



November 12, 2015

Mr. Raymond Bernier
Chair
Committee on Public Finance
Hôtel du Parlement
1045, rue des Parlementaires
RC, bureau RC.36
Québec (Québec) G1A 1A4

Subject: Bill 73 – Act respecting mainly the implementation of recommendations of the pension committee of certain public sector pension plans

Mr. Chair:

Within the framework of its mandate, the Québec Ombudsman reviews all bills and draft regulations introduced in the National Assembly or published in the *Gazette officielle du Québec*. When it deems necessary, it intervenes under section 27.3 of its constituting act, which empowers it to call the attention of the government or a chief executive officer of a public body to legislative, regulatory or administrative reforms it deems to be in the public interest.

I therefore read Bill 73 – *Act respecting mainly the implementation of the recommendations of the pension committee of certain public sector pension plans*, introduced on November 3, 2015.

I salute the initiative by the Minister responsible for Government Administration and Ongoing Program Review and of the Chair of the Conseil du trésor, the purpose of which is to right a detrimental situation. Consequently, I subscribe to the amendments to the *Act respecting the Government and Public Employee Retirement Plan* aimed at obliging the Commission administrative des régimes de retraite et d'assurances (CARRA) to remit an amount where the amount was paid further to an error the citizen could not have reasonably noticed. For several years now, the Québec Ombudsman has noted and documented situations which are harmful to citizens who, because of such errors, saw themselves issued claims that could be hefty at times. These amendments are in response to a recommendation to that effect in our 2009-2010 Annual Report, reiterated in the comments I transmitted to the Chair of the Committee on Labour and the Economy last August 31 concerning Bill 58 – *Act to group the Commission administrative des régimes de retraite et d'assurances and the Régie des rentes du Québec*. This is a significant rectification since the amendments will contribute to considerably minimizing the consequences to the citizens concerned.

However, the Québec Ombudsman is concerned about the unfair situation created by the fact that the new provisions regarding the remission of amounts to citizens will not be applied before the date of coming into force stipulated in Bill 73. Therefore the Québec Ombudsman hopes at least that, in the spirit of Bill 73 and with a view to keeping litigation out of the courts, CARRA will compensate citizens currently wronged by these mistakes in cases where it is civilly liable for a serious error.

Yours respectfully,

Original signed

Raymonde Saint-Germain
Ombudsperson

c.c.: Mr. Martin Coiteux, Minister responsible for Government Administration and Ongoing Program Review, and Chair of the Conseil du trésor
Mr. Jean-Marc Fournier, Government House Leader
Mr. Bernard Drainville, Official Opposition House Leader
Mr. François Bonnardel, House Leader of the Second Opposition Group
Mr. Christian Goulet, President and Chief Executive Officer, Commission administrative des régimes de retraite et d'assurances
Mr. Yves Ouellet, Secretary, Conseil du trésor
Mr. Cédric Drouin, Secretary, Committee on Public Finance
Ms. Anik Laplante, Secretary, Committee on Institutions