



## **PLEASE NOTE**

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This document is *not* the official version of the Act. The Act and the amendments as printed under the authority of the Queen's Printer for the province should be consulted to determine the authoritative statement of the law.

For more information concerning the history of this Act, please see the [Table of Public Acts](#).

If you find any errors or omissions in this consolidation, please contact:

Legislative Counsel Office  
Tel: (902) 368-4291  
Email: [legislation@gov.pe.ca](mailto:legislation@gov.pe.ca)

## CHAPTER T-1

### TEACHERS' SUPERANNUATION ACT

1. In this Act	Definitions
(a) "chairperson" means the chairperson of the Commission appointed under subsection 3(2);	Chairperson
(a.1) "Commission" means the Teachers' Superannuation Commission appointed under subsection 3(1);	Commission
(a.2) "commissioner" means a member of the Commission appointed under subsection 3(1);	commissioner
(a.3) "court order" means an order of a court of competent jurisdiction in Canada;	court order
(b) "dependent" in relation to an individual entitled to or receiving a pension under this Act at the time of the individual's death means a parent, brother, sister or child, whether over 18 years of age or not, of the individual, who at the time of the death of the individual was dependent upon the individual for support;	dependent
(b.1) "domestic contract" means a domestic contract as defined in Part IV of the <i>Family Law Act</i> R.S.P.E.I. 1988, Cap. F-2.1;	domestic contract
(c) "employer" means the employer of a member who makes contributions to the Fund under this Act in respect of service to which this Act applies;	employer
(d) "Fund" means the Teachers' Superannuation Fund established under this Act;	Fund
(d.01) "instructional personnel" means instructional personnel as defined in clause 1(n) of the <i>School Act</i> R.S.P.E.I. 1988, Cap. S-2.1;	instructional personnel
(d.1) "member" means	member
(i) a teacher who is employed by a school board,	
(i.1) a person who	
(A) is an employee of a school board and is designated as a member of its instructional personnel or supervisory personnel under the <i>School Act</i> , and	
(B) is not a member under the <i>Civil Service Superannuation Act</i> R.S.P.E.I. 1988, Cap. C-9,	
(ii) a teacher who	

	(A) is employed by the Department of Education and Early Childhood Development in the supervision of teaching or other service, and (B) is not a member under the <i>Civil Service Superannuation Act</i> ,
	(iii) a teacher who (A) is employed by the Prince Edward Island Teachers' Federation, and (B) makes contributions to the Fund under this Act, or
	(iv) a teacher who (A) is employed by any school located in the province operated by the Department of National Defence (Canada) or the Department of Indian and Northern Affairs (Canada) or by any other public agency recognized by the Minister as providing efficient instruction in a school, (B) receives permission from the Minister to come under this Act, and (C) makes contributions to the Fund under this Act, but does not include substitute teachers;
Minister	(e) "Minister" means the Minister of Education and Early Childhood Development;
pension	(e.1) "pension" means a pension granted upon retirement under section 16;
pension benefit	(e.2) "pension benefit" means any pension, allowance, annuity, refund of contributions or other benefit or amount payable under this Act;
pensioner	(e.3) "pensioner" means a former member who is receiving periodic pension payments from the Fund in accordance with this Act;
regulations	(f) "regulations" means regulations made under this Act;
salary	(g) "salary" means the total remuneration payable to a member for service and, where applicable, includes such amounts of compensation as are prescribed amounts for the purposes of subsection 147.1(1) of the <i>Income Tax Act</i> (Canada) related to disability and eligible periods of reduced pay or temporary absence;
school board	(g.1) "school board" means a school board as defined in the <i>School Act</i> ;
service or teaching service	(h) "service" or "teaching service" means, subject to the limitations imposed by section 11, 11.2 and 12.1, (i) any service rendered by a member (A) in teaching in the public schools of the province,

- (B) in the supervision of teaching or other service in the public schools of the province,
- (C) in the supervision of teaching or other service in the Department of Education and Early Childhood Development,
- (D) during any period of employment with the Prince Edward Island Teachers' Federation, and
- (E) in teaching in any school located in the province operated by the Department of National Defence (Canada) or the Department of Indian and Northern Affairs (Canada) or by any other public agency recognized by the Minister as providing efficient instruction in a school,

for which contributions have been made as required under this Act,

- (ii) any period during which the member is in receipt of temporary wage loss benefits under the *Workers Compensation Act* R.S.P.E.I. 1988 Cap. W-7.1 in respect of a total loss of earnings capacity for which contributions have been made as required under this Act, and
- (iii) where the member is a person referred to in subclause (d.1)(i.1), any service rendered by the member during any period of employment with a school board for which contributions have been made as required under this Act,

but does not include any service by the member as a substitute or temporary teacher or any service given by the member to a person other than the primary employer of the member;

(h.1) "spouse" means an individual who, in respect of a member, <sup>spouse</sup> vested former member or pensioner,

- (i) is married to the member, vested former member or pensioner,
- (ii) has entered into a marriage with the member, vested former member or pensioner that is voidable or void,
- (iii) where the member, vested former member or pensioner is not married to anyone, is cohabiting with the member, vested former member or pensioner in a conjugal relationship and has done so continuously for a period of at least three years, or
- (iv) where the member, vested former member or pensioner is not married to anyone, is cohabiting with the member, vested former member or pensioner in a conjugal relationship and together they are the natural or adoptive parents of a child;

(h.2) "supervisory personnel" means supervisory personnel as <sup>supervisory personnel</sup> defined in clause 1(aa) of the *School Act*;

(i) "teacher" means a person who holds a valid license issued by the <sup>teacher</sup> Minister under subsection 3(1) of the *School Act*;

