BUY-BACKS

PUBLIC SECTOR PENSION PLANS

Québec

This brochure is intended for the members of one of the following pension plans:

- the Government and Public Employees Retirement Plan (RREGOP);
- the Pension Plan of Management Personnel (PPMP);
- the Retirement Plan for Senior Officials (RPSO);
- the Teachers Pension Plan (TPP);
- the Civil Service Superannuation Plan (CSSP);
- the Pension Plan of Certain Teachers (PPCT);
- the Pension Plan of Peace Officers in Correctional Services (PPPOCS);
- the Superannuation Plan for the Members of the Sûreté du Québec (SPMSQ).

We invite you to read the brochure carefully to find out more about buy-backs of service and their advantages. The information it contains could motivate you to submit a buy-back application in order to improve your retirement income. If needed, your employer can assist you with your application, but you must take the initiative and see to it that the required documents are submitted to us.

In addition, this brochure may also help you determine the periods of your career that you could buy back and know the impact of your buy-back from a tax standpoint.

The information in this document does not supersede the applicable laws or regulations. It is of general nature and could vary depending on the provisions in your pension plan.

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WHAT IS A BUY-BACK OF SERVICE?

A buy-back of service is the provision of a pension plan which allows you, under certain conditions, to **have recognized periods of work or periods of absence** during your career in the public or parapublic sector, either for eligibility to benefits or for calculation of the pension, or both, even if your employer no longer exists.

They could be periods of work for which you did not contribute to your pension plan or periods of absence without pay.

By carefully examining your Statement of Contributions, you can find periods of work or periods of absence that have not been recognized in your pension plan. Your Statement of Contributions is the record of your contributions to your pension plan and the years of service accumulated. Each complete year of service is shown as 1.0000. A lower number in the column *Service for Calculation Purposes* indicates that there may be a buy-back possibility.

A Statement of Contributions is sent only upon request. To receive one, you must fill out the form *Application for a Statement of Contributions* (008A), available on our website.

WHAT PERIODS CAN BE BOUGHT BACK?

WORK PERIODS

1. **Periods of service prior to your membership in the pension plan and for which you received remuneration.**

   It can be, in particular, periods of service performed:

   - in a health and social services sector research centre[1];
   - in an organization before it was affected by the plan, and became affected by it by decree after June 30, 2011[2];
   - as a member of the staff of the office of the Lieutenant-Governor, a Minister or a member of the National Assembly;
   - as active member in the Canadian Forces;
   - as a teacher, religious or not, laicized or secularized, or not[3].

   Note that some work periods may not be bought back as service prior to enrolment, for example:

   - periods of work as an independent worker;
   - periods for which your contributions were refunded under the provisions of the RREGOP.

1. You can also buy back, for those periods of service, the days during which you were on maternity leave or were receiving salary insurance benefits.
2. *Idem*.
3. The buy-back could make you eligible to the PPCT. To find out more about that plan, please consult the document *Le RRCE en bref* (available in French only), which you can find on our website.

2. Periods of service as a casual employee[4]

It can be periods of work performed as a casual employee since July 1, 1973, until:

- December 31, **1986**, for employees of the health and social services sector (only employees on a **recall list**);
- December 31, **1987**, for employees of the public sector, health and social services sector (for those whose name is not entered on a recall list) and the education sector.

Note that periods of work during which you worked as an independent worker cannot be bought back as periods of work as a casual employee.

PERIODS OF ABSENCE

1. Absence without pay

You can buy back periods of **absence without pay** that began after your enrolment in a plan, whether they were authorized by your employer or not (strike, lockout or suspension) and whether they are isolated days or longer periods.

It can also be a period of absence that has never been bought back and is within a period for which we reimbursed your contributions. That period must have taken place under the same pension plan as the one to which you are presently participating.

Parental leave is also an absence without pay to which an employee is entitled following the birth or adoption of a child. The duration may vary according to working conditions. Most collective agreements in the public and parapublic sectors provide for parental leaves of up to two years.

