by the pensioners pursuant to clauses (1)(ea) and (6)(a) and subsection 5(3) for the remainder of the person's original term.

Term
of
office

(2) Subject to subclause (1.3)(a)(i)], the term of office of a member of the Board of Trustees shall coincide with the term of office of the Council and until his successor has been elected or appointed.

Further
Appointment

(2.1) Notwithstanding the appointment of a person under clause (1)(b) or (c), the City Manager, or the Chief Financial Officer, as the case may be, may at any time make a further appointment under such clause and thereupon such further appointment shall, to the extent inconsistent with any previous appointment, supersede such previous appointment.

Cessation of
Employment

(2.4) The cessation of the employment with the City of any designate appointed under clause (1)(b) or (c) shall constitute his or her resignation from the Committee.

Secretary

(3) The Board of Trustees shall appoint a secretary to record proceedings and to execute such instructions as the Board may issue.

Board Majority
Decisions/
Quorum

(4) Subject to subsections (4.2) to (4.5), decisions of the Board of Trustees shall be by majority vote at a meeting of []which all its members have been given reasonable advance notice and at which there is present a quorum consisting of

Treasurer

(a) the City Treasurer or such Treasurer's designate; and

Trustees

(b) three other Trustees.

	(4.1) (REPEALED: By-law 129-2016)
Attending Trustee's Conflict of Interest	<p>(4.2) If at any meeting of the Board of Trustees a Trustee is present whose interest with respect to any matter to be considered thereat conflicts with his or her duties and powers as a Trustee</p> <p>(a) such Trustee shall</p> <p>(i) prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;</p> <p>(ii) refrain from taking part in the discussion of, or any vote concerning, the matter;</p> <p>(iii) refrain from attempting in any way whether before, during or after the meeting to influence any such voting; and</p> <p>(iv) leave the meeting prior to, and not return during, consideration of such matter;</p> <p>(b) the person presiding at the meeting shall see that such Trustee is given a reasonable opportunity to comply with subclause (a)(iv) and to return to and fully participate in the meeting whenever that subclause is not in operation.</p>
Absent Trustee's Conflict of Interest	(4.3) Where the interest of a Trustee has not been disclosed as required by subclause (4.2)(a)(i) by reason of his or her absence from the meeting referred to therein, the Trustee shall disclose same and otherwise comply with clause (4.2)(a) at the first subsequent meeting of the Board of Trustees which he or she attends.
Effect of Conflict on Quorum	(4.4) If at any duly constituted meeting of the Board of Trustees the operation of subsection (4.2) would prevent the requirements of subsection (4) from being met with respect to any matter under consideration, the Trustees present to whom that subsection does not apply shall, if at least three in number, be deemed to constitute a quorum in that respect.
Abstentions	(4.5) For the purposes of subsection (4), any Trustee who abstains from voting on any matter shall be treated as having cast a negative vote.
Elections	(5) The provisions of section 5 shall apply to the election of the members of the Board of Trustees who are to be elected by the members or by the pensioners of the Plan.
Vacancy	(6) Where a vacancy occurs in the office of a member of the Board of Trustees elected by the members of the Plan pursuant to clause 1(e) or (ea):

- (a) prior to the 1st day of June in the last year of the term of office of a Council, such vacancy shall
 - (i) unless subclause (ii) is applicable, be filled by election and the provisions of section 5 shall apply with any necessary modifications;
 - (ii) if it is the officers who must fill the vacancy and subsection 3(1.3) subsequently comes into operation at a time prior to the date for closing of the poll as specified in clause 5(1)(f),
 - (A) clause (b) of that subsection shall be deemed to have come into operation as if it applied to the retirement which caused the vacancy and such retirement had occurred at such closing date;
 - (B) such vacancy shall be deemed to have been filled accordingly; and
 - (C) subclause (i) shall cease to apply and all steps taken under it shall be deemed to be of no effect;
- (b) on or after the date referred to in clause (a), the clerk of the City shall apply to the Government Management Committee of the Council for directions from the Council, which shall have power to direct filling of the vacancy as described in clause (a), or to direct that the vacancy be filled by normal operation of section 5 at the time of the next regular election thereunder.

Trustee
Retirement

- (6a) Where a member of the Board of Trustees elected pursuant to paragraph 1(e) of this section retires from the police force during his term of office as a Trustee
 - (a) on or after December 1st in the year preceding the year in which his term of office expires, he shall be permitted to remain a Trustee until his term of office expires, or
 - (b) prior to December 1st in the year preceding the year in which his term of office expires, his office as a member of the Board of Trustees shall be deemed to be vacant on the date he retires from the police force, the vacancy shall be filled by election and, subject to clause 3(1.3)(b), the provisions of section 5 shall apply with any necessary modifications.

Chairman
absent

- (7) In the absence of the Chairman from any meeting, the Board of Trustees may appoint an Acting Chairman from among its members to preside and he shall discharge the duties of the Chairman at the meeting.

Receipt of contributions	(8)	The Board of Trustees shall be responsible for the receipt of all contributions to the fund, the keeping of records in connection therewith, and the custody of the fund, including the investment of moneys and the investments of the fund shall conform with the requirements of the <i>Pension Benefits Act</i> and the regulations thereunder.
Former Benefit Fund Committee Responsibilities	(8.1)	<p>The Board of Trustees shall have the responsibilities of the former Benefit Fund Committee set out in</p> <p>(a) subsection 4(9) without regard to the phrase “chief function” therein; and</p> <p>(b) subsection 4(10).</p>
Payment of Benefits	(9)	The Board of Trustees shall be responsible for the payment of benefits to which members become entitled under the Plan and they shall keep a proper and correct account of all receipts and disbursements of the fund to the satisfaction of the Auditor of the fund and produce the same for his inspection at any time.
Questions and matters not provided for	(10)	All questions and matters not provided for in the Plan and all differences arising in regard to the meaning or application of the Plan shall be decided by the Board of Trustees in consultation with the actuary, and its decision shall be conclusive and binding on all concerned.

CUSTODIANS AND INVESTMENT COUNSEL

Delegation	3a.	Notwithstanding any other provisions of the Plan, the Board of Trustees may delegate its responsibility for the custody of the fund to one or more custodial trustees and may delegate its responsibility to invest the monies of the fund to one or more investment counsel.
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BENEFIT FUND COMMITTEE

4. (1) to (8) (REPEALED: By-law 857-2008)

SEE NOW SUBSECTION 3(8.1)

TRANSFERRING RESPONSIBILITIES TO BOARD OF TRUSTEES

Chief Function	(9)	The chief function of the Committee shall be to authorize the payment of benefits in those cases which are clearly within the terms of this Plan.
Other Duties	(10)	<p>The Committee shall also:</p> <p>(a) supervise the keeping of records with respect to the members of the Plan containing all information necessary to determine the benefits to which each member may be entitled and such records shall be conclusive as to the facts therein contained;</p>

- (b) deal with all communications from members concerning their benefits, privileges and responsibilities under this Plan;
- (c) (REPEALED: By-law 857-2008)
- (d) keep a record of all persons who have received any benefit from the fund, in which shall be set out the name, age and address of each such person, the date such benefit was granted and the amount thereof;
- (e) (REPEALED: By-law 857-2008)
- (f) be responsible for the validation of all claims against the fund before making or continuing payment thereof, and obtain such declarations, certificates, or other evidence as it deems necessary for this purpose;
- (g) (REPEALED: By-law 857-2008)
- (h) provide each member with a written explanation of the terms and conditions of the Plan and amendments thereto applicable to him, together with an explanation of the rights and duties of the member with reference to the benefits available to him under the terms of the Plan; and
- (i) have power to approve a rehabilitation program under clause (a) of subsection (2) of section 13.

ELECTION OF OFFICERS AND PENSIONER REPRESENTATIVES TO BOARD OF TRUSTEES

Election by
officers

5.

- (1) Subject to subsection 3(1.2), the election of the officer member of the Board of Trustees pursuant to clause 3(1)(e) shall be conducted as follows:

Address
Labels

- (a) the Board shall, on the written request of the clerk of the City, expeditiously forward to the clerk of the City all address labels required for the material to be circulated to officers in accordance with this subsection;

Call for
Nominations

- (b) in the last year of each term of the Council, the clerk of the City shall, at least one month prior to the third Friday in the month of September in that year,
 - (i) cause to be circulated to each officer member
 - (A) a notice calling for nominations for such position; and
 - (B) a nomination form with instructions for completion, taking into appropriate account the content of clauses (c) and, if and to the extent applicable, clause (b.1) or clause (b.2);

- (C) an explanation of the effect of subsections 3(1.2) and subsection (2.1) below;
 - (ii) unless the class of officer members has ceased to exist, cause to be circulated to each pensioner the material called for by subsection (2.1);
 - (b.1) if there are fewer than three officer members, no seconder shall be required for a nomination;
 - (b.2) if there is only a single officer member, the member may nominate himself, in which case the member shall be acclaimed as the successful candidate and clauses (d) to (f) shall be disregarded
- Nomination Process
- (c) only properly completed nomination forms
 - (i) signed by the nominator and, subject to clause (b.1), a seconder;
 - (ii) signed, subject to clause (b.2), by the officer nominated and indicating acceptance of the nomination; and
 - (iii) returned to the clerk of the City on or before 4:30 p.m. on the said third Friday,will be processed;
- Ballots
- (d) after the said third Friday, the clerk of the City shall expeditiously:
 - (i) determine whether the requirements of clause (c) have been met and whether the persons nominated are officers;
 - (i.1) if no properly completed nomination forms have been received, proceed with an election by the pensioners in accordance with subsection (2.1); and
 - (ii) cause to be distributed to each officer a ballot containing, subject to clause (e), the names of all officers properly nominated together with instructions as to the manner of voting, including the content of clause (f);
- Withdrawals
- (e) if the withdrawal from candidacy of any person properly nominated pursuant to clause (c) comes to the attention of the clerk of the City
 - (i) prior to distribution of ballots in accordance with subclause (d)(ii), the clerk of the City shall take whatever action is necessary to allow for such withdrawal, but only if there is in the opinion of the clerk of the City sufficient time to do so without creating a serious risk of reducing the number of ballots that could be returned in compliance with clause (f);

- (ii) following distribution of ballots in accordance with subclause (d)(ii), any ballot returned in accordance with clause (f) and containing a vote for such a person shall be disregarded;
- Close of Poll
 - (f) only properly completed ballots returned to the clerk of the City in a sealed envelope on or before 4:30 p.m. on the third Friday in the month of November in the said year, at which time the poll will be closed, will be counted;
- Counting and advice to members
 - (g) after the close of the poll, the clerk of the City shall expeditiously
 - (i) count the ballots returned prior to the close of the poll; and
 - (ii) notify all members of the results of the election.
- Election by Pensioners
 - (2) The election of the members of the Board of Trustees who are the representatives of the pensioners pursuant to clause 3(1)(ea) shall be conducted in accordance with clauses (1)(b) to (g) with appropriate modifications, which shall include, without restriction,
 - (a) disregard of item (b)(i)(C) and subclause (d)(i.1) thereof;
 - (b) treatment of each instance of the word "officer" or its plural wherever same occurs in those clauses as if such word read "pensioner" or its plural, as applicable;
- Subclause (1)(b)(ii)
 - (2.1) If subclause (1)(b)(ii) comes into operation, the clerk of the City shall, simultaneously with the circulation of the material to officer members called for by clause (1)(b) circulate to each pensioner
 - (a) a notice calling for nominations for the same Trustee position to which such material relates, on the basis that such nominations will be acted on only if subsection (2.2) comes into operation; and
 - (b) a nomination form with instructions for completion, taking into appropriate account the content of clause (1)(c), other than the references to "clause (b.1)" and "clause (b.2)" in subclauses (i) and (ii) thereof respectively.
- Subsection 3(1.2)
 - (2.2) If subsection 3(1.2) becomes applicable as a result of the operation of subclause (1)(d)(i.1), the clerk of the City shall proceed under subsection (1) as follows:
 - (a) the election by officer members whose process gave rise to such operation will instead be made by the pensioners in accordance with that subclause on the basis of all valid nomination forms received in response to the material circulated to them pursuant to subsection (2.1); and

- (b) each instance of the word "officer" and its plural in subclauses (1)(d)(i) and (ii) shall be treated as if it read "pensioner" or the plural thereof (as applicable).