totally and permanently disabled	(j) "totally and permanently disabled" means, in relation to an individual, suffering from a physical or mental impairment that prevents the individual from engaging in any employment for which the individual is reasonably suited by virtue of the individual's education, training or experience, and that can reasonably be expected to last for the remainder of the individual's practical working life;
vested former member	(j.1) "vested former member" means a former member who is not a pensioner and who is not receiving disability payments under a Long Term Disability Insurance Plan but who is entitled to a deferred or immediate pension from the Fund in accordance with this Act;
vice-chairperson	(k) "vice-chairperson" means the vice-chairperson of the Commission appointed under subsection 3(2). 1975,c.28,s.1; 1982,c.32,s.1; 1993,c.29,s.4; 1991,c.43,s.1; 1994,c.61,s.1; 1995,c.8,s.1; 1997,c.50,s.1; 2004,c.48,s.1; 2005,c.55,s.1; 2005,c.21,s.1; 2008,c.32,s.1; 2009,c.73,s.2; 2009,c.21,s.1; 2008,c.8,s.26(2); 2010,c.47,s.1.
Application	<p><b>2.</b> This Act applies to</p> <p>(a) every person who is a member; and</p> <p>(b) every person who</p> <p style="padding-left: 20px;">(i) is a pensioner or a vested former member, or</p> <p style="padding-left: 20px;">(ii) made contributions to the Fund. 1991,c.43,s.2; 2008,c.32,s.2.</p>
Voidable or void marriage not in good faith	<p><b>2.1</b> A spouse or a surviving spouse is not entitled to a division of pension benefits or to pension benefits as a spouse or a surviving spouse, if</p> <p>(a) the marriage is voidable or void; and</p> <p>(b) the person did not enter into the marriage in good faith. 2008,c.8,s.26(3).</p>
Administration of Act	<p><b>3.</b> (1) This Act shall be administered by a Teachers' Superannuation Commission consisting of</p> <p>(a) three persons appointed by the Minister from among the employees of the Department of Education and Early Childhood Development;</p> <p>(b) three members who are contributors to the Fund appointed by the Prince Edward Island Teachers' Federation;</p> <p>(c) one person appointed by the Minister of Finance and Municipal Affairs.</p>
Chairperson and vice-chairperson	(2) The Minister shall appoint the chairperson and vice-chairperson of the Commission from the persons referred to in clause (1)(a).

(2.1) The vice-chairperson shall perform the duties and functions of the chairperson where the office of the chairperson is vacant or in the absence of the chairperson or where the chairperson is unable to act. Vice-chairperson

(2.2) The commissioners shall serve for the term specified in their appointments. Term

(3) The chairperson shall call a meeting of the Commission Meetings of the Commission  
 (a) at least twice annually and at such other times as he or she considers necessary; and  
 (b) within 15 days of the request in writing made to the chairperson by at least four members of the Commission.

(4) The Commission shall provide an annual report to the Minister by Annual report  
 March 31 of each year containing the following information:  
 (a) the audited financial statements of the Fund;  
 (b) the operations of the Fund in the preceding fiscal year;  
 (c) a summary by category of the pensions being paid out of the Fund;  
 (d) such other information as may be required by the regulations or requested by the Minister.

(5) The Minister shall lay the Commission's report before the Legislative Assembly if it is then in session, or if it is not in session then during the ensuing session, together with a complete statement of the financial standing of the Fund for the preceding fiscal year, showing the moneys withheld as contributions by members and moneys paid out in respect of pensions or refunds of contributions. 1975,c.28,s.3; 1982,c.32,s.2; 1983,c.1,s.6; 1986,c.5,s.2; 1993,c.29,s.4; 2004,c.48,s.2; 2008,c.32,s.3,4; 2010,c.31,s.3. Laying report before Legislature

**4.** In the case of the death, illness or absence from Prince Edward Island of a commissioner or his or her inability to act from any cause, the Lieutenant Governor in Council may appoint some person to act for the time being in his or her stead, and the person so appointed has all the powers and shall perform all the duties of a commissioner; notwithstanding section 3, if the commissioner who is unable to act for the foregoing reasons is a contributory teacher, the appointment of his or her replacement may be made by the Prince Edward Island Teachers' Federation. 1975,c.28,s.4; 1982,c.32,s.3; 2004,c.48,s.3. Incapacity of a commissioner

**5.** A commissioner may be re-appointed. 1975,c.28,s.5; 2004,c.48,s.4. Re-appointment

**6.** Four commissioners are necessary to constitute a quorum of the Commission. 1975,c.28,s.6. Quorum

Vacancies, effect of	<b>7.</b> Vacancies in the Commission do not, if there remain four members of it, impair the authority of the four members to act. 1975,c.28,s.7.
Clerical assistants	<b>8.</b> The Minister shall provide for the proper administration of this Act. 1975,c.28,s.8.
Teachers' Superannuation Fund	<b>9.</b> (1) There shall be a Fund known as the "Teachers' Superannuation Fund" into which, subject to section 14, shall be paid all contributions made by members and employers under this Act.
Payments out of Fund	(2) All pensions, payments, refunds and administrative expenses shall be a charge on and payable out of the Fund.
Payments into Fund by the Minister of Finance and Municipal	(3) If at any time the Fund is insufficient to make all payments by this Act required to be made, the Minister of Finance and Municipal Affairs shall pay into the Fund an amount out of the Operating Fund sufficient to enable such payments to be made.
Investment of Fund	(4) The Fund shall be held in trust by the Minister of Finance and Municipal Affairs and shall be invested in accordance with the investment policy approved by the Lieutenant Governor in Council.
Reduction of unfunded liability	(5) Repealed by 2005,c.55,s.2. 1975,c.28,s.10; 1982,c.32,s.5; 1983,c.1,s.6; 1986,c.5,s.2; 1988,c.65,s.1; 1993,c.29,s.4; 1995,c.40,s.1; 1997,c.20,s.3; 2005,c.55,s.2; 2008,c.32,s.4; 2010,c.31,s.3.
Actuarial valuations	<b>10.</b> There shall be periodic actuarial valuations of the Fund at such times as the Minister may direct and not more than three years shall elapse between valuations. 1980,c.51,s.1; 1991,c.43,s.3.
Limits	<b>11.</b> (1) Computation of teaching service is subject to this Act and to the following limitations <ul style="list-style-type: none"> <li>(a) teaching service after July 1, 1931 may be computed as teaching service; and</li> <li>(b) approved leave may be computed as teaching service within the overall limits imposed by the <i>Income Tax Act</i> (Canada) and regulations on the crediting of service in a registered pension plan.</li> </ul>
Including five years service outside province	(2) Where a member has been employed in teaching in the province for at least one year between the last year of teaching service outside the province and his or her retirement, the Commission may, for all purposes relating to pension, include similar service since 1931 as a teacher fully engaged in teaching service in any province of Canada or in any country approved by the Commission if the member has paid into the Fund the full actuarial value of the transferred service, as determined by the Commission.

(3) Service in the armed forces of Canada during any period when Canada is at war, or in any theatre of operation where a state of war exists, counts in computing teaching service, if the person claiming the service has, within the twelve month period immediately preceding his or her enlistment, been engaged in the teaching profession, or in the pursuit of studies appertaining to the teaching profession, and has resumed or commenced teaching in Prince Edward Island within five years of the date of his discharge from the forces.

