



## CHAPTER 83.

An Act to amend the "Civil Service  
Superannuation Act."

R.S.B.C. 1936, c. 274;  
1939, c. 51; 1941-42,  
c. 39; 1943, c. 60;  
1944, c. 48; 1945,  
c. 12; 1946, c. 68

[Assented to 3rd April, 1947.]

**H**IS MAJESTY, by and with the advice and consent of the  
Legislative Assembly of the Province of British Columbia,  
enacts as follows:—

1. This Act may be cited as the "Civil Service Superannuation Act Amendment Act, 1947." Short title

2. The "Civil Service Superannuation Act," being chapter 274 of the "Revised Statutes of British Columbia, 1936," is amended by inserting immediately before section 1 the heading "Part I." Heading inserted Part I

3. Section 3 is amended by striking out clause (f), which clause was enacted by section 2 of chapter 48 of the Statutes of 1944, and the following is substituted:— Amends

"(f.) Every person in the service of the Crown in the right of the Province who is employed in a continuous full-time capacity, and who has completed a period of six months in such employment, and who can complete ten years of service before attaining age sixty in the case of a female or age sixty-five in the case of a male."

4. Section 3A, enacted by section 3 of chapter 68 of the Statutes of 1946, is repealed, and the following is substituted:— Re-enacts

"3A. (1.) For the purposes of this Act the holders of the offices known as Inspector of Dykes and the Commissioners of the Dyking Districts of Sumas, Dewdney, West Nicomen, and South Westminster, and their employees shall be deemed since

their appointment to have been in the service of the Crown in the right of the Province.

“(2.) The persons or corporations who pay the salaries of the persons referred to in subsection (1) shall make the deductions from salaries required by section 6 and pay the same to the Commissioner, and shall also pay to the Commissioner by way of employers’ contributions amounts equal to the employees’ contributions made under subsections (1) and (2) of section 6 and section 7.

“(3.) Such employers’ contributions made in respect of the Inspector of Dykes and his employees shall, for the purposes of the ‘Dyking Assessments Adjustment Act, 1905,’ be deemed to be part of the cost of management of the dyking works.

“(4.) Employers’ contributions made in respect of the Commissioners of the dyking districts and their employees referred to in subsection (1) shall be deemed to be expenses properly incurred in the maintenance of the works of the said dyking districts.

“(5.) The Minister of Finance shall pay out of the Consolidated Revenue Fund the employer’s contribution required in any case where an employee has made contributions under subsections (3) and (4) of section 6.”

Re-enactment of s. 3A  
retroactive

5. The amendment effected by section 4 shall be retroactive and shall be deemed to have had effect since the eleventh day of April, 1946.

Amends s. 6

6. Section 6 is amended by striking out of the fifth, sixth, and seventh lines of subsection (3), as enacted by section 2 of chapter 60 of the Statutes of 1943, the words “within one year after the thirty-first day of May, 1943, or within one year after he first became a contributor, whichever date is later.”

Further amends s. 6

7. Section 6 is further amended by striking out of the fourth and fifth lines of subsection (4), as enacted by section 2 of chapter 12 of the Statutes of 1945, the words “was for a period of not less than one year and.”

Amends s. 7

8. Section 7 is amended by striking out the words which were added to subsection (1) by section 3 of chapter 60 of the Statutes of 1943.

Amendment to s. 8  
retroactive

9. The amendment effected by section 8 shall be retroactive and shall be deemed to have had effect since the eighteenth day of March, 1943.

Amends s. 15

10. Section 15 is amended by striking out of the sixth, seventh, and eighth lines of subsection (2), as enacted by section 4 of

chapter 12 of the Statutes of 1945, the words "and who had completed twelve months of service at the time of his becoming a member of the Allied Forces."

11. Section 17 is amended by striking out subsection (6), as enacted by section 5 of chapter 12 of the Statutes of 1945, and substituting the following:—

"(6.) In the case of an employee to whom subsection (5) applies, the employer contribution required under section 8 shall be paid into the Fund out of the appropriation provided by the 'Special Assistance in the Cost of Education Act Amendment Act, 1946,' and the Board of School Trustees shall deduct from the employee's salary the contribution pursuant to section 6 and shall pay the amount so deducted into the Civil Service Superannuation Fund as a contribution from the employee to the Fund."

12. The amendment effected by section 11 shall be retroactive and shall be deemed to have had effect as and from the first day of April, 1946.

13. Section 17 is further amended by adding at the end of subsection (7), as enacted by section 5 of chapter 12 of the Statutes of 1945, the following words: "but in no case shall the allowance be reduced by more than one-half, nor shall it be reduced by taking into account more than fifteen years of service."