ADMINISTRATION

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| Applications for benefits | 6. | (1) Every application for any benefit under this Plan shall be made to the Board of Trustees and be considered by it. |
| Treasurer and Auditor | | (2) The City Treasurer and the City Auditor shall be the Treasurer and the Auditor respectively of the fund and they shall report annually to the Board of Trustees and the City. |
| Commence-ment of Benefits | | (2.1) Notwithstanding the provisions of subsection (1), the City Treasurer is authorized to commence payment of pension benefits to or in respect of members and other pensioners if satisfied that entitlement thereto exists and shall each month forward to the Board of Trustees a list of all payments so commenced during the previous month for the Board's concurrence. |
| Payments from fund | | (3) All payments out of the fund shall be made by cheque bearing a principal signature and a countersignature in accordance with the by-law of the City in force from time to time providing for the signing of cheques issued by the City. |
| Actuary | | (4) The Trustees shall be responsible for the appointment of an actuary, who shall be a Fellow of the Canadian Institute of Actuaries, and upon receipt of his reports they shall advise the Council of the condition of the fund, and of any action which may be necessary or desirable to safeguard the same or improve its operation. |
| Duty of actuary | | (5) The actuary shall advise the Trustees and the Benefit Fund Committee with respect to questions put to him, particularly as to matters affecting the solvency of the fund, and he shall prepare such actuarial statements and reports as may be required by competent public authorities. |
| <i>Idem</i> | | (6) The actuary shall report each year to the Trustees and the Benefit Fund Committee on the general condition of the fund and at least every two years he shall prepare and submit to them a complete valuation of the assets and liabilities of the fund, upon such assumptions as he may deem proper, including therein any changes in rates of benefit, or contribution, or otherwise, he may deem necessary or advisable for the safeguarding of the fund or for the better carrying out of the purposes of the Plan. |

- Fund expenses (7) Subject to the approval of the Trustees, the following costs shall be paid from the fund
- (a) fees payable to the actuary, medical practitioners, custodians and advisers retained by the Board,
 - (b) direct costs arising out of the administration of the fund, and
 - (c) expenses actually incurred by a trustee, provided that the expenses shall be in accordance with the by-law of the Council respecting the expenses of its members.

- Costs (8) The employer shall pay all costs not provided for in subsection (7) including the remuneration of the Chairman of the Board of Trustees.

ELIGIBILITY AND MEMBERSHIP

- Eligibility for membership 7. (1) Every person employed by the Board as a police officer prior to July 1st, 1968 shall be eligible for membership in the Plan as from January 1, 1957, or as from his date of employment as a police officer, if subsequent thereto.
- Compulsory membership (2) Membership in the Plan shall be compulsory for every person employed by the Board as a police officer unless for any reason his application for membership is declined by the Benefit Fund Committee

CONTRIBUTIONS BY MEMBERS

- Employee contribution rate 8. (1) Subject to section (1.1), and the contribution limit imposed by subparagraph 8503(4)(a)(i) of the ITAR, each member shall contribute into the fund by payroll deduction
- (a) 8½ per cent. of his contributory earnings in a pay period, to the extent that the total of such earnings and those for all prior pay periods in the same calendar year do not exceed a ceiling level of \$ 98,501.00,
- reduced by
- (b) 1½ per cent of that portion of his contributory earnings in a pay period that, if computed on an annual basis, would not exceed the Year's Maximum Pensionable Earnings as defined in the Canada Pension Plan,
- but
- (c) no such contributions shall be payable after accrual by the member of thirty-five years of credited service.

Contribution Holiday 1999 to 2002	(1.1)	During the years 1999, 2000, 2001 and 2002, subsection (1) shall be interpreted as if each percentage specified therein were zero.
Reduced Contributions for 2003	(1.2)	During the year 2003, subsection (1) shall be interpreted as if the percentage specified in clause (a) thereof were 2.93, and the percentage specified in clause (b) thereof were 0.5.
Leave of absence	(2)	A member who did not make a contribution under subsection (1) during an absence described in subclause (i) or (ii) of clause (w) of subsection (1) of section 1 may establish as credited service the period of such absence by paying into the fund, subject to the contribution limit imposed by subparagraph 8503(4)(a)(i) of the ITAR, an amount equal to twice the amount of contribution calculated in accordance with subsection (1) as if the annual rate of contributory earnings of the member immediately preceding such absence had been received by the member during such absence and the amount is paid to the fund on or before the end of the year next following the year in which the absence terminates.
Restriction on withdrawal	(3)	Contributions made by members shall not be withdrawn from the fund in whole or in part while the member remains an officer, except as provided in subsection (4).
Refund of Certain Contributions	(4)	<p>If, before the 1st day of January, 1999, a member made contributions under this section while having credited service in excess of thirty-five years, such contributions shall, subject to subsections (5) and (6), be refunded to the member or, if the member is deceased, to the person(s) receiving a pension in respect of the member, in either case with interest at the following rate(s), as applicable:</p> <p>(a) 3 per cent per annum up to the 31st day of December, 1977; and thereafter</p> <p>(b) 5 per cent per annum up to the 31st day of December, 1986; and thereafter</p> <p>(c) for each calendar year or part thereof, the rate equal to the average monthly yield in that calendar year of five-year personal fixed-term chartered-bank deposits as determined from the Canadian Socio-Economic Information Management (CANSIM) Series B 14045 published monthly in the Bank of Canada Review, on the basis that if such refund is made prior to the published availability of any such yield for any calendar year, the rate for such year shall be deemed to be equal to the corresponding yield for the most recent calendar year for which such availability exists.</p>
Reduction	(5)	The amount of any contributions refunded under subsection (4) shall be reduced by any amount paid to or in respect of the member pursuant to the "50 per cent. rule" provided for in subsection 39(3) of the <i>Pension Benefits Act</i> .

EMPLOYER CONTRIBUTIONS

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| Employer liability for contributions | <p>9. (1) The City shall pay into the fund in each year, in addition to the contributions to be made by the members in that year under section 8, the following amounts:</p> <ul style="list-style-type: none">(a) an amount equal to the contributions by the members in that year under section 8, except to the extent that such amount is not an eligible employer contribution for the purposes of subsection 147.2(2) of the <i>Income Tax Act</i> (Canada);(b) amounts to liquidate any unfunded liabilities in accordance with the <i>Pension Benefits Act</i>; and(c) amounts to liquidate any experience deficiency which arises in accordance with the <i>Pension Benefits Act</i>. |
| Surplus | <p>(2) Any surplus accruing to the fund as certified by the actuary shall be used at the discretion of the City and without restricting the generality of the foregoing such surplus may be used</p> <ul style="list-style-type: none">(a) to reduce any unfunded liability of the City under this section; or(b) to increase pensions or pension benefits, <p>provided that on termination of the Plan any surplus that would result in benefits to the members being in excess of the maximum permitted under paragraph 9(g) of Revenue Canada Information Circular 72-13R7 as is now in effect or as may hereafter be amended is refunded to the City.</p> |
| Reductions | <p>9a. No reduction of either accrued benefits or any right to a supplementary pension benefit under section 24 shall be permitted except upon the termination of this Plan when due to insufficient funds a reduction in benefits is authorized by the <i>Pension Benefits Act</i> of Ontario or the Department of National Revenue.</p> |

NORMAL RETIREMENT

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| Retirement Date | <p>10. The normal retirement date of a member is the last day of the month in which the member attains age sixty.</p> |
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NORMAL RETIREMENT PENSIONS

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| Entitlement | <p>11. (1) Every member who retires on or after his normal retirement date is entitled to receive a normal retirement pension.</p> |
| Life annuity | <p>(2) A pension under this section is payable to a member for his life commencing on the first day of the month next following the month of his retirement.</p> |

Age 65	(3)	Notwithstanding subsections 1 and 2, following attainment of the age of sixty-five years, a member is entitled to receive a pension commencing on the first day of the month next following the month in which such attainment occurs, and if the member continues employment with the Board after such day, the member shall be deemed for the purposes of this Plan to have retired on the last day of such last-mentioned month.	
Amount	(4)	Subject to subsections 12(1) and 17(9) and sections 25, 27c, 29 and 32i, the annual amount of pension payable to a member under this section shall be:	
	2%: Pre-1992	(a)	2 per cent of the member's pensionable earnings multiplied by the total number of years and part of a year, not in excess of thirty-five, of the member's credited service that has accrued prior to the 1st day of January, 1992;
			plus, if the total number of years and part of a year of service described in clause (a) is less than thirty-five,
	2%: Post-1991	(b)	2 per cent of the product of
		(i)	the part of the member's pensionable earnings not in excess of the sum of
		(A)	50 times the "defined benefit limit" stipulated under the <i>Income Tax Act</i> (Canada) for the year in which the member ceased to be an officer; plus
		(B)	35 per cent of the average described in subclause (4.1)(b)(ii); and
		(ii)	the total number of years and part of a year, not in excess of the difference between the corresponding total in clause (a) and thirty-five, of the member's credited service that has accrued after the 31st day of December, 1991,
			minus
	CPP	(c)	the reduction, when the member becomes 65 years of age or entitled to a disability pension under the Canada Pension Plan, described in subsection (4.1).
CPP Reduction	(4.1)	The reduction contemplated by clause (4)(b) shall be 0.7 per cent of the product obtained when	
Years of Service	(a)	the total number of years and part of a year, not in excess of thirty-five, of the member's credited service after the 1st day of January, 1966	

is multiplied by

- Earnings (b) the lesser of
- (i) the member's pensionable earnings; and
 - (ii) the average of the Year's Maximum Pensionable Earnings as defined in the Canada Pension Plan for the year in which the member ceased to be an officer and for each of the two preceding years.

- Maximum (5) Notwithstanding any provision in this Plan no pension payments under this Plan shall exceed the maximum expressly imposed by:
- (a) the *Municipal Act*;
 - (b) the *Income Tax Act* (Canada); or
 - (c) any lawful regulation under either of those Acts.

GOVERNMENT ANNUITIES

- Annuity contracts 12. (1) Any amounts paid or payable with respect to a member's credited service under a Canadian Government Annuity contract assigned from a superseded plan, exclusive of any portion of such amounts purchased by the officer's voluntary additional contributions under such contract, if any, shall form part of the total benefit for his credited service under the Plan.
- Repayment to fund (2) Any amount or amounts paid under a Canadian Government Annuity contract assigned from a superseded plan may be repaid to the fund, if permitted by the Board of Trustees, for the purchase of benefits payable in accordance with the terms of the Plan.

DISABILITY RETIREMENT BENEFITS

- Incapacity to perform duties for 24 months and total disability thereafter 13. (1) In this section, a member shall be considered to be totally disabled as of the date upon which he is wholly prevented due to mental or physical incapacity from performing the regular duties of an officer, and such disability shall be considered to continue if the member is so prevented during the first twenty-four month period immediately after such date, and, thereafter, such disability shall be considered to continue if the member is wholly prevented from engaging in any occupation or performing any work for compensation or profit for which he is or may become reasonably qualified by education, training or experience.
- When total disability not to exist (2) Notwithstanding subsection 1, total disability shall be considered not to exist,

- (a) during any period in which the member engages in any occupation for compensation or profit other than an occupation associated with a rehabilitation program approved by the Board of Trustees;
- (b) on and after the day following the first twenty-four month period immediately after the date the member is considered totally disabled under subsection (1) as the result of mental illness unless at that time a medical doctor specializing in psychiatry or neurology certifies that the member continues to be totally disabled; and
- (c) where such total disability in respect of an officer results from wilfully self-inflicted injury or the commission or attempted commission by the member of an indictable offence under the **Criminal Code** (Canada) or the engagement by the officer in an unlawful occupation.