Military service during war, computed as service

(4) A member who has been on approved leave without pay or with part pay under clause (1)(b) or subsection (3) may make such payments after returning from leave or re-employment as a teacher, as are equal to the full actuarial value, as determined by the Commission, of the period of leave or the equivalent period of unpaid leave in the case of part pay. 1975,c.28,s.12; 1982,c.32,s.6; 1987,c.67,s.1; 1995,c.40,s.2; 2001,c.58,s.1; 2004,c.48,s.5,6; 2008,c.32,s.6.

Purchase of previous leave

**11.1** Notwithstanding subsection 11(4) and subject to clause 11(1)(b), a member may make contributions to the Fund for a period of leave taken as maternity, parental, adoption or sabbatical leave, in accordance with the regulations. 2001,c.58,s.2; 2005,c.21,s.2; 2008,c.32,s.4.

Contribution for parental leave

**11.2** (1) In this section, "Program" means the Workforce Renewal Program 2005 for School Boards.

"Program", defined

(2) Where a member takes the approved paid leave option under the Program, that leave may be computed as service under this Act if the member opts to receive the member's earnings over a leave period that does not exceed two times the total number of weeks awarded under the Program.

Computation of service

(3) A member shall have his or her service under the Program credited as service under this Act as follows:

Service

(a) if the member elects to make contributions to the Fund as if he or she were full-time during the leave period, the member shall be credited with the service equivalent in full-time hours of the period of the leave;

(b) if the member does not elect to make contributions as described in clause (a), the member shall be credited with the actual number of hours for which the member was paid under the Program.

(4) For greater certainty, the rate to be used for the purposes of subsection 18(1.1) shall be the salary amount for which contributions are actually made under the Program.

Rate to be used for calculation

(5) This section is repealed on June 30, 2007. 2005,c.55,s.3; 2008,c.32,s.4.

Repeal

Prior employment  
with civil service  
recognized  
Application of  
*Income Tax Act*  
rules

**12.** Repealed by 2004,c.48,s.6. 1975,c.28,s.13; 2004,c.48,s.6.

**12.1** Notwithstanding section 11, calculation of service, and contributions for purchase of pension entitlement for past service, shall be governed by the applicable rules and limitations required by the *Income Tax Act* (Canada) and service of a teacher prior to January 1, 1992 with an employer who does not make contributions to the Fund may be counted as service of the member under this Act only in accordance with a reciprocal transfer agreement or portability arrangement acceptable under the *Income Tax Act* (Canada). In addition, any foreign service may be counted as service of a teacher under this Act only if it conforms with the requirements under the *Income Tax Act* (Canada). 1994, c.61, s.2; 2004,c.48,s.7; 2008,c.32,s.7.

Maximum period of  
service

**13.** Repealed by 1995,c.40,s.3.

Non-excluded  
member amount to  
contribute to Fund

**14.** (1) Every member whose employment is not excluded from the Canada Pension Plan as defined in the *Canada Pension Plan Act* R.S.C. 1985, Chap.C-8 shall contribute to the Fund an amount which is equal to the sum of

- (a) seven and three-tenths per cent of that part of his or her salary up to the amount of the "Year's Maximum Pensionable Earnings" for the year for which the contribution is made, as defined in the said Act; and
- (b) nine per cent of that part of his or her salary that exceeds the amount of the "Year's Maximum Pensionable Earnings" for the year for which the contribution is made.

Amount excluded  
member to  
contribute to Fund

(1.1) Every member whose employment is excluded from the Canada Pension Plan shall contribute to the Fund an amount which is nine per cent of the member's salary.

Member's  
contribution

(1.2) Subject to subsection (5) and the maximum contribution limits imposed under the *Income Tax Act* (Canada), the amount of a member's contribution to the Fund each calendar year, in respect of service credited to the member under this Act on or after January 1, 2011, is

- (a) seven and three-tenths per cent of that part of the member's salary up to the amount of the "Year's Maximum Pensionable Earnings" as defined in the *Canada Pension Plan Act*; and
- (b) nine per cent of that part of the member's salary that exceeds the amount of the "Year's Maximum Pensionable Earnings" as defined in the *Canada Pension Plan Act*.

Deduction

(2) The employer shall deduct proportionally in each pay period from the salary of each member the amount of the member's contribution and pay the same into the Fund.

(3) The employer shall, in respect of each member make an employer's contribution equal to the amount of the member's contribution and pay the same into the Fund.

Employer's contribution

(4) Repealed by 1995,c.40,s.4; 2008,c.32,s.4.

After 35 years service, effect of

(5) Notwithstanding any other provision of this section, if a situation exists in which any contribution to the Fund by the employers would not be an eligible contribution pursuant to paragraph 147.2(2)(d) of the *Income Tax Act* (Canada), the Minister shall notify the employers and the members of the duration of a cessation of contributions as necessary to bring the Fund within the required limits, and the employers and the members shall cease making the contributions as required by the notice.

Cessation of contributions

(6) Subject to the requirements of sections 8507 and 8508 of the regulations to the *Income Tax Act* (Canada), a member who is participating in a deferred salary plan pursuant to a collective agreement with the employer shall continue to make contributions calculated on the reduced salary the member is actually receiving or, at the member's option, on the salary the member would have received if the member had continued to work at the full-time equivalent for their position.

Deferred salary plan

(7) Where, pursuant to clause 1(h), the service of a member includes a period of wage loss benefits under the *Workers Compensation Act*, the employer shall pay the member's contribution under subsection 14(1) based on the member's salary at the date of commencement of receipt of those benefits by the member. 1975, c.28, s.15; 1985, c.42, s.1; 1992, c.66, s.1; 1994, c.61, s.3; 1995,c.40,s.4; 2004,c.48,s.8; 2005,c.21,s.3; 2008,c.32,s.4,8; 2010,c.47,s.2.

Wage loss benefits

**14.1** (1) Where all or part of

Written notice

(a) the member's contributions to the Fund required under subsection 14(1); or

(b) the employer's contributions to the Fund required under subsection 14(3),

have not been paid into the Fund, the Commission shall give written notice to the employer and the member respecting the contributions.

(2) An employer who has received a written notice under subsection (1) shall pay into the Fund the amounts that the employer should have paid under subsection 14(3), together with interest.

Missed contributions of employer

(3) Subject to subsection (4), a member may make the contributions to the Fund in respect of the member's service for the period during which the contributions were required to be paid under subsection 14(1) but were not paid, together with interest, in accordance with the regulations.

