

7. The said sum at the rate of two per cent. upon the salary of each person, and the said sum of two dollars also to be annually paid by non-contributors, as hereinbefore provided, shall be made by way of abatement from the annual apportionment of the Legislative Public School Grant, and the Minister of Education shall in his certificate to the Provincial Treasurer of such apportionment also state the amount to be deducted from the salary of each person as his or her annual payment to the said retiring fund, and all sums so deducted shall be paid into and form part of the "Teachers' Retiring and Provident Fund."

8. All moneys from time to time payable to the said fund shall be carried by the Provincial Treasurer to a separate account for this fund distinct from the consolidated revenue fund and also any interest accruing thereon.

9. Every person who complies with the foregoing conditions as to contributions to the fund may retire from the teaching service in his discretion after thirty years of actual teaching, and having reached the age of sixty in the case of male teachers; and after twenty-five years, having reached the age of fifty-five, in the case of female teachers, and shall thereupon be entitled to receive a retiring allowance equal to one-sixtieth of his average salary in respect of each year of his teaching, and if the service had not been continuous, then in respect of the number of years of actual service.

(2) The interest of any person in the fund, or in any retiring allowance when granted, shall not be assignable by such person, or be subject to any execution, attachment or process of any court of law or equity, or judge's order under judgment in the division court.

10. No retiring allowance shall be made for any period of service of less than ten years; and no teacher who retires before he serves the full period of thirty years in the case of males, and of twenty-five years in the case of females, will be entitled to a retiring allowance, unless it has been established by evidence satisfactory to the Education Department that such teacher has become incapacitated by bodily or mental infirmity from performing his duties as a teacher, master or inspector, as the case may be, or unless such male teacher has reached the full age of sixty years, and such female teacher that of fifty years; but any such retiring allowance is liable to be withdrawn in any year, unless the incapacity continues; and the recipient is annually to present himself to the public school inspector, in order that he may report thereon to the Education Department, and any teacher whose disability may cease, and who resumes the service of teaching, will become entitled to the benefits of this fund.

(2) Any male teacher upon reaching the full age of sixty years, and any female teacher that of fifty-five years, shall be entitled to his or her retiring allowance, notwithstanding the periods hereinbefore provided have not been fully served by such teachers.

11. No person shall be entitled to receive back any sum contributed to the fund; but in the case of the decease of any person without having been placed on this fund, his or her wife or husband, as the case may be, or other legal representative, shall be entitled to receive back all sums paid by him into the fund in any year other than during the first ten years of his service, with interest at the rate of five per cent. per annum.

12. The period or periods during which any teacher, before the passing of this Act, has been engaged in teaching, shall be allowed for as if served under its provisions, and any payments made by him on account of the former "Superannuated Teachers' Fund" shall be considered and taken as payments made *pro tanto* to the fund hereby established, and any sum which is required to be paid to equal the amount annually payable to the fund under this Act may be made up by payments in five equal annual instalments after the passing of this Act, or as otherwise provided by the regulations of the Education Department.

13. The allowance to teachers who are now on the list of those superannuated, under the provisions of the former law, will continue to be paid to them under and subject to the conditions thereof.

By order of the Legislative Committee,

ROBERT W. DOAN,
Secretary.

JAMES L. HUGHES,
Chairman.

THE QUEBEC TEACHERS' PENSION ACT.

As the Act lately passed by the Quebec Government, entitled "An Act to establish a pension and benevolent fund in favour of officers of primary instruction" (Act 43, 44, Vict. cap. XXII), which received assent on July 24th, 1880, was the subject of a paper by Dr. Miles of Quebec, and was much discussed in the

Provincial Convention of Protestant teachers held at Montreal in October—the following digest has been prepared.

(1) *Officers of primary instruction.*—This term includes "school inspectors, professors of normal schools, holding diplomas, and male and female certificated teachers, teaching in an institution under the control of school commissioners or trustees, or subsidized by them or by the Government, but does not include members of the clergy or religious communities." (c. 1.)

(2) *The pension fund.*—To provide for pensions.

1st. A reduction or stoppage of two per cent. per annum to be made from all salaries. This to be taken half-yearly by the Superintendent of Public Instruction out of the grant. (c. 16.)

2nd. A stoppage of one per cent. to be made annually from the "Common School" and from part of the "Superior Education" funds.

3rd. An annual grant of one thousand dollars per annum to be made by the Government of the Province.

The amount thus raised to be converted into Provincial or Dominion bonds, and held in trust by the treasurer of the Province, strictly for the purposes of the Act. If the interest be not sufficient to pay pensions, the stoppages from salaries of officers to be increased. (c. 12.)

Note.—Salaries to be estimated by the School Inspectors of Divisions, and to be held to include lodging, board and fuel, when given as such. (c. 17, 18.)

(3) *Nature of pension.*

1st. The pension to be annual, "based upon the average amount paid to officer during the years he has passed in teaching, and for which he has paid the stoppages." (c. 2.)

2nd. Such pension not to exceed the following rates, viz.:

A. For full service of ten years, one-fourth of average salary.
B. One-fortieth of average salary to be added for every additional year.

C. For forty years' service, full average salary to be paid: no additional grant for service over forty years. (c. 2.)

3rd. Pensions shall not be assignable or subject to seizure, (c. 14.)

(4) *Officers entitled to pension.*

1st. No person entitled to pension for years for which stoppage has not been paid.

2nd. Claim to name being placed on the pension list to be based on five years' previous service. (c. 4.)

3rd. All who have been employed as officers for a term of ten years or upwards, and who have reached the age of fifty-eight years, are entitled to retiring pension. (c. 2.)

4th. Also such as have been employed during thirty years, whatever may be their age. (c. 3.)

5th. Also after ten years' service, such as are unable to remain in the service, owing to serious injury or enfeebled health—incurred through no fault of their own. (c. 5.)

6th. From the age of eighteen, all years passed in teaching or as a normal school pupil, shall be included in the years of service at the time of establishing the amount of pension. (c. 9.)

7th. Former service counted before the Act, provided the stoppages be paid for such period within five years after its sanction. (c. 10.)

8th. Payments under pension fund of 1856 counted as payments under this Act. (c. 11.)

9th. Right to claim pension as well as to amounts paid to the pension fund to be forfeited by dismissal or resignation, except for approved reasons, such as in the case of one temporarily accepting a position in an independent school and regularly paying the stoppage. (c. 15, 24.)

(5) *Widows and Children of pensioners.*

1st. The widow of an officer in receipt of, or entitled to claim, a pension, to be entitled to one-half his pension, (1) if married to him six years before his retirement or death in the service; (2) if still unmarried (c. 6, 7.)

2nd. Where no widow's pension is paid, children of officers are entitled to pension till the age of eighteen to the amount of widow's pension. The sum to be divided equally among all below the specified age—the share of those dying or attaining age to devolve upon the others. (c. 8.)

(6) *Details of working.*

1st. Pensions to be forfeited if unclaimed for three years and replacement on the pension list does not entitle pensioners to arrears. (c. 19.)

2nd. Full certificates required of officers, widows or children claiming pensions or reversions of pensions. (c. 20, 21, 22, 23.)