Accrual
of
credited
service

- (3) A member who is considered under this section to be totally disabled and who has not taken a refund under section 23 shall accrue credited service from the latest of,

- (a) the first day of the fifth calendar month following the month in which he is considered totally disabled; or

- (b) the date he ceases to make contributions under section 8,

until the earlier of his normal retirement date or the date he ceases to be considered totally disabled and, during the period of the accrual of such credited service, the contributory earnings of the member shall be deemed to be the annual rate of contributory earnings for which contributions were last made by the member under section 8 and, notwithstanding section 8, the member shall not make contributions to the fund in respect of such contributory earnings during the period of accrual of such credited service and, regardless of whether he continues to have the status of an employee, a member shall be regarded as an employee for the purposes of this section.

Amount and
commence-
ment

- (4) If the criteria for total disability under subsection (1) applicable after the first twenty-four month period therein referred to are met for a member who is entitled to accrue credited service under subsection (3), the member may, if the disability can reasonably be expected to last for the remainder of the member's lifetime, elect to receive in lieu of the accrual of credited service under subsection (3), a pension calculated in the manner prescribed in section 11, commencing on the date he would have become eligible to accrue such credited service in accordance with subsection (3), and such pension shall continue to be payable until the member ceases to be considered totally disabled, unless the member ceases to be considered totally disabled after his normal retirement date, in which case the pension shall continue to be payable for his life.

Cessation of credited service	(5)	The accrual of credited service under subsection (3) ceases on the last day of the month preceding the month in which a pension commences under subsection (4).
Cessation of disability	(6)	On the date a member ceases to be considered to be totally disabled he shall immediately be entitled to a deferred pension under section 18, unless within six months of such date he becomes re-employed as an officer in which case the officer shall have continued membership in the Plan.
Limitation	(7)	Notwithstanding subsection (4), the amount of pension payable to a member in any month before his normal retirement date under this section, together with any amount of compensation payable to the member with respect to that month under the <i>Workplace Safety and Insurance Act, 1997</i> shall not exceed 85 per cent of the monthly rate of contributory earnings of the member on the last day he received the normal rate of contributory earnings from the employer.
Continuance	(8)	Where a member applies or is eligible for a pension under this section the provisions of subsection of section 15 shall apply with any necessary changes.
Permanent partial disability	14. (1)	In this section, a member shall be deemed to be permanently partially disabled if the Board declares he is unable, due to mental or physical incapacity, to perform the duties of employment.
Age 50	(2)	A member who has attained fifty years of age and who becomes permanently partially disabled as established in accordance with this section shall, on retirement, become entitled to receive a disability pension commencing immediately and calculated in the manner prescribed in section 11.
Injured on duty	15. (1)	A member, on retirement due to disablement from injuries received in the lawful execution of duty so as to be wholly and permanently incapacitated from further s in the force is entitled to receive a disability pension commencing immediately ar calculated in the manner prescribed in section 11.
Minimum	(2)	The minimum pension payable under subsection (1) shall be equal to the greater of the following: (a) \$2,000.00 a year or (b) 40 per cent of his average annual salary during the last five years of his credited service prior to retirement, provided that in no event shall such average salary be less than the annual salary of a first class constable at such retirement date.
Worn out in service	(3)	A member who has twenty or more but less than thirty years of service and who becomes worn out in the service of the police force shall on retirement be entitled to receive a disability pension commencing immediately and calculated in the manner prescribed in section 11, provided that the minimum pension shall be equal to 1 1/3 per cent of his average annual salary during the last five years

of his credited service prior to retirement, multiplied by the number of his years and fractions of years of credited service, provided that in no event shall such average salary be less than the annual salary of a first class constable at such retirement date.

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| Maximum | (4) | Notwithstanding any other provision of this section, the pension payable to a member under this section shall be limited so that the total amount thereof including any other disability benefit to the cost of which the City has contributed, shall not exceed 75 per cent of his salary immediately preceding his retirement date. |
| Continuance | (5) | A member's disability pension under subsection (1) or subsection (3) will be payable from the fund only during the period of his disablement, and its continuance or discontinuance will be subject to further medical examination in accordance with the procedure set out in section . and other evidence as may be required by the Board of Trustees from time to time. |
| | (6) | (REPEALED: By-law 1104-2009) |
| Pension
Cessation
due to
Recovery | (7) | In the event of the cessation of a disability pension, by recovery, whether or not the officer is re-employed by the Board, the officer shall retain any benefit to which he was entitled under the Plan by his years of service prior to his disability retirement, as if his disability retirement had not occurred. |

MEDICAL PANEL

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| Medical
panel | 16. | (1) | Where the Medical Officer of the police force has reported a member as physically or mentally unfit for further police service, or where a member claims the right to retire from the police force for such reason in order to qualify for benefits under section 13 or section 15, a medical panel shall be convened to enquire into the case and report to the Board of Trustees. |
| Composition | | (2) | The medical panel shall consist of the Medical Officer of the police force and a duly qualified medical doctor appointed by the member. |
| Outside
opinion | | (3) | If the report of the medical panel does not establish to the satisfaction of the Board of Trustees that the member is qualified for benefits under section 13 or section 15 the Board shall appoint a duly qualified medical doctor who is in no way associated with any form of Government to examine the member and to report to the Board. |
| Fees | | (4) | The fees of the medical doctor appointed by the officer under subsection (2) and the medical doctor appointed by the Board of Trustees under subsection (3) shall be payable out of the fund except that where the medical panel and the medical doctor appointed by Board are unanimously of the opinion that the member is physically and mentally capable of further service the said fees shall be payable by the member. |

PENSIONS TO FORMER SPOUSES, WIDOW(ER)S AND CHILDREN

Pensions to
widower(s)
and children

- 17.** (1) Subject to subsection (3f), benefits shall be payable under this section following the death of a member before or after the commencement of his or her pension,
- (a) subject to subsections (3d) and (3e), to the widow(er) of the member, unless the widow(er) became or is deemed under subsection 1(2) to have become married to the member after the member's pension became payable and cannot establish to the satisfaction of the Trustees either that the widow(er) was not separated from the member at the time of the member's death or that at that time the marriage or deemed marriage had subsisted for at least 5 years;
 - (a.1) to a person who is not the member's widow(er) but
 - (i) was, in the case of a retired member at the time of commencement of the member's pension or of the member's entitlement thereto the member's spouse within the meaning of the *Pension Benefits Act* and not separated from the member, provided that such time of commencement was subsequent to December 31, 1987;
 - (ii) is, in the case of an unretired member, entitled to benefits under the Plan pursuant to a domestic contract as defined in Part IV of the *Family Law Act* or an order as to equalization of assets under Part I of that Act;
 - (b) to or for each dependent child of the member who at the member's death was under the age of nineteen years and would not attain that age during the calendar year in which such death occurred, or who was under the age of twenty-one years and in full-time attendance at an educational institution recognized for the purpose under the ITAR, or who was mentally or physically infirm, where
 - (i) at the death of the member there was no widow or widower of the member entitled to receive a pension under this section, or
 - (ii) the widow or widower of the member who was entitled to a pension under this section has died.

Commence-
ment and
Cessation

- (2) A pension payable to a person under this section is payable on the first day of the month next following the month in which the person becomes entitled to the pension and is payable monthly thereafter,
- (a) to a widow or widower or a person described in clause (1)(a.1) until her or his death; and
 - (b) to a child

- (i) who is not infirm, until
 - (A) death; or
 - (B) the attainment of the age of nineteen years without being in full-time attendance at an educational institution referred to in clause (1)(b); or
 - (C) cessation of attendance at such an educational institution after attaining the age of nineteen years; or
 - (D) the attainment of the age of twenty-one years,whichever first occurs;

- (ii) who is infirm, as long as the child remains dependent,

but in any case only during the child's eligible survivor benefit period defined in subsection 8500(1) of the ITAR.

Annual
Amount

- (3) Subject to subsections (3b), (3c), (3f) and (4), the annual amount of pension payable under this section in respect of a deceased member, regardless of the date of retirement or date of death of such member,
 - (a) to an entitled widow(er), shall be,
 - (i) where the member was receiving or entitled to receive a pension immediately prior to the date of his or her death,
 - (A) if such widow(er) became, or is deemed under subsection 1(2) to have become, married to the member before the member's pension became payable, $66\frac{2}{3}\%$ per cent. of the annual amount of such pension; or
 - (B) if item (A) is inapplicable, for each full month during which the widow(er)'s most recent marriage or deemed marriage to the member subsisted, one-thirty-sixth ($\frac{1}{36}$ th) of the annual amount of such pension, to a maximum of $66\frac{2}{3}\%$ per cent.;
 - in each case exclusive of any adjustment made pursuant to an election by the member under section 25 or a predecessor thereof, but subject to subsections (3d) and (9) [;
 - (ii) where the member was not receiving or entitled to receive a pension immediately prior to the date of his or her death, $66\frac{2}{3}\%$ per cent. of the annual amount of a pension calculated in the

manner prescribed in section 11, subject to subsections (3d.1) and (3e),

and

- (iii) if there are any surviving dependent children of the member as described in the part of clause (1)(b) preceding subclause (i) thereof, a percentage increase in the annual amount of widow(er)'s pension under subclause (i) or (ii) hereof, as the case may be, during the period of payability of a pension that would be applicable to or for any such child under clause (2)(b) if clause (1)(b) were in operation, as follows:

- (A) one such child: 20%;

- (B) two such children: 35%;

- (C) three or more such children: 50%;

provided that payment shall as to any such child be made to the person who has custody of the said child; or

(a.1) to a person described in

- (i) subclause (1)(a.1)(i) shall be as set forth in clause (a) as if for a widow(er) to whom item (i)(A) thereof applied, including the provision in that clause as to the member's children where applicable;
 - (ii) subclause (1)(a.1)(ii) shall be as called for by the domestic contract or order referred to therein,

subject in each case to any applicable limit imposed by the *Pension Benefits Act* and any legally binding benefit waivers;

(b) to a child, to the extent entitled in accordance with clause (1)(b), shall be,

- (i) where the member was receiving or entitled to receive a pension immediately prior to the date of his or her death, 66 $\frac{2}{3}$ % per cent. of the annual amount of such pension;
 - (ii) where a member who dies was not receiving or entitled to receive a pension immediately prior to the date of his or her death, an amount determined by taking 66 $\frac{2}{3}$ % per cent. of the pension calculated in the manner prescribed in section 11,

divided by the number of children of the member under the age of twenty-one years or, if an invalid, over the age of twenty-one years and dependent, surviving at the date of his or her death.

(3a) (REPEALED: By-law 66-94)

Deemed
CPP Pension

(3b) For the purposes of calculating a pension under subsection (3), the member shall be deemed to have been entitled to a pension under the Canada Pension Plan at the date of his or her death.

Child's
benefits

(3c) Every calculation of a benefit with respect to a child under subsection (3) shall be made without regard to any election made under subsection (7).

Spousal benefits
and widow's
benefits

(3d) If at the time of the member's death both subclauses (3)(a)(i) and (3)(a.1)(i) are applicable, then the last-mentioned subclause shall govern and subclause (3)(a)(i) shall apply only to the extent, if any, as calculated by the actuary, that

(a) the actuarial value of the benefits thereunder, as similarly calculated exceeds

(b) the actuarial value, as similarly calculated, of the benefits under subclause (3)(a.1)(i),

provided that all such calculations of the actuary shall be as at the death of the member and shall be approved by the Board of Trustees.

Same

(3d.1) If at the time of the member's death subsection (3e) is inapplicable and both subclauses (3)(a)(ii) and (3)(a.1)(ii) are applicable, then the last-mentioned subclause shall govern and subclause (3)(a)(ii) shall apply only to the extent, if any, as calculated by the actuary, that

(a) the actuarial value of the benefits thereunder, as similarly calculated exceeds

(b) the actuarial value, as similarly calculated, of the benefits under subclause (3)(a.1)(ii) ,

provided that all such calculations of the actuary shall be as at the death of the member and shall be approved by the Board of Trustees.