Member may make contributions

<i>Idem</i>	<p>(4) Where a member pays contributions to the Fund under subsection (3), the interest accrued on the contributions shall be paid</p> <p>(a) by the employer for the period during which the contributions were required to be paid under subsection 14(1) but were not paid, up to the earlier of the following:</p> <p style="padding-left: 20px;">(i) the date the member starts making the contributions, or</p> <p style="padding-left: 20px;">(ii) the date which is 180 days after the date on which written notice was given under subsection (1); and</p> <p>(b) by the member, starting on the earlier of the following:</p> <p style="padding-left: 20px;">(i) the date the member starts making contributions under this section, or</p> <p style="padding-left: 20px;">(ii) 180 days after the date on which written notice was given under subsection (1).</p>
Interest	<p>(5) Interest payable under this section</p> <p>(a) shall be at the rate of five per cent compounded annually; and</p> <p>(b) may be waived by the Commission in whole or in part. 2004,c.48,s.9; 2008,c.32,s.4.</p>
Termination of right to contribute	<p><b>15.</b> (1) Notwithstanding section 14, a member shall cease contributing to the Fund not later than December 31 of the year in which the member reaches the age of 71 years.</p>
Commencement of pension payment	<p>(2) Unless otherwise approved in accordance with the <i>Income Tax Act</i> (Canada), any pension to which a member is entitled under this Act shall commence on or before December 31 of the year in which the member reaches the age of 71 years.</p>
Maximum contribution	<p>(3) Notwithstanding any other provision of this Act, the contribution to the Fund made by a member for a year shall in no case exceed \$1,000 plus seventy per cent of the total pension credit for the member for the year as defined in the <i>Income Tax Act</i> (Canada). 1994, c.61, s.4; 2004,c.48,s.10; 2008,c.32,s.4,9.</p>
Persons eligible for pension	<p><b>16.</b> (1) Subject to section 20 and the regulations, upon written application, a yearly pension, payable monthly, will be granted upon retirement to every member or vested former member who</p> <p>(a) is of the age of sixty years or more and has two or more years of service;</p> <p>(b) is of the age of fifty-five years or more and has thirty or more years of service;</p> <p>(c) subject to subsection (1.1), is of the age of fifty-five years or more and has at least two years of service and less than thirty years of service;</p> <p>(d) has two or more years of service and retires on the grounds that he or she is totally and permanently disabled; or</p>

(e) has thirty-five or more years of service.

(1.1) A pension payable pursuant to clause (1)(c) shall be reduced by the lesser of Reduced pension calculation

(a) one quarter per cent for each full month between the date of actual retirement and the date the member or vested former member reaches the age of sixty years; or

(b) one quarter per cent for each full month between the date of actual retirement and the date the member or vested former member would reach thirty years of service,

from the pension that would otherwise be calculated if the member or vested former member were age 60.

(1.2) For the purposes of subsection (1), the periods of service that may be counted in the calculation of a pension under this section are those periods, or portions thereof, for which the full contributions required under this Act are made. Periods for which contributions made

(2) Where a member applies for a pension on the grounds that he or she is totally and permanently disabled, the member shall provide evidence satisfactory to the Commission of the physical or mental condition of the teacher that resulted in the total and permanent disability. Evidence of disability

(3) Subject to the regulations, the Commission shall review annually the case of a member superannuated on account of being totally and permanently disabled and, on the recovery of the member, the pension shall cease unless, in the meantime, the member has reached the age of sixty years or unless the member would have been eligible for a pension under clause (1)(b) or (c). 1975,c.28,s.16; 1980,c.51,s.2; 1987,c.67,s.2; 1991,c.43,s.4; 1995, c.40,s.5; 1996,c.45,s.1; 1997,c.50,s.2; 2000,c.13,s.1; 2004,c.48,s.11; 2008,c.32,s.4,5,10. Review

**17.** (1) Every member or vested former member who has two or more years of teaching service and who ceases to be employed as a teacher with an employer may elect Election to withdraw contributions or to leave in until age sixty

(a) to receive a refund of his or her contributions to the Fund, if the member or vested former member is not, at the time of the election, receiving a pension under subsection 16(1); or

(b) to allow his or her contributions to the Fund to remain in the Fund until the member or vested former member is eligible to receive a pension under subsection 16(1).

(2) Repealed by 2006,c.23,s.1. Election deemed, where

(3) Where a member or vested former member mentioned in subsection (1) elects Consequences of election

(a) clause (a) thereof, the contributions shall be refunded to him; or  
 (b) clause (b) thereof, and allows his contributions to remain in the Fund, a yearly pension payable monthly shall be paid to that member or vested former member commencing on the effective date of the pension for which application is made under subsection 16(1).  
 1975,c.28,s.17; 1991,c.43,s.5; 1996,c.45,s.1; 2004,c.48,s.12;  
 2006,c.23,s.1; 2008,c.32,s.5,11.

Calculation of pension

**18.** (1) The pension payable under this Act shall be calculated as one-fiftieth of the highest average yearly salary multiplied by the total number of years of service, any fraction of years of service and any fraction of a year.

average salary

(1.01) In this section “average salary” means, in respect of a member, the average of the five highest years of

- (a) salary paid to the member for years, or parts of years, during which the member made contributions under section 11 or 14; or
- (b) salary deemed to be paid to the member under subsection (1.02) for years, or parts of years, during which the member was away from his or her position on any unpaid leave, taken before, on or after the date this subsection comes into force for a purpose prescribed by the regulations.

Deemed salary during period of unpaid leave

(1.02) In calculating the average salary of a member, the salary used for any year or part of a year during which the member was away from his or her position any unpaid leave, taken before, on or after the date this subsection comes into force for a purpose prescribed by the regulations, the salary deemed to be paid to the member during the year, or part of a year, shall be the salary the member was receiving at the commencement of the leave increased annually by 60% of the percentage increase in the Consumer Price (all items) Index for Canada (2002 = 100) for the previous year, subject to a maximum increase of 4%.

Calculation of average salary

(1.2) In calculating the average salary of a member, the salary used for any period during which the member was working less than full-time in his or her position shall be the salary the member would have received if the member had worked full-time in his or her position during that period.

Computation of five-year period where interruption in service

(2) Where teaching service has been interrupted, teaching service given immediately before the interruption may be added to teaching service given immediately after the interruption in determining the five-year period.