14. Section 17 is further amended by adding the following as subsection (9):—

"(9.) Where an employee, being a contributor under this Act, has completed at least fifteen years' continuous service and is or has been appointed by Order of the Lieutenant-Governor in Council to some other position in the service of the Crown in which he is ineligible to contribute under this Act, he shall, on reaching an age not more than five years under the retirement age of his class and having retired from the service of the Crown, be entitled to receive a superannuation allowance in accordance with the provisions of this Act, except that the calculation of the superannuation allowance shall be based upon:—

"(a.) The period of 'prior service' that may be at the credit of the employee on the records of the Superannuation Commissioner; and

"(b.) The total amount of contributions made by the employee and the Provincial Government as employer, with interest to the date of transfer and with continuing accrual of interest compounded semi-annually to the date of retirement from the service of the Crown.

"In all other respects the calculation of the said superannuation allowance shall be made according to the provisions of this Act. The provisions of this Act relating to the refund of contributions shall continue to apply to the employees referred to in this subsection."

Amends s. 18.

15. Section 18 is amended by lettering the present subsection (1) as subsection (1a) and by inserting the following as subsections (1b) and (1c):—

"(1b.) There shall be further added to the employer's contributory account from the Consolidated Revenue Fund, in ascertaining the allowance of an employee whose classification has been changed under section 5 by reason of the reduction of his compulsory retirement age under the 'Civil Service Act,' a sum that represents the difference between the amount the employee actually contributed, together with interest, and the sum that the employee would have contributed, together with interest, if he had had the same classification at the date he first became a contributor or on the first day of June, 1935, whichever date is later, as he had at the date of his retirement:

"(1c.) The employee shall also have the option to contribute an additional sum to his own contributory account, used in the ascertainment of his superannuation allowance, but the additional sum shall not exceed that added to the employer's contributory account under subsection (1b)."

Amends s. 19.

16. Section 19 is amended by striking out the first line of clause (d) and substituting the following words: "Such combination of the plans under clauses (a), (b)."

Amends s. 20.

17. Section 20 is amended by striking out the figures "46" in the last line of subsection (3), and substituting the figures "76."

Repeals s. 21 (2).

18. Section 21 is amended by striking out subsection (2), and substituting the following.—

"(2.) (a.) If an employee who is in receipt of a superannuation allowance granted under the former Act or under this Act re-enters the service of the employer after attaining minimum retirement age, that portion of his superannuation allowance attributable to the employer's contributions shall be suspended during the period of additional service, but the employee shall not contribute to the Fund.

"(b.) If a former employee who is in receipt of a superannuation allowance granted under clause (b) of subsection (1) of section 17 re-enters the service of the employer before attaining

minimum retirement age, the monthly payments on account of the superannuation allowance shall cease, and the commuted value of the remaining payments shall be apportioned between the contributor's account and the employer's account in the ratio existing at the time of the granting of the superannuation allowance. The Commissioner shall re-assess the contributor, who shall then contribute to the Fund.

"(c.) Where a former employee who has been granted a superannuation allowance is in the service of the employer on the first day of April, 1947, he shall be deemed to have re-entered the service of the employer on the first day of April, 1947, for the purpose of clauses (a) and (b) of this subsection.

"(d.) In the case of a former employee whose superannuation allowance has been suspended due to re-employment prior to the first day of April, 1947, there shall be paid from the Fund to the former employee or his nominee a lump sum without interest equal to that part of the monthly amount of the superannuation allowance derived from the former employee's contributions multiplied by the number of months during which the allowance was suspended prior to the first day of April, 1947."

19. Section 38, as enacted by section 10 of chapter 12 of the Statutes of 1945, is amended by adding the following as subsections (3) and (4):— Amends s. 25.

"(3.) The Minister of Finance may cause to be transferred from the Superannuation Fund to the British Columbia Power Commission Superannuation Fund the employer and employee contributions of former employees of the Crown when they become employees of the British Columbia Power Commission.

"(4.) In the case of an employee of the British Columbia Power Commission who was formerly an employee of the Crown, and who, upon retirement on superannuation, is entitled to benefits provided by subsections (5) and (c) of section 18, the Minister of Finance may authorize payment into the British Columbia Power Commission Superannuation Fund from the Consolidated Revenue Fund of the Province of the present value of the said benefits as ascertained by the actuary of the Fund."

20. Schedule B, enacted by section 12 of chapter 12 of the Statutes of 1945, is amended as follows:— Amends Sch. B.

(a.) By striking out the words "man and wife" where they appear in Table 2, and substituting "contributor and wife or husband or dependent relative."

(b.) By striking out the last four lines of the said Schedule, and substituting the following:—

The amount set out in Table 2 shall be payable only so long as the man and wife remain married, or so long as the nominated

relative remains dependent, and shall be reduced to the corresponding amount set out in Table 1 on the occurrence of the death of either; this amount shall be payable until death if the survivor is the former employee and payable until death or marriage if the survivor is the nominee. The benefit set out in Table 2 shall not be payable if the contributor was over sixty years of age at the time of his marriage.