Survivor
Benefit

(3e) If subclause (3)(a)(ii) is applicable in respect of a widow who was married to but separated from the member at the time of the member's death, then that subclause shall apply only to the extent, if any, that

(a) the actuarial value of the benefits under that subclause

exceeds

- (b) the sum of
 - (i) the lump sum payable pursuant to section 24.1; and
 - (ii) the actuarial value of any benefits payable pursuant to subclause (3)(a.1)(ii),

provided that

- (c) all values and calculations necessary for the operation of this subsection
 - (i) shall be performed by the actuary;
 - (ii) shall be as at the death of the member; and
 - (iii) shall be approved by the Board of Trustees.

Lump
Sum

- (3f) A widow(er) entitled to a pension under subclause (3)(a)(ii) and not separated from the member at the time of the member's death and a person entitled to a pension under subclause (3)(a.1)(ii) shall in each case have the option of electing to receive in lieu of such pension the commuted value thereof, by delivering written notice to the Board of Trustees to such effect prior to commencement of payment of such pension.

Payees for
Children

- (4) Where a pension is payable to a child of a deceased member under the age of eighteen years or an invalid, payment thereof may be made to the person or agency having custody and control of the child, or where there is no person or agency having such custody and control, to such person or agency as the Board of Trustees may direct, and, for the purposes of this section, the surviving spouse, if any, of the member, except where the child is living apart from such spouse, shall be deemed, in the absence of any evidence to the contrary, to be the person having such custody and control.

Payees for
Increases for
Children

- (5) Notwithstanding clause (a) of subsection (3), if at the date of the death of a member, the widow or widower of the member does not have custody, care and control of any surviving child of the deceased member, the increase in pension payable to the widow or widower in respect of the children of the member as provided in the clause shall be paid to the person or persons having such custody, care and control.

Payability

- (6) A widow or widower shall be entitled to a pension under clause (1)(a) notwithstanding the clause was not in effect on the date the member's pension became payable if the clause is in effect on the date of the member's death.

Election
to increase

- (7) A member may, by written election delivered to the Board of Trustees before the member ceases to be an officer, direct the Board of Trustees to increase to

widow(er)'s pension		70% or 75% the percentage provided for in item 17(3)(a)(i)(A) or clause 17(3)(a)(ii), as may be applicable, for the purposes of calculating the amount of pension payable to the member's widow or widower thereunder, and to reduce the amount of the member's pension accordingly.
Effectiveness	(8)	Subject to subsections (10) to (12), an election pursuant to subsection (7) shall be effective two years following its receipt by the Board of Trustees and only to the extent not inconsistent with paragraph 8503(2)(d) of the ITAR.
Alterations in both Pensions	(9)	<p>Where an election pursuant to subsection (7) becomes effective in accordance with subsection (8), the amount of pension payable to the member shall be actuarially reduced by the actuary in a manner approved by the Board of Trustees to allow for the widow's or widower's pension in accordance with the election and the calculation of the widow's or widower's pension pursuant to subclause (3)(a)(i) shall be made using the percentage specified in the election, provided that</p> <p>(a) if an escalation is enacted in the percentage stipulated in item (3)(a)(i)(A),</p> <p>(i) the reduced benefit then being received by any pensioner member; and</p> <p>(ii) the increased benefit then being received by the widow(er) of any member,</p> <p>shall in each case be modified so as to take proper account, in the manner determined by the actuary, of such escalation as of the effective date thereof;</p> <p>(b) the operation of subclause 17(3)(a)(iii) shall not entitle a widow to receive in total in any month more than what the member would have received in that month in the absence of the election or any other elective adjustment had the member survived.</p>
Pre-Pension Death	(10)	If the spouse of a member who has made an election pursuant to subsection (7) dies before the member commences to receive a pension under this Plan, the election is void and subsection (9) shall be inapplicable.
Death within 2 years of Election	(11)	If a member who has made an election pursuant to sub-section (7) dies, or the member's spouse dies, after the member commences to receive a pension under this Plan but before such election becomes effective in accordance with subsection (8), the election is void and subsection (9) shall be inapplicable.
Revocation	(12)	A member who makes an election pursuant to subsection (7) may revoke the election by a written revocation delivered to the Board of Trustees before becoming entitled to a pension under this Plan.

Revived Widow(er)'s Pension	17a.	(1)	A pension is payable under this section to a widow or widower of a member who was in receipt of a pension under section 17 or a predecessor thereof which pension ceased prior to January 1, 1982 because such widow or widower remarried after the death of the member.
Post-qualifica- tion		(1a)	A pension is payable under this section to a widow or widower of a member who remarried after the death of the member and who subsequently was not entitled to a pension because of such remarriage.
Commence- ment and Cessation		(2)	A pension payable under this section is payable commencing on October 1, 1985 and continuing until the death of the person to whom the pension is payable.
Annual Amount		(3)	<p>The annual amount of pension payable under this section in respect of a member shall be</p> <p>(a) where the member was receiving or entitled to receive a pension immediately prior to the date of his or her death, $66\frac{2}{3}\%$ per cent. of the annual amount of such pension, exclusive of any adjustment made pursuant to an election by the member under section 25 or a predecessor thereof, and</p> <p>(b) where the member who died was not receiving or entitled to receive a pension immediately prior to the date of his or her death, $66\frac{2}{3}\%$ per cent. of the member's full accrued pension credit determined in accordance with the provisions of the Plan in effect on the date of his death,</p> <p>increased by the amount of any increase to pensions payable to widows or widowers under the Plan between the date of the member's death and October 1, 1985.</p>
Pensions to Certain Widow(er)s	17b.	(1)	A pension is payable under this section to a widow or a widower of a member who died before December 4, 1984 and who was receiving or entitled to receive a pension immediately prior to the date of his or her death, if such widow or widower was married to or deemed under subsection 1(2) to have become married to the member after the member's pension became payable and the marriage subsisted for at least 5 years prior to the member's death.
Commence- ment and Cessation		(2)	A pension is payable under this section commencing on the first day of the month next following the approval of the Trustees of such person's application for a pension and continuing until the death of the person to whom the pension is payable.
Annual Amount		(3)	The annual amount of pension payable under this section in respect of a member shall be $66\frac{2}{3}\%$ per cent. the annual amount of the pension the member was receiving or entitled to receive immediately prior to the date of his or her death, exclusive of any adjustment made pursuant to an election by the member

under section 25 or a predecessor thereof and increased by the amount of any increase to pensions payable to widows or widowers under the Plan from the date of the member's death and the date the pension commences.

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|--------------------------------------|-----------------|---|
| Pensions to
Certain
Widower(s) | 17c. (1) | A pension is payable under this section to a widow(er) of a member who died before July 1, 1994 and who was receiving or entitled to receive a pension immediately prior to the date of his or her death, if such widow(er) was married to or deemed under subsection 1(2) to have become married to the member after the member's pension became payable, unless the widow(er) was separated from the member at the time of such death without having lived with the member for a continuous period of at least 5 years during such marriage. |
| Commence-
ment and
Cessation | (2) | A pension is payable to a widow(er) under this section commencing and on the first day of the month next following the approval of the Trustees of such widow(er)'s application for a pension and continuing until the death of such widow(er). |
| Annual
Amount | (3) | The annual amount of pension payable under this section in respect of a member shall be, for each full month during which the widow(er)'s most recent marriage or deemed marriage to the member subsisted, one-thirty-sixth (1/36th) of a pension calculated in the manner prescribed in section 11, to a maximum of 66 $\frac{2}{3}$ % per cent, exclusive of any adjustment made pursuant to an election by the member under section 25 or a predecessor thereof and increased by the amount of any increase to pensions payable to widow(er)s under the Plan from the date of the member's death and the date the pension commences. |

DEFERRED PENSIONS

- | | | |
|------------------------------------|----------------|--|
| Deferred
Pensions | 18. (1) | If a member ceases to be an officer before his normal retirement date for reasons other than his entitlement to a benefit under sections 13, 14 or 15 or his death, the member is entitled to receive a deferred pension. |
| Commence-
ment and
Cessation | (2) | A deferred pension under this section is payable to a member for his life commencing on the first day of the month next following his normal retirement date if he is then living. |
| Annual
Amount | (3) | The annual amount of deferred pension payable to a member under this section shall be calculated in the manner prescribed in section 11. |
| Election | (4) | A member entitled to a deferred pension under this section may in lieu thereof elect to the extent permitted therein to receive a benefit under sections 19, 20, 21, 22, 23, subsection (2) of section 26, or section 27. |
| Cessation of
Contributions | (5) | If a member ceases to make a contribution under section 8 for a period greater than six months under circumstances not provided for in clause (w) of subsection (1) of section 1, he shall be deemed to have ceased to be an officer under subsection (1) of this section. |

EARLY RETIREMENT PENSIONS

- | | |
|---|--|
| Age 50 | 19. A member in normal health on attaining fifty years of age may elect, in lieu of a deferred pension under section 18, to receive an early retirement pension actuarially equivalent to his full accrued pension credit. |
| 25 or more
years of service | 20. A member in normal health who has accrued Twenty-Five (25) or more years of credited service shall on retirement be entitled to receive a pension equal to his full accrued pension credit. |
| Retirement
at Age 55 | 21. A member in normal health who has attained 55 years of age shall on retirement be entitled to receive a pension equal to his full accrued pension credit. |
| 30 or more
Years of
Service once 50 | 22. A member in normal health who has accrued thirty or more years of credited service shall on retirement on or after attaining 50 years of age be entitled to receive a pension equal to his full accrued pension credit. |

REFUND OF CONTRIBUTIONS BY MEMBERS

- | | |
|----------------------------|---|
| Refund of
Contributions | 23. (1) On written request from the payee, the contributions paid into the fund by a member under section 8 plus accumulated interest thereon less the amount of benefits that have been paid shall be paid to, <ul style="list-style-type: none">(a) the member, if for reasons other than his death or retirement he ceases to be an officer before his normal retirement date, in lieu of an entitlement to a deferred pension under section 18, but subject to section 26, the contributions made by the member on or after the 1st day of January, 1965, shall not be refunded if such cessation occurs after the member has attained the age of forty-five years and has completed ten years of continuous service;(b) the widow or widower of the officer, if such widow or widower is entitled to a pension under section 17 and has waived such entitlement, provided that if such entitlement is pursuant to item 17(3)(a)(i)(B), the amount payable under this clause (b) shall be in the same proportion to the full amount otherwise payable hereunder as the pension percentage determined under that item is to 66⅔% per cent.; or(c) the beneficiary of the member, if<ul style="list-style-type: none">(i) there is a person entitled to receive a pension under item 17(3)(a)(i)(B) and the pension percentage determined under that item is less than 66⅔% per cent, in which case the amount payable hereunder to the beneficiary shall be reduced by the commuted value of such pension or by the amount payable under clause (b), as the case may be; or |
|----------------------------|---|

- (ii) at any time after the death of the member, regardless of any prior operation of clause (i), there is no person who is entitled to receive a pension under section 17.

- | | |
|-------------------------|---|
| Estate Payee | (2) If the person designated as the beneficiary of a member is not living or if no beneficiary has been designated, any amount that would have been payable to the beneficiary under this section is payable to the estate of the member. |
| Refund to
Other Plan | (3) A refund of contributions made to a superseded plan on deposit with the Government Annuities Branch with accumulated interest thereon is subject to any restrictions with respect thereto. |
| | (4) (REPEALED: By-law 66-94) |
| Deferred
Pension | (5) A member who elects to take a refund of his contributions under clause (a) of subsection (1) but who is not entitled to a refund of his contributions made on or after the 1st day of January, 1965 shall be entitled to a deferred pension calculated in accordance with section 18 and based upon his total credited service on the date he ceased to be employed reduced by the amount of pension he accrued to the 31st day of December, 1964 on the basis of his credited service to and under the provisions of the Plan in effect on the 31st day of December, 1964. |

OTHER BENEFITS

- | | |
|----------------------------|---|
| Supplement-
ary benefit | 24. (1) A member entitled to a pension under sections 14 ((Permanent partial disability)) or 22 ((early retirement with 30 years of service)) may, in lieu thereof, elect to receive on retirement |
| | (a) a pension under section 19 ((actuarial equivalence to full accrued pension credit)) or, if the member has reached his normal retirement date, a pension under section 11 ((normal pension)), and |
| | (b) either |
| | (i) a refund of an amount equal to the total of |
| | (A) 1 per cent of the member's contributory earnings from January 1, 1980, to April 3, 1984; plus |
| | (B) one-half of 1 per cent of the member's contributory earnings after April 3, 1984 with respect to which the member has contributed into the fund; plus |
| | (C) interest on the subtotal of the percentages described in items (A) and (B), at the rate of 3 per cent per annum up to the 31 st day of December, 1977 and 5 per cent per annum thereafter, compounded yearly in respect of the |

completed months from the end of the year in which the contributions were paid into the fund; or

- (ii) with respect to credited service of the member prior to 1990, a supplementary pension payable, co-incident with and on the same terms and conditions as the pension referred to in clause (a) in an amount which is actuarially equivalent to the refund described in subclause (i).