(3) The pension payable to part-time members under this Act shall be calculated based on full-time equivalent days worked in accordance with the following formula: Calculation of part-time service

$$\text{service} = \frac{\text{number of full-time equivalent days worked}}{\text{number of days in school year}}$$

(4) Where there has been a division of pension benefits pursuant to this Act, the amount of pension benefits payable pursuant to this section shall be adjusted as prescribed by regulation. 1975,c.28,s.18; 1980,c.51,s.3; 1982,c.32,s.9; 1985,c.42,s.2; 1990, c.62,s.1; 1994,c.61,s.6; 1995,c.40,s.6; 2005,c.21,s.4; 2005,c.21,s.4; 2006,c.23,s.2; 2008,c.32,s.4,12; 2008,c.8,s.26(4). Adjustment of pension benefits

**19.** (1) The minimum annual pension payable to a member under this Act with respect to service prior to January 1, 1992 shall be \$100 multiplied by the number of years of the member's service prior to January 1, 1992, subject to a maximum of thirty-five years of such service. Minimum pension

(2) Notwithstanding any other provision of this Act, the lifetime pension payable in any year to a member under this Act in respect of service after 1991 shall in no case exceed the maximum allowed under section 8504 of the regulations to the *Income Tax Act* (Canada) and any bridging benefit payable in any year to a member under this Act in respect of service after 1991 shall in no case exceed the maximum allowed under section 8503(2)(b) of the regulations made under the *Income Tax Act* (Canada). Maximum pension

(3) Notwithstanding any other provision of this Act, the total initial annual pension (prior to any reduction for early retirement) payable under this Act in respect of service prior to 1990 purchased after 1991 pursuant to this Act, but which was never previously counted as service under this Act, shall in no case exceed an amount equal to \$1,150, or two-thirds of such other defined benefit limit that is prescribed under the *Income Tax Act* (Canada) for the calendar year in which the pension commences, multiplied by the number of years of purchased service. 1994, c.61, s.7; 2004,c.48,s.13; 2008,c.32,s.4; 2008,c.32,s.4. Limit on initial annual pension purchased service prior to 1990

**20.** (1) Where a person receiving a pension under this Act is re-employed in the province and the person becomes a member again during that re-employment, the person ceases to be entitled to the pension and the payment of the pension to the person shall be suspended as of the date the person becomes a member. Suspension of pension on re-employment

(2) A person referred to in subsection (1) continues to be disentitled to a pension as long as the person is re-employed in the province and the Restoration

person is a member again, and on the date the re-employment of the person ends, the person is eligible for

(a) a pension recalculated taking into account the salary received by the person and the additional pensionable service rendered by the person for which contributions were made during the period of re-employment; or

(b) a pension at the level formerly paid to the person prior to the date the person was re-employed in the province,

whichever is greater.

*Idem*

(3) If the recalculation referred to in subsection (2) results in a pension lower than that received prior to re-employment, the pension received prior to re-employment shall be paid on the termination of the period of re-employment. 1975,c.28,s.19; 1982,c.32,s.10; 1994,c.61,s.8; 2008,c.32,s.4,13; 2010,c.47,s.3.

Annual increase

**21.** (1) The Commission shall annually, on or before July 1, increase the pension otherwise payable under this Act to any person by 60% of the percentage increase in the Consumer Price (all items) Index for Canada (2002 = 100) for the previous year, subject to a maximum increased payment of 4%.

Application to deferred pension

(2) Subsection (1) applies to a pension that is payable in the circumstances described in clause 17(3)(b). 1995,c.40,s.7; 2005,c.21,s.5; 2006,c.23,s.3; 2008,c.32,s.14.

Integration with Canada Pension

**22.** (1) Where a person receiving a pension under this Act reaches the age of sixty-five years, the pension payable under this Act shall be reduced by 0.7% of the person's average salary for the highest five years of salary, for each year of service after July 1, 1972, and that reduction shall be computed only on that part of the person's salary which constitutes the "Year's Maximum Pensionable Earnings" as defined in the Canada Pension Plan. 1995,c.40,s.8; 1999,c.17,s.1; 2006,c.23,s.4.

Transitional

(2) Repealed by 1999,c.17,s.1.

Refund of contribution after April 25, 1968

**23.** (1) A person who ceases to teach and to contribute to the Fund on or after April 25, 1968, and is not eligible for a pension shall be paid, within such period as may be determined by the Minister, a refund of all contributions to the Fund that have been made by that person.

Return to teaching, minimum teaching period to receive refund

(2) A person who was not teaching and contributing to the Fund on April 25, 1968, and was not eligible for a pension, and who returns to teaching and contributes to the Fund thereafter, must teach a minimum of one year in order to receive all contributions made by him or her to the Fund.

(3) A person who ceased to teach and contribute to the Fund prior to April 25, 1968, and was not eligible for a pension is entitled to a refund of all contributions made by him or her to the Fund except those of the first two years.

Amount of refund

(4) If a member or vested former member dies before becoming eligible for a pension, any refunds to which he or she would be entitled shall be paid to his or her personal representative. 1975,c.28,s.22; 2004,c.48,s.14; 2006,c.23,s.5; 2008,c.32,s.15.

Death of teacher before being eligible for allowance

**24.** (1) Where a member or vested former member dies after two years of service and before retirement, three-fifths the pension to which he or she would have been entitled if he or she had retired by reason of incapacity immediately prior to his or her death, shall be paid to his or her spouse for life.

Teacher dies after five years service, payment to spouse

(2) Where a member or vested former member dies after two years of service and before retirement, leaving dependent children in addition to a spouse entitled to a pension under subsection (1), one-quarter of the remaining two-fifths of the pension to which the member or vested former member would have been entitled if the member or vested former member had retired by reason of incapacity immediately prior to death, shall be paid for each child until the child attains the age of sixteen years, or to age twenty five years if the child continues to attend school, and in no case shall payment to such children exceed three-quarters of the remaining two-fifths of the pension.

Payment to dependent

(3) Where a member or vested former member dies after two years of service and before retirement leaving dependant children but no spouse, a total pension equal to three-fifths of the pension to which the member or vested former member would have been entitled if the member or vested former member had retired by reason of incapacity immediately prior to death, shall be paid on behalf of any children under the age of sixteen years, or under the age of twenty five years while they are attending school and the allowance shall be paid to the guardian or guardians of the children or to any person designated by the Minister.