Finally, it is also possible to buy back a compassionate care leave in progress on January 1, 2012, or that started after that date. That period lasts a maximum of 104 weeks during which an employee is absent from work due to family or parental responsibility, for example, to take care of a family member who was in an accident or has a severe illness. During such a period, an employee can pay contributions for his pension plan to his employer. If not, he/she will be able to buy back that period when he/she returns to work.

2. Maternity leave that began before January 1, 1989

You can buy back periods of maternity leaves that began before January 1, 1989, even if they ended after that date. These are periods of 17 or 20 weeks of leave granted by the employer based on the employee's working conditions.

Here are absences you do not have to buy back:

- **Short absences without pay under the RREGOP, that began on January 1, 2002**[5], or after, since employees continue to pay contributions to their pension plan.

  They are:

  - full-time absences of 30 consecutive days or less;
  - part-time absences of 20% or less of the regular time of a full-time employee (for example, one day a week).

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4. You can also buy back, for those periods of service, the days during which you were on maternity leave or were receiving salary insurance benefits.
5. On July 1, 2002, for the PPMP, January 1, 2005, for the PPPOCS and January 1, 2008, for the SPMSQ.

- **Maternity leaves that began after December 31, 1988**, since they are automatically recognized in the pension plan. They are credited by means of your employer's annual report.
- **Periods of absences without pay due to illness when you benefit from a mandatory salary insurance plan**, since they are also automatically recognized in the pension plan, for a period of up to three years.

WHAT ARE THE BENEFITS OF A BUY-BACK OF SERVICE?

1. YOU COULD BECOME ELIGIBLE TO A RETIREMENT PENSION EARLIER

The period you bought back will be taken into consideration in establishing your eligibility for a pension. Indeed, in certain cases, the buy-back of service may make it possible for you to retire at an earlier date. In addition, the increase in the number of years of service recognized for eligibility may diminish the reduction due to the anticipation applicable to your retirement pension, and even eliminate it.

However, if you are a member of the RREGOP, the PPMP, the RPSO or the PPPOCS, your plan recognizes a complete year of service for the years of incomplete participation since January 1, 1987, (and since January 1, 1988, for the PPPOCS) but only for eligibility for a pension. Therefore, the service added for eligibility allows part-time employees to accumulate service at the same pace as full-time employees. Hence, by buying back a period of absence, you will increase your pension, but you will not advance the date on which you will be eligible for a retirement pension.

2. YOU INCREASE YOUR RETIREMENT PENSION

Usually, the period bought back will be taken into consideration in calculating your retirement pension. Upon retirement, you will thus obtain exactly the same benefits as if you had contributed normally to your pension plan during that period.

3. YOU COULD BENEFIT FROM TAX ADVANTAGES

The amounts paid for a buy-back of service are usually deductible from your taxable income, except if they come from a Registered Retirement Savings Plan (RRSP). In addition, if you pay your buy-back through periodic payments, the interests added to pay its cost can be deducted from your taxable income under certain conditions.

IS A BUY-BACK OF SERVICE ALWAYS WORTHWHILE?

Generally speaking, it is to your advantage to submit your application for a buy-back as early as possible and, if possible, as soon as the end of your period of absence. Indeed, for several types of buy-backs, the cost is determined according to your annual pensionable salary on the date of the application, salary to which a variable fee is applied depending on your age and the period to be bought back. Therefore, if you decide to postpone your application for a buy-back, its cost could gradually increase from year to year.

On the other hand, if you submit an application for a buy-back of absence without pay within six months following the end of the absence, its cost may be lower.

As for **maternity leave** that began before January 1, 1989, but after your enrolment in the plan, note that the service is recognized **at no cost**, but you must submit a buy-back application.

If, however, the maternity leave occurred during a period of service prior to enrolment in a pension plan or during a period of service as a casual employee, the cost corresponds to the cost of the buy-back of those periods of service.