Certain Pensioners

- (2) For every pensioner member receiving benefits pursuant to section 14 or 22 as a result of having retired on or before the 1st day of October 1999, subsection (1) shall be read as if it provided unconditionally for the refund described in subclause (b)(i) thereof in addition to such benefits without any requirement to make an election to receive an alternate pension under the other sections therein referred to.

Certain Pensioners with less than 30 Years' Service

- (3) Every pensioner member receiving benefits pursuant to section 11 as a result of having retired on or before the 1st day of April, 2000, with less than thirty years of service shall be entitled to a refund in an amount equal to that described in subclause (1)(b)(i).

Widow(er)s; Spouses

- (4) If
 - (a) a member made an election in accordance with subsection (1) but the benefit provided for under clause (b) thereof was not paid prior to the member's death; or
 - (b) a pensioner member described in subsection (2) or (3) dies or has died before payment of the benefit described in such subsection applicable to the member,

the member's surviving widow(er) or spouse shall be entitled to such benefit if in receipt of a pension under section 17 at the time of payment under this subsection.

Pre-retirement Death Benefit

- 24.1.** (1) If a member, or a former member entitled to a deferred pension under section 18, dies before the commencement of his or her pension and
- (a) there is no person entitled to a widow(er)'s pension under section 17; or
 - (b) the person entitled to a widow(er)'s pension under section 17 was living separate and apart from the member at the time of the member's death,
- there shall be paid to the member's estate, or to such person as the member may have designated in writing for the purpose, a lump sum equal to
- (c) the amount described in subsection (2)

reduced by

- (d) the total of
 - (i) the commuted value, as calculated by the actuary, of all amounts payable pursuant to subclause 17(3)(a)(iii) and clause 17(3)(b); and
 - (ii) such part of the amount referred to in clause (c) as is required to satisfy the rights and interests therein provided in a domestic contract as defined in Part IV of the *Family Law Act* or in an order as to equalization of assets under Part I of that Act, to the extent not in excess of any limit specified for any such right or interest in the *Pension Benefits Act*.

Commuted
Value for
24.1(1)(c)

- (2) The amount referred to in clause (1)(c) is the commuted value, as calculated by the actuary, of the part of whichever one of the following benefits is applicable, that is attributable to contributions made by the deceased member or former member after the 31st day of December, 1986, excluding additional voluntary contributions not used to establish credited service:
 - (a) where the deceased member died while still an officer
 - (i) prior to become entitled to retire on the basis of a full pension credit, the applicable benefit shall be the deferred pension under subsections 18(2) and (3) that would have resulted if the member had ceased to be an officer immediately prior to death;
 - (ii) while entitled to retire on the basis of a full pension credit, the applicable benefit shall be the pension that would have resulted if the member had retired immediately prior to death;
 - (b) where the deceased member died while entitled to a future deferred pension under subsections 18(2) and (3), the applicable benefit shall be such deferred pension.

Stepped
form of
pension

- 25.** (1) A member may elect to receive his pension in stepped form which is at an increased amount up to the attainment of age 65, and then reducing by the amount of the Old Age Security Pension in effect at his date of retirement, so that his aggregate income from these two pensions is as uniform as possible throughout his retirement.

Survivors

- (2) Any person who is entitled to receive an immediate pension from the fund by reason of the death of a member or a person in receipt of a pension from the fund may elect to receive his pension in stepped form provided that such election is submitted to the Secretary of the Board of Trustees within three months from the date of notification to such person of his right to so elect.

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|-------------|-----|---|
| Equivalence | (3) | The amount of a pension in stepped form shall be actuarially equivalent to the pension which would otherwise be payable under the Plan and shall be subject to the restrictions on bridging benefits set forth in paragraph 8503(2)(b) of the ITAR. |
| Writing | (4) | An election under this section shall be in writing. |
| Revocation | (5) | Prior to the commencement of the pension which would otherwise be payable under the Plan, an election under this section may be revoked provided such revocation is in a form approved by the Board of Trustees. |
| Approval | (6) | No election shall have any effect until approved by the Board of Trustees and upon such approval shall take effect from the date it was received by the Secretary of the Board. |

PAYMENT OF BENEFITS

- | | | | |
|-----------------------|------------|-----|--|
| Instalments | 26. | (1) | Pensions are payable in equal monthly instalments. |
| Election for Lump Sum | | (2) | Notwithstanding subsection 1 of section 23, a member who ceases to be an officer after he has attained forty-five years of age and after he has completed ten years of continuous service with the employer may, if his monthly pension commencing on the day immediately following his normal retirement date is less than the amount prescribed in the <i>Pension Benefits Act</i> , elect to receive in lieu of his benefits the lump sum amount that is actuarially equivalent to such benefits. |
| Protection | | (3) | Except as provided in subsection (4), the interest of any person in the fund and in any benefit under the Plan is not subject to garnishment, attachment, seizure or other process of law and is not capable of being assigned (other than by the legal representative of a deceased individual on the distribution of the individual's estate), charged, anticipated, given as security or (except insofar as is constituted by a reduction in benefits to avoid revocation or registration of the Plan under the Income Tax Act (Canada)) surrendered. |
| Support | | (4) | Payment to a person out of the fund is subject to execution, garnishment, seizure or attachment in satisfaction of an order for support or maintenance enforceable in Ontario. |

TRANSFERS

- | | | | |
|--------------------------|------------|-----|---|
| Transfers to Other Plans | 27. | (1) | Where, before he commences to receive a pension under this Plan, a member,

(a) ceases to be an officer and within three months thereafter becomes employed by,

(i) the civil service of Canada or any province of Canada, |
|--------------------------|------------|-----|---|

- (ii) the civic service of any municipality or the staff of any local board in any province of Canada,
- (iii) any board, commission or public institution established under any Act of Canada or any province, or
- (iv) a corporation, institution or other organization where the member and other employees of such corporation, institution or organization are able to participate in any fund or plan maintained to provide pension benefits for persons employed by one or more of the bodies referred to in subclauses (i), (ii) and (iii),

the Trustees shall, on the written request of the member, authorize the transfer from the fund of a sum of money, in accordance with the election of the member, that is the higher of,

- (b) the contributions made by the member plus any interest thereon at the date specified in subsection (4) of section 23; or
- (c) the present value, calculated as of the date of the transfer of the pension benefits and any other benefits for which contributions were made by the member, or on his behalf by an employer,

to any fund or plan that the member is entitled to join as a result of becoming employed as aforesaid, if the terms of the fund or plan to which the transfer is to be made,

- (d) permit such a transfer; and
- (e) provide that a refund to a person covered thereby shall include only that portion of the sum transferred that is attributable to contributions made by such person.

Purchase of
Credited
Service

- (2) Where a person employed by,
 - (a) the civil service of Canada or any province of Canada;
 - (b) the civic service of any municipality or local board in any province of Canada;
 - (c) any board, commission or public institution established under any Act of Canada or of any province; or
 - (d) a corporation, institution or other organization under circumstances described in subclause (1)(a)(iv),

has become or becomes a member of the Plan subsequent to January 1, 1957, and there was or is transferred to the fund a sum of money at the credit of such person in a superannuation or pension fund or plan to which contributions have been made by him or on his behalf as a result of his being employed as aforesaid, the sum of money so transferred shall be used to purchase a period of credited service under the Plan calculated by dividing the amount of money transferred by twice the amount of contributions the person would have made to the Plan if he had been a member during the period for which pensionable service has been credited to him while so employed, together with accumulated interest and multiplying the result by the length of the period of such pensionable service, and, in addition, the member may, within six months of being informed thereof by the Trustees, elect to contribute and contribute a further amount in a lump sum which will establish all or a part of the balance of such pensionable service as credited service, but in no event shall there be established for a member, a period of credited service greater than the period of such pensionable service.

- (2.1) Notwithstanding any provision in this Plan, credited service established pursuant to subsection (2) shall be deemed not to be credited service except for the purposes of
- (a) calculating the amount of a normal retirement pension of a member entitled thereto under section 11, or
 - (b) increasing the amount of a pension to which a member is otherwise entitled by an amount which is actuarially equivalent to the amount his normal retirement pension is increased by the transfer of funds under subsection (2).
- (3) Where, before he commences to receive a pension under this Plan, a member ceases to be an officer and continues to be employed by the Board, the Trustees shall, on the written request of the member, authorize the transfer from the fund to the Ontario Municipal Employees Retirement System of a sum of money sufficient to provide in the System
- (a) credited service equivalent to the credited service of the member in the Plan, and
 - (b) an amount equal to the excess of the contributions made by the member under the Plan during the period of such credited service over contributions that would have been made by the member under the System on the basis of a normal retirement age of 65 years during the same period together with accumulated interest for the establishment of a benefit to be determined in accordance with the provisions of the System.

Transfers
to OMERS

RE-EMPLOYMENT

- | | | | |
|--------------------------------------|-------------|-----|---|
| Benefits on re-employment | 27a. | (1) | If a member terminates employment and later rejoins the police force, the benefit to which he was entitled under the Plan on such termination shall not be affected by his re-employment and his service and credited service thereafter shall accrue as if he were a new officer for all purposes of the Plan. |
| Re-establishment of credited service | | (2) | Notwithstanding subsection (1), a contributing member may elect to establish credited service in the Plan in respect of any service for which he has received a refund of his contributions or for which he has elected a deferred pension. |
| Approval | | (3) | No election under subsection (2) shall be effective until approved by the Board of Trustees. |
| Cost | | (4) | A member who elects to establish credited service under subsection (2) shall forthwith pay into the fund |
| | | (a) | where the member has received a refund of his contributions, twice the sum received by the member under section 23 or a predecessor thereof, or |
| | | (b) | where the member has elected a deferred pension, the amount the member would have paid under clause (a) had he elected or been entitled to a refund of contributions, less the value of his deferred pension as determined by the actuary as of the date of payment into the fund under this subsection, |
- together with accumulated interest from the date of the refund of contributions or the date the contributions would have been refunded had the member so elected or been entitled, to the date of payment.