Dependant children but no spouse, payment to

(4) Where a member or vested former member dies after two years of service and before retirement leaving a dependant other than those provided for in subsections (1) to (3), the Lieutenant Governor in Council may grant that an allowance be continued to be paid on behalf of the dependant; this allowance shall not exceed fifty per cent of the pension to which the member or vested former member would have been entitled if he or she had retired by reason of incapacity immediately prior to his or her death. 1975,c.28,s.23; 1987,c.67,s.4; 1996,c.45,s.1; 1999,c.17,s.2; 2004,c.48,s.15; 2008,c.32,s.5,16.

Other dependants, payments where

Teacher dies while receiving pension, payment to spouse	<b>25.</b> (1) Where a pensioner dies while receiving pension, three-fifths of the pension which he or she was receiving shall continue to be paid to his or her spouse for life.
Dies while receiving pension, payment to spouse and dependent children	(2) Where a pensioner dies while receiving pension leaving dependent children in addition to a spouse entitled to a pension under subsection (1), one-quarter of the remaining two-fifths of the pension which the pensioner was receiving shall continue to be paid for each child until the child attains the age of sixteen years, or to age twenty five years if the child continues to attend school, and in no case shall payment to such children exceed three-quarters of the remaining two-fifths of the pension.
Dependent children, no spouse, payments where	(3) Where a pensioner dies while receiving pension leaving dependent children but no spouse, a total pension equal to three-fifths of the pension which the pensioner was receiving shall continue to be paid on behalf of any children under the age of sixteen years, or under the age of twenty five years while they are attending school and the pension shall be paid to the guardian or guardians of the children or to any person designated by the Minister.
Other dependants, payments where	(4) Where a pensioner dies while receiving pension and having a dependant other than those provided for in subsections (1) to (3), the Lieutenant Governor in Council may grant that a pension, not to exceed fifty per cent of the pension received by the pensioner, to continue to be paid on behalf of the dependant. 1975,c.28,s.24; 1987,c.67,s.5; 1999,c.17,s.3; 2004,c.48,s.16; 2008,c.32,s.17.
Death of child or other dependant	<b>25.1</b> (1) Notwithstanding sections 24 and 25, payments due to a child or other dependant of a member, vested former member or pensioner pursuant to section 24 or 25, shall cease upon the death of the child or other dependant.
Maximum aggregate benefits	(2) The aggregate amount of benefits payable under subsections 24(1), (2) and (3) for a particular month or payable under subsections 25(1), (2) and (3) for a particular month shall not exceed the limit on the aggregate amount of such benefits allowed under the <i>Income Tax Act</i> (Canada).1994, c.61, s.9; 2008,c.32,s.18.
Deemed to be unmarried	<b>26.</b> A non-member spouse who, after pension benefits have been divided, has no further rights under the Fund pursuant to subsection 31.1(4) shall be deemed not to be married to the member or vested former member and not to be a spouse or surviving spouse at the date of death of the member or vested former member. 1975,c.28,s.25; 2008,c.8,s.26(5).
Computation of pension to dependants, right to	<b>27.</b> (1) Where a member, vested member or pensioner dies while receiving or being entitled to receive a pension, then a pension shall be

continued to his or her dependants as of right in accordance with the intent of sections 24 to 26.

(2) Where a member, vested member or pensioner dies after becoming eligible for the pension provided for under this Act or while drawing pension, and leaving no dependants, his or her personal representatives are entitled to receive out of the Fund an amount equal to his or her contributions remaining in the Fund. 1975,c.28,s.26; 2004,c.48,s.17,19; 2008,c.32,s.19.

Teacher dies leaving no dependants

**27.1** For greater certainty, section 22 applies to any spouse or dependant receiving a pension under this Act arising from the death of a member, vested former member or pensioner, and the pension received by that spouse or dependant shall be reduced as provided for in section 22 on the date the member, vested former member, or pensioner would have, except for his or her death, reached the age of sixty-five years. 2008,c.32,s.20.

Application of section 22 to spouse or dependant receiving pension

**28.** (1) Interest at the rate of four per cent per year is payable by the Minister on all refunds made by him or her under this Act.

Interest payable on refunds

(2) Where a member repays refunded contributions, such repayment shall be in an amount equal to the full actuarial value of the repurchased service. 1975,c.28,s.27; 1995,c.40,s.9; 2004,c.48,s.18; 2008,c.32,s.4.

Repayment of refunded contributions

**29.** The payment of any pension or benefit under this Act, or of any expenses incurred in its administration, shall be made upon a requisition in writing signed by the chairperson or vice-chairperson of the Commission, or by persons designated to act on their behalf, directing the issuance of a cheque by the Deputy Minister of Finance and Municipal Affairs for the amount named in the requisition. 1975, c.28, s.28; 1983, c.1, s.6; 1986, c.5,s.2; 1993,c.29,s.4; 2004,c.48,s.19; 2005,c.21,s.6; 2010,c.31,s.3.

Payment of benefits and administration expenses by requisition

**29.1** No right of a person under this Act is capable of being assigned, charged, anticipated, given as security or surrendered, and, for the purposes of this section

Assignment etc. of rights

(a) assignment does not include assignment pursuant to a decree, order or judgment of a competent tribunal or a written agreement in settlement of rights arising as a consequence of the breakdown of a marriage between an individual and the individual's spouse or former spouse nor does it include assignment by the legal representative of a deceased individual on the distribution of the individual's estate; and

(b) surrender does not include a reduction in pension or benefits to avoid the revocation of the registration of the plan under the *Income Tax Act* (Canada). 1994,c.61,s.10; 2004,c.48,s.20.

Reciprocal transfer agreements

**30.** (1) The Commission may, with the approval of the Minister, enter into reciprocal transfer agreements with

- (a) any commission, board, corporation or body having similar objects to those of the Commission;
- (a.1) any department or agency of the government of the province;
- (b) the government of any province of Canada;
- (c) the government of Canada;
- (d) any municipality, college or university in the province; and
- (e) the Council of Maritime Premiers established under the *Council of Maritime Premiers Act* R.S.P.E.I. 1988, Cap. C-27,

for the transfer between Funds of contributions and periods of service.

Agreements subject to restrictions

(2) Agreements entered into by the Commission pursuant to subsection (1), are subject to any restrictions or limitations imposed under the *Income Tax Act* (Canada). 1975,c.28,s.29; 1994,c.61,s.11; 2004,c.48,s.21.

Audit of Commission affairs

**31.** The Auditor General shall conduct an annual audit of the affairs of the Commission. 1975,c.28,s.30; 1980,c.10,s.21.

**31.1** (1) A person who is a member, a vested former member or a pensioner, or a spouse or former spouse of such person, may, in the circumstances described in subsection (2), apply to the Minister to divide the pension benefits to which the person is entitled under this Act between the person and the spouse or former spouse.