Enacts ss. 39 to 49.

21. Said chapter 274 is further amended by inserting the following as Part II., consisting of sections 39 to 49:—

“ PART II.

Application of Part II.

“ 39. This Part shall apply to:—

“(a.) The Crown in right of the Province:

“(b.) All persons in the service of the Crown whose duties are of a part-time nature and who have completed a period of six months' employment.

Constitution of Fund.

“ 40. There shall be established a Fund, to be known as the ‘ Retirement Fund,’ into which shall be placed all contributions made under section 41, and these contributions shall be accounted for as part of the Consolidated Revenue Fund.

Contributions by employees and employer.

“ 41. (1.) Every person to whom this Part applies shall contribute seven per centum of his salary to the Retirement Fund.

“(2.) Contributors under this Part may make contributions in respect of all completed periods of employment as approved by the Commissioner.

“(3.) In respect of every contribution made by a person pursuant to subsections (1) and (2), the Minister of Finance shall provide an equal amount as a contribution to the Retirement Fund.

Separate accounts and interest additions.

“ 42. Contributions made under this Part shall be dealt with in a like manner, as near as may be, and shall bear the same rate of interest as those contributions accumulated by contributors under Part I. of this Act.

Transfers to Part I.

“ 43. When a contributor under this Part becomes eligible to contribute to the Fund under Part I., the Commissioner shall transfer his contributions and interest, and those of his employer, to the Fund maintained under Part I., and the contributor shall then be subject to all the provisions of that Part.

Service.

“ 44. (1.) For the purpose of calculating the length of service of an employee to whom this Part applies, for the purposes of this Act, two hundred and forty days shall be deemed to be one year of employment when the employee is paid on an hourly or daily basis, but not more than one year's service shall be credited in a calendar year.

"(2.) Where an employee has been engaged on a part-time monthly wage basis, twelve months shall constitute one year of employment.

"45. (1.) If a contributor is unable to qualify pursuant to section 43 and has the equivalent of at least ten years' service under this Part, if he has attained the age of sixty, upon retirement from service he shall be entitled to receive an allowance from the joint contributions made by the contributor and the Minister of Finance on his behalf and calculated according to the prescribed tables then in force.

Persons entitled to superannuation allowance, and determination of amount of allowance.

"(2.) If a contributor, having at least ten years of service under this Part, has attained the age of sixty-five, he shall, at his option, be entitled to receive an allowance made up of the following amounts:—

"(a.) The appropriate amount set out in Schedule C:

"(b.) The amount provided by the employee's contributions, on the single life plan if the contributor is of single status and on the joint life and last survivor plan if the contributor has a wife or nominated dependent relative.

"(3.) Where an allowance is granted pursuant to subsection (2), the difference between the amount provided in Schedule C and the amount provided by the employer's contributions shall be paid into the Fund out of Consolidated Revenue.

"46. A contributor who has become entitled to receive an allowance pursuant to subsection (1) of section 45 shall be entitled to select any plan of allowance authorized by section 19.

Plans of superannuation allowance

"47. (1.) If a contributor under this Part ceases to contribute to the Fund by reason of resignation, dismissal, or death, the accumulated contributions made by the contributor, together with interest, shall be refunded pursuant to the refund provisions contained in Part I., except that in the event of resignation the refund shall not be paid until three months have elapsed since the effective date of resignation.

Refunds

"(2.) When a refund is made of employees' contributions received under this Part, the contributions made by the Minister of Finance shall remain in the Retirement Fund.

"48. If an employee who is in receipt of an allowance under this Part re-enters the service of the employer, that portion of his superannuation allowance attributable to the employer's contributions shall be suspended during the period of additional service, but the employee shall not contribute to the Fund.

Suspension of payments if employee re-enters service

"49. Every allowance granted pursuant to the provisions of this Part shall be paid by equal monthly instalments from the Retirement Fund."

Monthly payments.

Sch. C.

22. Said chapter 274 is further amended by adding the following as Schedule C:—

SCHEDULE C.

AMOUNT PAYABLE PER MONTH.

Period of Service.	TABLE 1. One Person.	TABLE 2. Two Persons (Man and Wife or Dependent Relative).
10 years, but less than 11 years.....	\$15.00	\$25.00
11 years, but less than 12 years .....	15.50	26.00
12 years, but less than 13 years.....	16.00	27.00
13 years, but less than 14 years .....	16.50	28.00
14 years, but less than 15 years.....	17.00	29.00
15 years and over .....	17.50	30.00

The amount set out in Table 2 shall be payable only so long as the man and wife remain married, or so long as the nominated relative remains dependent, and shall be reduced to the corresponding amount set out in Table 1 on the occurrence of the death of either; this amount shall be payable until death if the survivor is the former employee and payable until death or marriage if the survivor is the nominee. The benefit set out in Table 2 shall not be payable if the contributor was over sixty years of age at the time of his marriage.

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