CREDIT FOR PAST SERVICE WITH ELIGIBLE EMPLOYER OR WAR SERVICE

- | | | | |
|--------------------|-------------|-----|--|
| Election | 27b. | (1) | Subject to subsection (2), a member may elect to establish credited service in the Plan , subject to the contribution limit imposed by subparagraph 8503(4)(a)(i) of the ITAR, in respect of all or a part of the member's |
| | | (a) | past service with any employer described in any of clauses 27(2)(a)(i) to (iii); |
| | | (b) | war service, |
| | | | by making payment in accordance with subsection (3), and clause 27(2)(b) and section 27c shall then apply to the credited service so established. |
| Trustees' Approval | | (2) | No election under subsection (1) shall become effective until approved by the Board of Trustees. |

- | | |
|-------------|---|
| Cost | (3) There shall be paid into the fund by or on behalf of a member who makes an approved election under subsections (1) and (2) an amount which is, as of the date such election is approved by the Board of Trustees, actuarially equivalent to the value of the credited service to be established. |
| Instalments | (4) The amount to be paid into the fund by or on behalf of a member under subsection (3) may be paid in instalments on terms satisfactory to the Board of Trustees and a member may transfer any voluntary additional contributions made as described in subsection 31(2) to establish any part of the credited service under subsection (1). |

EXTERNAL BENEFITS ASSOCIATED WITH PAST SERVICE

- | | |
|-------------|--|
| Integration | 27c. If any benefit from a source external to the fund is payable to or on account of a member who has established credited service by making payment in accordance with subsection 27b(3), such benefit, to the extent associated with such service, shall be considered to form part of any non-refund benefit payable to or on account of the member under the Plan and the payments from the fund shall be reduced accordingly. |
|-------------|--|

PROOF OF AGE

- | | |
|---------------------------|--|
| Proof of age, <i>etc.</i> | 28. The Board of Trustees may from time to time require such proof of the age, retirement, employment, marital status and death of a member, or of a member's widow, widower or children and such proof of the identity of any person as it may deem necessary. |
|---------------------------|--|

DECLARATIONS OF CONTINUED ELIGIBILITY

- | | |
|---------------------------------|--|
| Declaring Continued Eligibility | 28a. (1) Prior to July 1st, 1987 and every second year thereafter, the principal employer shall mail to each person in receipt of a disability pension on December 1st of the preceding year a declaration in a form approved by the Trustees attesting to the continued eligibility for the pension. |
| Return Deadline | (2) A person in receipt of a disability pension shall fully complete the declaration and return it to the principal employer within 15 days of the date it was mailed to him. |
| Suspended Payment | (3) The Trustees may suspend the payment of the disability pension of a person who fails to file a declaration in accordance with subsection (2) until the Trustees are satisfied as to the continued eligibility for the pension. |

DESIGNATION OF BENEFICIARY

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|------------------------------|--|
| Designation of a beneficiary | 29. Every member, by filing a notice with the Manager, Pensions, may designate a person as his beneficiary to receive such sums of money as may become payable to his beneficiary under this Plan and may revoke any such notice and designate another person as his beneficiary. |
|------------------------------|--|

TRANSITIONAL

Pre-1986
Early
Retirement

- 30.** (1) Notwithstanding any other provision in this Plan, a member who is entitled to retire under sections 19, 20, 21 or 22 and who elects early retirement effective prior to the 1st day of January, 1986, shall be entitled to a pension which is the greater of a pension calculated in accordance with
- (a) sections 19, 20, 21 or 22, as the case may be, or
 - (b) the provisions of By-law No. 1288 in effect on December 31, 1979, as amended.
- (2) (REPEALED: By-law No. 1104-2009)

Death before
retirement
1980 to
1985

- (3) Notwithstanding any other provisions in this Plan, where a member dies while an employee between December 31, 1979 and January 1, 1986, the annual amount of pension payable to the widow or widower and children in respect of such member shall be the greater of the pension calculated in the manner prescribed in section 17 and the pension calculated in accordance with the provisions of By-law No. 1288 in effect on December 31, 1979, as amended.

ADDITIONAL VOLUNTARY CONTRIBUTIONS

Additional
voluntary
contributions

- 31.** (1) A member who has made additional voluntary contributions to the fund may elect to transfer to a registered retirement savings plan the total of such additional voluntary contributions and the accumulated interest thereon with the approval of the Board of Trustees.

Benefits

- (2) A member who has made additional voluntary contributions to the fund who does not make an election as provided for in subsection (1) shall be entitled to one of the following benefits, whichever is applicable:
- (a) if a member terminates his service for reasons other than retirement or death, a refund of such contributions with accumulated interest thereon shall be paid to the member;
 - (b) if a member dies prior to his retirement, a refund of such contributions with accumulated interest thereon shall be paid to his estate;
 - (c) if a member retires, he shall be paid a pension for life based upon such contributions and calculated by the actuary.

Minimum
Benefit

- (3) If a member who is receiving a pension under paragraph (c) of subsection (2) dies before the total of the pension payments made to him thereunder is equal to or greater than the additional voluntary contributions plus accumulated interest standing to his credit at the date of his retirement, the difference between such amounts shall be paid to his estate.

ADJUSTMENT OF PENSIONS UNDER PAYMENT

By-law
1288

32. The annual amount of pension being paid to a person in accordance with By-law 1288 and amendments thereto in effect immediately prior to the coming into force of this Plan shall continue.

Pension
Increase
(1981)

32a. The amount of pension payable under this By-law is hereby increased as follows:

- (a) to a member in receipt of a pension on December 1, 1980, and who retired during a period set out in Column I below, by the percentage set out opposite such period of Column II below; or
- (b) in respect of a member who has died, by the percentage set out in Column II below opposite the period set out in Column I below during which such member died or retired, whichever is earlier

Column I	Column II
Before January 1, 1971	16%
During the year 1971	14%
During the year 1972	12%
During the year 1973	10%
During the year 1974	8%
During the year 1975	6%
During the year 1976	4%
During the year 1977	2%.

Pension
Increase
(1982)

32b. The amount of pension payable under this By-law is hereby increased as follows:

- (a) to a member in receipt of a pension on December 1, 1980, and who retired during a period set out in Column I below, by the percentage set out opposite such period in Column II below;
- (b) in respect of a member who has died, by the percentage set out in Column II below opposite the period set out in Column I below during which such member died or retired, whichever is earlier; and
- (c) for a deferred pension under section 18 commencing on or after January 1, 1982, in respect of a member who has ceased to be an officer during a period set out in Column I below, by the percentage set out opposite such period in Column II below.

Column I	Column II
Before January 1, 1976	12 per cent.
During the year 1976	10 per cent.
During the year 1977	8 per cent.

During the year 1978	6 per cent.
During the year 1979	5 per cent.
During the year 1980	4 per cent.

Pension
Increase
(1983)

32c. The amount of pension payable under this By-law is hereby increased as follows:

- (a) to a member in receipt of a pension on December 31, 1982, and
 - (i) who retired during the year 1973, an 18% increase, or
 - (ii) who retired during the year 1977, a 17% increase;
- (b) in addition to the pension increase granted in subsection 32c(a)
 - (i) in respect of a member in receipt of a pension on December 31, 1982, and who retired during a period set out in Column I below, by the percentage set out opposite such period in Column II below;
 - (ii) in respect of a member who has died, by the percentage set out in Column II below opposite the period set out in Column I below during which such member died or retired, whichever is earlier; and
 - (iii) for a deferred pension under section 18 commencing on or after January 1, 1983, in respect of a member who has ceased to be an officer during a period set out in Column I below, by the percentage set out opposite such period in Column II below:

Column I	Column II
Before January 1, 1977	6 per cent
During the year 1977	5 per cent
During the year 1978	4 per cent
During the year 1979	3 percent
During the year 1980	2 per cent
During the year 1981	1 per cent

Pension
Increase (1984)

32d. The amount of pension payable under this By-law is hereby increased by 5 per cent effective January 1, 1984 in respect of a member or the beneficiaries of a member

- (a) in receipt of a pension, or
- (b) entitled to a deferred pension under section 18

on or before December 31, 1982.

Pension
Increase (1985)

32e. The amount of pension payable under this By-law is hereby increased by 4.1 per cent effective January 1, 1985, in respect of a member or the beneficiaries of a member

- (a) in receipt of a pension, or
 - (b) entitled to a deferred pension under section 18
- on or before December 31, 1983.

General
Pension
Increase
(1986)

32f. (1) Save and except for those pensions increased pursuant to subsection (2), the amount of pension payable under this By-law is hereby increased by 4.5 per cent. effective July 1, 1986, in respect of a member or the beneficiaries of a member

- (a) in receipt of a pension, or
 - (b) entitled to a deferred pension under section 18
- on or before June 30, 1985.

Increases
for Existing
Pensions
(1986)

(2) Effective July 1, 1986, the amount of pension payable

- (a) to a member who commenced to receive a pension, or
- (b) under section 17 in respect of a member who has died prior to retirement

which commenced on the date in Column I is hereby increased by the percentage set out opposite in Column II.

Column I	Column II
January 1 to July 1, 1984 (inclusive)	8.625 per cent
August 1, 1984	8.250 per cent
September 1, 1984	7.875 per cent
October 1, 1984	7.500 per cent
November 1, 1984	7.125 per cent
December 1, 1984	6.750 per cent
January 1, 1985	6.375 per cent
February 1, 1985	6.000 per cent
March 1, 1985	5.625 per cent
April 1, 1985	5.250 per cent
May 1, 1985	4.875 per cent

General
Pension

32g. (1) Save and except for those pensions increased pursuant to subsection (2), the amount of pension payable under this By-law is hereby increased by 4.75 per

Increase
(1987)

cent effective July 1, 1987, in respect of a member or the beneficiaries of a member

- (a) in receipt of a pension, or
 - (b) entitled to a deferred pension under section 18
- on or before June 30, 1986.

Increases
for Existing
Pensions
(1987)

- (2) Effective July 1, 1987, the amount of pension payable
 - (a) to a member who commenced to receive a pension, or
 - (b) under section 17 in respect of a member who has died prior to retirement
- which commenced on the date in Column I is hereby increased by the percentage set out opposite in Column II.

Column I	Column II
July 1, 1985	9.104 per cent.
August 1, 1985	8.708 per cent.
September 1, 1985	8.312 per cent.
October 1, 1985	7.917 per cent.
November 1, 1985	7.521 per cent.
December 1, 1985	7.125 per cent.
January 1, 1986	6.729 per cent.
February 1, 1986	6.333 per cent.
March 1, 1986	5.938 per cent.
April 1, 1986	5.542 per cent.
May 1, 1986	5.146 per cent.

General
Pension
Increase
(1988)

- 32h.** Effective July 1, 1988,
- (a) the amount of pension payable to every member in receipt of a pension, or entitled to a deferred pension under section 18, on December 31, 1987, shall be increased by \$10.00 per month;
 - (b) the amount of pension payable on December 31, 1987, under section 17 in respect of a deceased member shall be increased to the same extent as if the increase provided for in clause (a) had taken effect prior to the member's death.

MINIMUM ANNUAL PENSION

- Amount **32i.** (1) Effective January 1, 2000, the minimum annual amount of pension payable under this By-law, subject always to the restrictions on pre-1990 service set forth in subsection 8504(6) of the ITAR and the actual or equivalent benefit accrual rate cap of 2% set forth in paragraph 8503(3)(g) of the ITAR,
- (a) to a member, is \$ 500.00 multiplied by the total number of years and part of a year of the member's credited service up to 30 years; and
- (b) in respect of a deceased member, is 66 $\frac{2}{3}$ % per cent. of the amount prescribed in clause (a).
- (2) Subsection (1) shall become applicable before application of subsections 32t(3) and (4).
- General Pension Increase (1989) **32j.** (1) Save and except for those pensions increased pursuant to subsection (2), the amount of pension payable under this By-law is hereby increased by 6.066 per cent effective July 1, 1989, in respect of a member or the beneficiaries of a member
- (a) in receipt of a pension; or
- (b) entitled to a deferred pension under section 18
- on or before June 30, 1988.
- Pensioner Increase (1989) (2) Effective July 1, 1989, the amount of pension payable
- (a) to a member in receipt of a pension; or
- (b) under section 17 in respect of a member who died prior to retirement,
- which commenced on the date in Column I is hereby increased by the percentage set out opposite in Column II:

Column I	Column II
July 1, 1986	8.591 per cent
August 1, 1986	8.362 per cent
September 1, 1986	8.132 per cent
October 1, 1986	7.903 per cent
November 1, 1986	7.673 per cent
December 1, 1986	7.444 per cent
January 1, 1987	7.214 per cent
February 1, 1987	6.985 per cent
March 1, 1987	6.755 per cent

April 1, 1987	6.525 per cent
May 1, 1987	6.296 per cent
June 1, 1987	6.066 per cent
July 1, 1987	6.954 per cent
August 1, 1987	6.623 per cent
September 1, 1987	6.291 per cent
October 1, 1987	5.960 per cent
November 1, 1987	5.629 per cent
December 1, 1987	5.298 per cent
January 1, 1988	5.667 per cent
February 1, 1988	5.333 per cent
March 1, 1988	5.000 per cent
April 1, 1988	4.667 per cent
May 1, 1988	4.333 per cent
June 1, 1988	4.000 per cent.