Application for division of pension benefits on marriage breakdown

Application division of pension benefits

(2) An application may be made where

- (a) a court of competent jurisdiction in Canada, in proceedings in relation to a divorce or an annulment of marriage, makes an order that provides for the division of pension benefits under this Act between the person and the spouse or former spouse;
- (b) the person and the spouse or former spouse have entered into a written witnessed domestic contract that provides for the division of pension benefits between them upon divorce or annulment of marriage or upon separation; or
- (c) one of the spouses commences an application based on subsection 6(2) of the *Family Law Act* respecting improvident depletion that is subsequently granted,

and the effective date of the divorce or annulment of marriage or the separation referred to in clauses (a) and (b), or the date of the application referred to in clause (c), is on or after January 1, 2006.

(3) The value of the pension benefit shall be determined as of the valuation date in accordance with this Act and the regulations and shall be divided in accordance with an order of the court, the terms of a domestic contract or an order under subsection 6(2) of the *Family Law Act*.

Determination of value of pension benefits

(4) If the pension benefits under the Fund have been divided in accordance with subsection (3), the non-member spouse has no further right under the Fund and the member's, vested former member's, or pensioner's pension benefits shall be revalued accordingly.

Effect of division

(5) A division of pension benefits under the Fund pursuant to the circumstances described in subsection (2) shall not result in a reduction of the commuted value of a member's, vested former member's, or pensioner's pension benefits by more than fifty per cent.

Reduction may not exceed 50%

(6) If a member would not be entitled to a deferred pension on termination of employment, the portion of the member's contributions with interest to be attributed to the non-member spouse may be paid out in cash in accordance with this Act and the regulations.

Cash payment

(7) Where a court order or domestic contract provides for payment by the member, vested former member, or pensioner of a sum equal to and in lieu of the amount owing to the member's, vested former member's or pensioner's spouse in relation to a pension benefit, the Minister and the Fund are not liable for any payments.

Minister not liable

(8) An application shall be made in writing containing the prescribed information, accompanied by a certified true copy of the court order or domestic contract and by such other documents as are prescribed. 2008,c.8,s.26(6).

Application

**31.2** (1) In this section and in sections 31.3 and 31.4, the term "interested party" means the person who is a member, a vested former member or a pensioner, and the spouse or former spouse of such person, between whom the person's pension benefits under this Act are sought to be divided in an application under section 31.1.

Interested party, defined

(2) The Minister shall, after receiving an application under section 31.1, send a notice of the receipt in the prescribed manner to each interested party.

Notice of receipt of application

(3) In the case of an interested party who is not the applicant, the notice shall include any document or information prescribed by regulation.

Notice to interested party

Deemed receipt	(4) The notice is deemed to be received by an interested party 30 days after the day on which it is sent in the prescribed manner to that party. 2008,c.8,s.26(6).
Interested party objects to division	<p><b>31.3</b> (1) An interested party who objects to the division of pension benefits on any of the grounds described in subsection (2)</p> <p>(a) may submit a notice to the Minister or his or her delegate in writing within thirty days after the day on which notice of the receipt of the application is deemed under subsection 31.2(4) to be received by that party; and</p> <p>(b) shall include with the notice, documentary evidence to establish the grounds for objection.</p>
Grounds for objection	<p>(2) The grounds for objection are</p> <p>(a) that the court order, or domestic contract has been varied or is of no force or effect;</p> <p>(b) that the terms of the court order or domestic contract have been, or are being satisfied by other means; or</p> <p>(c) that proceedings have been commenced in a court of competent jurisdiction in Canada to appeal or review the court order or challenge the terms of the domestic contract. 2008,c.8,s.26(6).</p>
Approval of division of pension	<p><b>31.4</b> (1) Subject to subsections (2) and (3), the Minister shall, as soon as is practicable after the Minister is satisfied that an application meets the requirements of this Act, approve the division of the pension benefits for which the application is made.</p>
Decision on application deferred	<p>(2) If an interested party submits a notice of objection to the Minister in accordance with section 21, the Minister shall defer any decision on the application until such time as the Minister is able to ascertain to the Minister's satisfaction whether the grounds referred to in clauses 31.3(2)(a) or (b) have been established, or until the final disposition of the proceedings referred to in clause 31.3(2)(c), as the case may be.</p>
Division of benefits refused where	<p>(3) The Minister shall refuse to approve the division of pension benefits under this Act where</p> <p>(a) the application for the division does not meet the requirements of this Act;</p> <p>(b) the application is withdrawn in accordance with the regulations;</p> <p>(c) the Minister is satisfied that grounds for objection under clause 31.3(2)(a) or (b) have been established and that they provide sufficient reason to refuse the division;</p> <p>(d) as a result of the proceedings described in clause 31.3(2)(c), the court finds that the court order or domestic contract is of no force or effect in respect of the division of pension benefits; or</p>

(e) the period subject to division cannot be determined.  
2008,c.8,s.26(6).

**31.5** (1) A division of pension benefits shall be effected by transferring in accordance with subsection (3) an amount which is not more than fifty per cent of the lump-sum value of the pension benefits of the member, vested former member or pensioner subject to division, as determined in accordance with the regulations.

Division of benefits  
effected by  
transferred amount

(2) The pension benefits of the member shall be adjusted for the period between the date of marriage breakdown and the date the division is effected in accordance with the regulations.

Benefits adjusted

(3) A non-member spouse, or a non-member former spouse, who is entitled to a lump-sum amount upon division of pension benefits shall direct the Minister to transfer the amount to either

Lump-sum on  
division of benefits

(a) a pension plan selected by the spouse or former spouse that is registered under the *Income Tax Act* (Canada), if that pension plan so permits;

(b) a retirement savings plan or fund for the spouse or former spouse that is of the prescribed kind; or

(c) a financial institution authorized to sell immediate or deferred life annuities of the prescribed kind, for the purchase of such an annuity for the spouse or former spouse.

(4) If the non-member spouse fails to direct the Minister in relation to the manner in which his or her entitlement is to be dealt with according to the regulations, that spouse shall be deemed to have directed the Minister to purchase a deferred life annuity.

Failing to direct  
how entitlement is  
dealt with

(5) Where the pension benefits of a member, vested former member or pensioner have been divided under this section the pension benefits and accumulated contributions contributed by the member, vested former member or pensioner shall be adjusted in accordance with the regulations.