General
Pension
Increase
(1990)

- 32k.** (1) Save and except for those pensions increased pursuant to subsection (2), the amount of pension payable under this By-law is hereby increased by 5.1 per cent effective July 1, 1990, in respect of a member or the beneficiaries of a member

- (a) in receipt of a pension; or
- (b) entitled to a deferred pension under section 18,
on or before June 30, 1989.

Pensioner
Increase
(1990)

- (2) Effective July 1, 1990, the amount of pension payable
- (a) to a member in receipt of a pension; or
 - (b) under section 17 in respect of a member who died prior to retirement,
- which commenced on the date in Column I is hereby increased by the percentage set out opposite in Column II:

Column I	Column II
July 1, 1988	9.775 per cent
August 1, 1988	9.350 per cent
September 1, 1988	8.925 per cent

October 1, 1988	8.500 per cent
November 1, 1988	8.075 per cent
December 1, 1988	7.650 per cent
January 1, 1989	7.225 per cent
February 1, 1989	6.800 per cent
March 1, 1989	6.375 per cent
April 1, 1989	.950 per cent
May 1, 1989	5.525 per cent
June 1, 1989	5.100 per cent.

General
Pension
Increase
(1991)

- 32I.** (1) Save and except for those pensions increased pursuant to subsection (2), the amount of pension payable under this By-law is hereby increased by 5.0 per cent effective July 1, 1991, in respect of a member or the beneficiaries of a member

- (a) in receipt of a pension; or
- (b) entitled to a deferred pension under section 18,
on or before June 30, 1990.

Pensioner
Increase
(1991)

- (2) Effective July 1, 1991, the amount of pension payable
- (a) to a member in receipt of a pension; or
 - (b) under section 17 in respect of a member who died prior to retirement,
- which commenced on the date in Column I is hereby increased by the percentage set out opposite in Column II:

Column I	Column II
July 1, 1989	9.583 per cent
August 1, 1989	9.167 per cent
September 1, 1989	8.750 per cent
October 1, 1989	8.333 per cent
November 1, 1989	7.917 per cent
December 1, 1989	7.500 per cent
January 1, 1990	7.083 per cent
February 1, 1990	6.667 per cent
March 1, 1990	6.250 per cent

April 1, 1990	5.833 per cent
May 1, 1990	5.417 per cent
June 1, 1990	5.000 per cent.

General
Pensioner
Increase
(1992)

32m. (1) Save and except for those pensions increased pursuant to subsection (2), the amount of pension payable under this By-law is hereby increased by 3.8 per cent effective the first day of July, 1992, in respect of

- (a) each pensioner in receipt of a pension; and
- (b) each member entitled to a deferred pension under section 18 or a predecessor thereof,

on or before the 30th day of June, 1991.

First-time
Pensioner
Increase
(1992)

(2) Effective the 1st day of July, 1992, the amount of pension

- (a) payable
 - (i) to each member in receipt of a pension; and
 - (ii) to each pensioner under section 17 or a predecessor thereof in respect of a deceased member who died prior to retirement; and
 which commenced on a date shown in Column I;
- (b) payable to each pensioner under section 17 in respect of a deceased pensioner member whose retirement commenced on a date shown in Column I,

is hereby increased by the percentage set out opposite such date in Column II:

Column I	Column II
July 1, 1990	7.283 per cent.
August 1, 1990	6.967 per cent.
September 1, 1990	6.650 per cent.
October 1, 1990	6.333 per cent.
November 1, 1990	6.017 per cent.
December 1, 1990	5.700 per cent.
January 1, 1991	5.383 per cent.
February 1, 1991	5.067 per cent.
March 1, 1991	4.750 per cent.
April 1, 1991	4.433 per cent.
May 1, 1991	4.117 per cent.
June 1, 1991	3.800 per cent.

- | | | |
|--|-----------------|--|
| Subsections
17(3), (3a) | (3) | For the purposes of subsections (1) and (2), the amendments to subsections 17(3) and (3a) that came into force concurrently therewith shall be deemed to have been in operation immediately prior to the 1st day of July, 1992. |
| Previous
First-Time
Pensioner
Increases | (4) | The provisions of clause (2)(b) shall be deemed to have applied, with necessary modifications, to the increases provided for by subsections 32f(2), 32g(2) as heretofore amended, 32j(2), 32k(2) and 32l(2) from the respective dates of coming into force thereof. |
| General
Pensioner
Increase
(1993) | 32n. (1) | <p>Save and except for those pensions increased pursuant to subsection (2), the amount of pension payable under this By-law is hereby increased by 2.1 per cent effective the 1st day of July, 1993, in respect of</p> <p>(a) each pensioner in receipt of a pension; and</p> <p>(b) each employee member entitled to a deferred pension under section 18 or a predecessor thereof,</p> <p>on or before the 30th day of June, 1992.</p> |
| First-time
Pensioner
Increase (1993) | (2) | <p>Effective the 1st day of July, 1993, the amount of pension</p> <p>(a) payable</p> <p style="padding-left: 40px;">(i) to each member in receipt of a pension; and</p> <p style="padding-left: 40px;">(ii) to each pensioner under section 17 or a predecessor thereof in respect of a deceased employee member who died prior to retirement; and</p> <p style="padding-left: 40px;">which commenced on a date shown in Column I;</p> <p>(b) payable to each pensioner under section 17 in respect of a deceased pensioner member whose retirement commenced on a date shown in Column I,</p> |

is hereby increased by the percentage set out opposite such date in Column II:

Column I	Column II
July 1, 1991	4.025 per cent.
August 1, 1991	3.850 per cent.
September 1, 1991	3.675 per cent.
October 1, 1991	3.500 per cent.
November 1, 1991	3.325 per cent.
December 1, 1991	3.150 per cent.

January 1, 1992	2.975 per cent.
February 1, 1992	2.800 per cent.
March 1, 1992	2.625 per cent.
April 1, 1992	2.450 per cent.
May 1, 1992	2.275 per cent.
June 1, 1992	2.100 per cent.

Subsection 17(3) (3) For the purposes of subsections (1) and (2), the amendment to subsection 17(3) that came into force concurrently therewith shall be deemed to have been in operation immediately prior to the 1st day of July, 1993.

General Pensioner Increase (1994) **32o.** (1) Save and except for those pensions increased pursuant to subsection (2), the amount of pension payable under this By-law is hereby increased by 1.7 per cent effective the 1st day of July, 1994, in respect of

(a) each pensioner in receipt of a pension; and

(b) each employee member entitled to a deferred pension under section 18 or a predecessor thereof,

on or before the 30th day of June, 1993.

First-time Pensioner Increase (1994) (2) Effective the 1st day of July, 1994, the amount of pension

(a) payable

(i) to each member in receipt of a pension; and

(ii) to each pensioner under section 17 or a predecessor thereof in respect of a deceased employee member who died prior to retirement; and

which commenced on a date shown in Column I;

(b) payable to each pensioner under section 17 in respect of a deceased pensioner member whose retirement commenced on a date shown in Column I,

is hereby increased by the percentage set out opposite such date in Column II:

Column I

Column II

July 1, 1992	3.258 per cent.
August 1, 1992	3.117 per cent.
September 1, 1992	2.975 per cent.

October 1, 1992	2.833 per cent.
November 1, 1992	2.692 per cent.
December 1, 1992	2.550 per cent.
January 1, 1993	2.408 per cent.
February 1, 1993	2.267 per cent.
March 1, 1993	2.125 per cent.
April 1, 1993	1.983 per cent.
May 1, 1993	1.842 per cent.
June 1, 1993	1.700 per cent.

Subsection
17(3)

- (3) For the purposes of subsections (1) and (2), the re-enactment of subsection 17(3) that came into force concurrently therewith shall be deemed to have been in operation immediately prior to the 1st day of July, 1994.

General
Pensioner
Increase
(1995)

- 32p.** (1) Save and except for those pensions increased pursuant to subsection (2), the amount of pension payable under this By-law is hereby increased by 0.2 per cent effective the 1st day of July, 1995, in respect of

- (a) each pensioner in receipt of a pension; and
- (b) each member entitled to a deferred pension under section 18 or a predecessor thereof,

on or before the 30th day of June, 1994.

First-time
Pensioner
Increase
(1995)

- (2) Effective the 1st day of July, 1995, the amount of pension
- (a) payable
 - (i) to each member in receipt of a pension; and
 - (ii) to each pensioner under section 17 or a predecessor thereof in respect of a deceased member who died prior to retirement; and

which commenced on a date shown in Column I;
 - (b) payable to each pensioner under section 17 in respect of a deceased pensioner member whose retirement commenced on a date shown in Column I,

is hereby increased by the percentage set out opposite such date in Column II:

Column I	Column II
July 1, 1993	0.383 per cent.
August 1, 1993	0.367 per cent.

September 1, 1993	0.350 per cent.
October 1, 1993	0.333 per cent.
November 1, 1993	0.317 per cent.
December 1, 1993	0.300 per cent.
January 1, 1994	0.283 per cent.
February 1, 1994	0.267 per cent.
March 1, 1994	0.250 per cent.
April 1, 1994	0.233 per cent.
May 1, 1994	0.217 per cent.
June 1, 1994	0.200 per cent.

General
Pensioner
Increase
(1996)

32q. (1) Save and except for those pensions increased pursuant to subsection (2), the amount of pension payable under this By-law is hereby increased by 1.8 per cent effective the 1st day of July, 1996, in respect of

- (a) each pensioner in receipt of a pension; and
- (b) each member entitled to a deferred pension under section 18 or a predecessor thereof,

on or before the 30th day of June, 1995.

Adjusted
Pensioner
Increases
(1996)

(2) Effective the 1st day of July, 1996, the amount of pension

- (a) payable
 - (i) to each member in receipt of a pension; and
 - (ii) to each pensioner under section 17 or a predecessor thereof in respect of a deceased member who died prior to retirement; andwhich commenced on a date shown in Column I;
- (b) payable to each pensioner under section 17 in respect of a deceased pensioner member whose retirement commenced on a date shown in Column I;
- (c) payable to each member entitled to a deferred pension under section 18 or a predecessor thereof, as a result of termination of employment which took place after June 1, 1995, on a date shown in Column I, treating any such termination which occurred on any day of a month other than the first as if it had occurred on the first day of the next following month,

is hereby increased by the percentage set out opposite such date in Column II:

Column I	Column II
July 1, 1993	2.4778 per cent.
August 1, 1993	2.3508 per cent.
September 1, 1993	2.2238 per cent.
October 1, 1993	2.0968 per cent.
November 1, 1993	1.9697 per cent.
December 1, 1993	1.8426 per cent.
January 1, 1994	1.8000 per cent.
February 1, 1994	1.8000 per cent.
March 1, 1994	1.8000 per cent.
April 1, 1994	1.8000 per cent.
May 1, 1994	1.8000 per cent.
June 1, 1994	1.8000 per cent.
July 1, 1994	3.4500 per cent.
August 1, 1994	3.3000 per cent.
September 1, 1994	3.1500 per cent.
October 1, 1994	3.0000 per cent.
November 1, 1994	2.8500 per cent.
December 1, 1994	2.7000 per cent.
January 1, 1995	2.5500 per cent.
February 1, 1995	2.4000 per cent.
March 1, 1995	2.2500 per cent.
April 1, 1995	2.1000 per cent.
May 1, 1995	1.9500 per cent.
June 1, 1995	1.8000 per cent.
July 1, 1995	0.9000 per cent.
August 1, 1995	0.7500 per cent.
September 1, 1995	0.6000 per cent.
October 1, 1995	0.4500 per cent.
November 1, 1995	0.3000 per cent.
December 1, 1995	0.1500 per cent.

General
Pensioner
Increase
(1997)

- 32r.** (1) The amount of pension payable under this By-law is hereby increased by 2.2 per cent effective the 1st day of July, 1997, in respect of
- (a) each pensioner in receipt of a pension; and

- (b) each member entitled to a deferred pension under section 18 or a predecessor thereof,

on or before the 31st day of December, 1995.