Contributions after  
division adjusted in  
accordance with  
regulations

(6) Where both spouses or former spouses are either members, vested former members, or pensioners, and the pension benefits of only one spouse or former spouse have been divided pursuant to this Act, the receiving spouse or former spouse is not entitled to a lump sum payment and the division shall be effected in accordance with the regulations.

No lump sum  
payment

(7) Where the pension benefits of a member, vested former member or pensioner in respect of a given period of marriage have been divided under this section, no further division of pension benefits may be made under this section in respect of that period.

Division of benefits  
for period of  
marriage

No transfer of benefits because of death paid to estate	(8) An amount that cannot be transferred in accordance with subsection (1) by reason only of the death of the spouse or former spouse shall be paid to the estate of the spouse or former spouse.
Notice of division sent to each interested party	(9) The Minister shall send a notice of the division of the pension benefits in the prescribed manner to each interested party. 2008,c.8,s.26(6).
Amount paid in excess of entitlement	<b>31.6</b> If the amount transferred in respect of a spouse or former spouse or paid to the estate of that deceased person under subsection 31.5(8) exceeds the amount to which that person was entitled to have transferred or the estate was entitled to be paid, the amount in excess constitutes a debt due to the Government of Prince Edward Island by that spouse, former spouse or estate. 2008,c.8,s.26(6).
<i>Idem</i>	<b>31.7</b> Where an adjustment is made under section 31.5, and an amount is or has been paid to a member, vested former member, or pensioner that exceeds the amount to which that member, vested former member, or pensioner is or would have been entitled under the Fund after the effective date of that adjustment, the amount in excess constitutes a debt due the Government of Prince Edward Island by that member, vested former member, or pensioner and may be recovered at any time by setoff against any pension benefit that is payable to that member, vested former member, or pensioner from the Fund, without prejudice to any other recourse for recovery that may be available to the Government of Prince Edward Island. 2008,c.8,s.26(6).
Amount not capable of being assigned, charged, anticipated or given as security	<b>31.8</b> (1) Amounts to which a spouse or former spouse is or may become entitled under section 31.5 are not capable of being assigned, charged, anticipated or given as security, and any transaction that purports to assign, charge, anticipate or give as security any such amount is void.
Amount exempt from attachment, seizure and execution	(2) Subject to sections 31.6 and 31.7, amounts to which a spouse or former spouse is or may become entitled under section 31.5 are exempt from attachment, seizure and execution, either at law or in equity. 2008,c.8,s.26(6).
Court order	<b>31.9</b> (1) Notwithstanding any other provision of this Act, where a court of competent jurisdiction in Canada so orders, the Minister shall not, for such period as the court may order, take any action on the direction of a member that may prejudice the ability of the spouse or a former spouse to make an application or obtain a division of pension benefits under this Act.
Requested prescribed information on amount payable	(2) The Minister shall, in accordance with the regulations, on request of a spouse or former spouse of a member, vested former member, or pensioner, provide that person with prescribed information concerning

the pension benefits that are or may become payable to or in respect of that member, vested former member, or pensioner under the Fund. 2008,c.8,s.26(6).

**32.** (1) Where a question arises as to the application of this Act, or as to the periods of service to be reckoned for the purpose thereof, it shall be determined by the Commission. Application of Act

(2) The Minister may review a determination of the Commission Review  
 (a) under subsection (1); or  
 (b) respecting the amount of pension payable to a person,  
 if the person affected applies to the Minister in writing for a review within 30 days of the date that the determination of the Commission was made known to the person.

(3) After a review under subsection (2), the Minister may Powers of Minister  
 (a) confirm the determination of the Commission; or  
 (b) substitute his or her determination for the determination of the Commission. 1975,c.28,s.31; 2004,c.48,s.22.

**33.** The Lieutenant Governor in Council may make regulations Regulations  
 (a) respecting the Teachers' Superannuation Commission;  
 (b) respecting the Teachers' Superannuation Fund, including investments, annual reports and reporting on the activity of the Fund to the Minister;  
 (c) respecting the payments of pensions or benefits under this Act, including proof of eligibility for a pension or benefit;  
 (d) respecting maternity, parental or adoption leave, sabbatical leave or other approved leaves;  
 (e) respecting the calculation of the yearly pension payable under this Act, including recalculations, deductions, adjustments for overpayments or underpayments of a pension or benefit, integration with the Canada Pension Plan, and compliance with the *Income Tax Act* (Canada);  
 (f) respecting pensions granted on the grounds that a member is totally and permanently disabled;  
 (g) respecting refunds of contributions to the Fund;  
 (h) respecting elections under section 17;  
 (i) respecting retirement from the service before the age of 60 or before reaching 30 years of service;  
 (j) respecting the suspension of a pension when the person receiving the pension is re-employed to provide teaching service in the province;  
 (k) respecting transfers of service from any of the bodies listed in subsection 30(1), transfers to the Fund from another superannuation or equivalent fund, the calculation of the full actuarial value of

transferred service, payments in addition to transfers, and reciprocal transfer agreements;

(k.1) prescribing the circumstances in which a person may make an application under section 31.5 of the Act on behalf of another person or may act on behalf of another person in prosecuting an application that has been made by that other person;

(k.2) prescribing the circumstances in which a personal representative may make and proceed with an application pursuant to section 31.5;

(k.3) respecting the manner in which and the extent to which any provision of this Act applies to a person referred to in clauses (k.1) and (k.2) or in the circumstances prescribed by the regulations and adapting any provision of this Act to those persons or circumstances;

(k.4) respecting the withdrawal of applications;

(k.5) for the purposes of section 31.5, for determining, on the basis of generally accepted actuarial principles, the value of pension benefits during the period subject to division;

(k.6) respecting the apportionment or benefits payable upon the death of a member or vested former member;

(k.7) for the purposes of subsection 18(4) and section 31.5, respecting the adjustment of the pension benefits;

(k.8) requiring interest be paid on lump-sum amounts and prescribing the rate of interest or the manner of determining the rate of interest;

(k.9) for determining the effective date of the adjustment of pension benefits;

(k.10) respecting the provision of information to a spouse or former spouse under subsection 31.9(2);

(l) defining any expression that is used but not defined in this Act; and

(m) generally providing for the better administration of this Act. 1975,c.28,s.32; 2004,c.48,s.23; 2008,c.32,s.4; 2008,c.8,s.26(7).

**SCHEDULE  
TEACHERS' SUPERANNUATION FUND  
SCHEDULE OF ADDITIONAL GOVERNMENT  
CONTRIBUTIONS**

Repealed by 2005,c.55,s.4.