Adjusted
Pensioner
Increases
(1997)

- (2) Effective the 1st day of July, 1997, the amount of pension

- (a) payable

(i) to each member in receipt of a pension; and

(ii) to each pensioner under section 17 or a predecessor thereof in respect of a deceased member who died prior to retirement; and

which commenced on a date shown in Column I;

- (b) payable to each pensioner under section 17 in respect of a deceased pensioner member whose retirement commenced on a date shown in Column I;

- (c) payable to each member entitled to a deferred pension under section 18 as a result of termination of employment which took place after December 1, 1995, on a date shown in Column I, treating any such termination which occurred on any day of a month other than the first as if it had occurred on the first day of the next following month,

is hereby increased by the percentage set out opposite such date in Column II:

Column I	Column II
January 1, 1996	2.200 per cent.
February 1, 1996	2.017 per cent.
March 1, 1996	1.833 per cent.
April 1, 1996	1.650 per cent.
May 1, 1996	1.467 per cent.
June 1, 1996	1.283 per cent.
July 1, 1996	1.100 per cent.
August 1, 1996	0.917 per cent.
September 1, 1996	0.733 per cent.
October 1, 1996	0.550 per cent.
November 1, 1996	0.367 per cent.
December 1, 1996	0.183 per cent.

General
Pensioner
Increase
(1998)

- 32s.** (1) Subject to subsection (5), the amount of pension payable under this By-law is hereby increased by 0.7 per cent effective the 1st day of July, 1998, in respect of
- (a) each pensioner in receipt of a pension; and
 - (b) each member entitled to a deferred pension under section 18 or a predecessor thereof,
- on or before the 31st day of December, 1996.

Adjusted
Pensioner
Increases
(1998)

- (2) Effective the 1st day of July, 1998, and subject to subsection (5), the amount of pension
- (a) payable
 - (i) to each member in receipt of a pension; and
 - (ii) to each pensioner under section 17 or a predecessor thereof in respect of a deceased member who died prior to retirement; andwhich commenced on a date shown in Column I;
 - (b) payable to each pensioner under section 17 in respect of a deceased pensioner member whose retirement commenced on a date shown in Column I;
 - (c) payable to each member entitled to a deferred pension under section 18 as a result of termination of employment which took place after December 1, 1996, on a date shown in Column I, treating any such termination which occurred on any day of a month other than the first as if it had occurred on the first day of the next following month,
- is hereby increased by the percentage set out opposite such date in Column II:

Column I	Column II
January 1, 1997	0.700 per cent.
February 1, 1997	0.642 per cent.
March 1, 1997	0.583 per cent.
April 1, 1997	0.525 per cent.
May 1, 1997	0.467 per cent.
June 1, 1997	0.408 per cent.
July 1, 1997	0.350 per cent.
August 1, 1997	0.292 per cent.
September 1, 1997	0.233 per cent.

October 1, 1997	0.175 per cent.
November 1, 1997	0.117 per cent.
December 1, 1997	0.058 per cent.

(4) (REPEALED: By-law 672-1999)

Pension
Amounts

(5) The amounts of pension payable as described in subsections (1) and (2) shall be those in place following implementation of the increase in the percentages and proportions provided for in clauses 17(3)(a) and (b), 17a(3)(a) and (b) and 32i(1)(b) and subsections 17b(3) and 17c(3), and in the resultant modifications called for by clause 17(9)(a), that became effective on the 1st day of July, 1998.

General
Pensioner
Increase
(1999)

32t. (1) The amount of pension payable under this By-law is hereby increased by 0.9 per cent effective the 1st day of January, 1999, in respect of

- (a) each pensioner in receipt of a pension; and
- (b) each member entitled to a deferred pension under section 18 or a predecessor thereof,

on or before the 31st day of December, 1997.

Adjusted
Pensioner
Increases
(1999)

(2) Effective the 1st day of January, 1999, the amount of pension

- (a) payable
 - (i) to each member in receipt of a pension; and
 - (ii) to each pensioner under section 17 or a predecessor thereof in respect of a deceased member who died prior to retirement; and
- which commenced on a date shown in Column I;
- (b) payable to each pensioner under section 17 in respect of a deceased pensioner member whose retirement commenced on a date shown in Column I;
- (c) payable to each member entitled to a deferred pension under section 18 as a result of termination of employment which took place after December 1, 1997, on a date shown in Column I, treating any such termination which occurred on any day of a month other than the first as if it had occurred on the first day of the next following month,

is hereby increased by the percentage set out opposite such date in Column II:

Column I	Column II
January 1, 1998	0.900 per cent.
February 1, 1998	0.825 per cent.

March 1, 1998	0.750 per cent.
April 1, 1998	0.675 per cent.
May 1, 1998	0.600 per cent.
June 1, 1998	0.525 per cent.
July 1, 1998	0.450 per cent.
August 1, 1998	0.375 per cent.
September 1, 1998	0.300 per cent.
October 1, 1998	0.225 per cent.
November 1, 1998	0.150 per cent.
December 1, 1998	0.075 per cent.

General
Pension
Increase
(2000)

- (3) Save and except for those pensions increased pursuant to subsection (4), the amount of pension payable under this By-law shall be increased effective the 1st day of January, 2000, in respect of
- (a) each pensioner in receipt of a pension; and
 - (b) each member entitled to a deferred pension under section 18 or a predecessor thereof,

on or before the 31st day of December, 1998, by the percentage increase, being 2.58 per cent., in the Consumer Price Index for Canada (All Items) between September, 1998, and September, 1999.

Adjusted
Pensioner
Increases
(2000)

- (4) Effective the 1st day of January, 2000, there shall be increases in the amounts of certain pensions in the manner described in subsection (2), as if that subsection had been re-enacted with the following modifications:
- (a) replacement of the text "1997" in the fourth line of clause (c) thereof with "1998";
 - (b) replacement of the two lines of text immediately following clause (c) thereof with "is hereby increased by the percentage pension increase provided for in subsection (3) multiplied by the adjustment factor set out opposite such date in Column II:"; and
 - (c) replacement of Columns I and II thereof with the following:

"Column I	Column II
January 1, 1999	1.0000
February 1, 1999	0.9167
March 1, 1999	0.8333

April 1, 1999	0.7500
May 1, 1999	0.6667
June 1, 1999	0.5833
July 1, 1999	0.5000
August 1, 1999	0.4167
September 1, 1999	0.3333
October 1, 1999	0.2500
November 1, 1999	0.1667
December 1, 1999	0.0833."

General
Pension
Increase
(2001)

32u. (1) The amount of pension payable under this By-law shall be increased effective the 1st day of January, 2001, in respect of

- (a) each pensioner in receipt of a pension; and
- (b) each member entitled to a deferred pension under section 18 or a predecessor thereof,

on or before the 31st day of December, 1999, by the percentage increase, being 2.69 per cent., in the Consumer Price Index for Canada (All Items) between September, 1999, and September, 2000.

Adjusted
Pensioner
Increase
(2001)

(2) Effective the first time day of January, 2001, the amount of pension

- (a) payable
 - (i) to each member in receipt of a pension; and
 - (ii) to each pensioner under section 17 or a predecessor thereof in respect of a deceased member who died prior to retirement; and

which commenced on a date shown in Column I;

- (b) payable to each pensioner under section 17 in respect of a deceased pensioner member whose retirement commenced on a date shown in Column I;
- (c) payable to each member entitled to a deferred pension under section 18 as a result of termination of employment which took place after December 1, 1999, on a date shown in Column I, treating any such termination which occurred on any day of a month other than the first as if it had occurred on the first day of the next following month,

is hereby increased by the percentage pension increase provided for in subsection (1) multiplied by the adjustment factor set out opposite such date in Column II:

Column I	Column II
January 1, 2000	1.0000
February 1, 2000	0.9167
March 1, 2000	0.8333
April 1, 2000	0.7500
May 1, 2000	0.6667
June 1, 2000	0.5833
July 1, 2000	0.5000
August 1, 2000	0.4167
September 1, 2000	0.3333
October 1, 2000	0.2500
November 1, 2000	0.1667
December 1, 2000	0.0833.

General
Pensioner
Increase
(2002)

32v. (1) The amount of pension payable under this By-law shall be increased effective the 1st day of January, 2002, in respect of

- (a) each pensioner in receipt of a pension; and
- (b) each member entitled to a deferred pension under section 18 or a predecessor thereof,

on or before the 31st day of December, 2000, by the percentage increase, being 2.62 per cent., in the Consumer Price Index for Canada (All Items) between September, 2000, and September, 2001.

Adjusted
Pensioner
Increases
(2002)

(2) Effective the 1st day of January, 2002, the amount

- (a) payable
 - (i) to each member in receipt of a pension; and
 - (ii) to each pensioner under section 17 or a predecessor thereof in respect of a deceased member who died prior to retirement; and

which commenced on a date shown in Column I;

- (b) payable to each pensioner under section 17 in respect of a deceased pensioner member whose retirement commenced on a date shown in Column I;

- (c) payable to each member entitled to a deferred pension under section 18 as a result of termination of employment which took place after December 1, 2000, on a date shown in Column I, treating any such termination which occurred on any day of a month other than the first as if it had occurred on the first day of the next following month,

is hereby increased by the percentage pension increase provided for in subsection (1) multiplied by the adjustment factor set out opposite such date in Column II:

Column I	Column II
January 1, 2001	1.0000
February 1, 2001	0.9167
March 1, 2001	0.8333
April 1, 2001	0.7500
May 1, 2001	0.6667
June 1, 2001	0.5833
July 1, 2001	0.5000
August 1, 2001	0.4167
September 1, 2001	0.3333
October 1, 2001	0.2500
November 1, 2001	0.1667
December 1, 2001	0.0833.

General
Pensioner
Increase
(2003)

- 32w.** (1) The amount of pension payable under this By-law shall be increased effective the 1st day of January, 2003, in respect of

- (a) each pensioner in receipt of a pension; and
- (b) each member entitled to a deferred pension under section 18 or a predecessor thereof,

on or before the 31st day of December, 2001, by the percentage increase, not in excess of 6 per cent., in the Consumer Price Index for Canada (All Items) between September, 2001, and September, 2002.

Adjusted
Pensioner
Increases
(2003)

- (2) Effective the 1st day of January, 2003, the amount

- (a) payable to
- (i) each member in receipt of a pension; and

(ii) each pensioner under section 17 or a predecessor thereof in respect of a deceased member who died prior to retirement; and
which commenced on a date shown in Column I;

(b) payable to each pensioner under section 17 in respect of a deceased pensioner member whose retirement commenced on a date shown in Column I;

(c) payable to each member entitled to a deferred pension under section 18 as a result of termination of employment which took place after December 1, 2000, on a date shown in Column I, treating any such termination which occurred on any day of a month other than the first as if it had occurred on the first day of the next following month,

is hereby increased by the percentage pension increase provided for in subsection (1) multiplied by the adjustment factor set out opposite such date in Column II:

Column I	Column II
January 1, 2002	1.0000
February 1, 2002	0.9167
March 1, 2002	0.8333
April 1, 2002	0.7500
May 1, 2002	0.6667
June 1, 2002	0.5833
July 1, 2002	0.5000
August 1, 2002	0.4167
September 1, 2002	0.3333
October 1, 2002	0.2500
November 1, 2002	0.1667
December 1, 2002	0.0833.

Pensioner Increase (2017)	32x.	The amount of pension payable under this By-law is increased by 1.10 per cent effective the 1st day of January, 2017, in respect of each pensioner then in receipt of a pension.
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SUPERSEDURE OF PREVIOUS PLAN PROVISIONS

Former version of Plan	33.	The provisions of this Plan supersede those set forth in By-law 181-81 of the former Metropolitan Corporation "To Provide Pensions and Death Benefits to Members of the Metropolitan Police Force", and all by-laws enacted in amendment thereof.
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Effective Date	34.	This Plan shall be deemed to have come into force on the 1st day of January, 1980.
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