Benefits of the main types of buy-backs

Nature of the period to buy back	Periods most commonly bought back	Benefits	Comments
Work Period	– Service as a casual employee	Such a buy-back is usually advantageous because of its relatively low cost. The buy-back has the advantage of increasing the amount of your pension. It could also help lower or eliminate the reduction applicable to your retirement pension and, in some cases, may allow you to retire earlier.	
Work Period	– Service in a health and social services sector research centre – Service in an organization before it became affected by the pension plan	Although costly, such a buy-back is advantageous as it makes it possible to increase the amount of your pension. This buy-back can also allow you reduce or eliminate the reduction applicable to your retirement pension and, in some cases, may allow you to retire earlier.	We recommend that you evaluate this buy-back based on your situation.
Period of absence	– Parental leave related to a maternity, paternity or adoption leave in progress **on January 1, 1991, or that started after that date** (under the RREGOP, the PPMP, the RPSO or the PPCT) – Parental leave under the SPMSQ that started after **January 1, 2006** – A compassionate care leave in **progress on January 1, 2012, or that started after that date** – An absence without pay under the PPPOCS (for an application submitted **within six months following the end of the absence**)	Such a buy-back is usually advantageous because of its relatively low cost. The buy-back has the advantage of increasing your pension, and, in some cases, may allow you to retire earlier.	
Period of absence	– An absence without pay under the RREGOP, the PPMP, the RPSO or the PPCT (other than parental leave) – An absence without pay under the SPMSQ (other than parental leave) – An absence without pay under the PPPOCS (for an application submitted **more than six months after the end of the absence**)	Although costly, such a buy-back is advantageous as it can increase the amount of your pension. It can also make it possible for you reduce or eliminate the reduction applicable to your retirement pension and, in some cases, may allow you to retire earlier.	We recommend that you evaluate this buy-back based on your situation.

To find out quickly and easily the approximate cost of the most common buy-backs, you can use the "Buy-Back Cost Estimator" tool available on our website.

For the fee schedule, refer to the document *Fee Schedule for Certain Types of Buy-Backs*, also available on our website.

BUY-BACK OF PERIODS OF ABSENCE AND THE 90-DAY BANK

When your right to benefits is established and your retirement pension calculated, your plan provides the addition, **automatically** and **without cost**, of a maximum of 90 days (the 90-day bank) to your years of service to offset absences without pay. Those days represent credited service recognized for calculation of the pension. They also represent service for eligibility to benefits but only if they occurred before 1987, since the days of absence that occurred since 1987 are already recognized as added service for eligibility. It would be to your advantage to take those elements into consideration in order to avoid buying back those 90 days needlessly, and to take advantage of this zero fee at the time of your retirement.

According to legal provisions, your days of absence prior to January 1, 2011, (in the case of parental leave or another absence without pay) can be offset by that bank, whereas those after December 31, 2010, must be related to parental leave for us to apply the 90-day bank.

If your buy-back application pertains to periods prior to January 1, 2011, we will apply the 90-day bank to the most costly absences to be bought back, if applicable to do so.

In order for us to take into account the 90-day bank while processing your buy-back application, you need only answer "Yes" to the question on the subject in the form *Application for Buy-Back* (727A).

WHAT ARE THE REQUIREMENTS TO BUY BACK SERVICE?

Usually, you must meet the following requirements to buy back service:

- be contributing to your pension plan on the date we receive your application[6];
- have been employed, during the period you wish to buy back, in an organization affected by your pension plan, or would have been had it not ceased to exist;
- meet the specific conditions of the type of buy-back depending on your pension plan;
- submit an application using the prescribed forms, *Application for Buy-Back* (727A) and *Attestation of a Buy-Back Period* (728A). We must receive them before the date of your retirement;
- if you are on a recall list, submit your application to us as soon as you begin contributing to a plan.

6. In the case of a **buy-back of absence**, you have to be contributing to your plan on the date of receipt of your buy-back application, except if, at the end of that period: 1) you are on maternity leave or absence for disability; 2) you benefit from a transfer agreement or; 3) you are eligible for an immediate pension. Please note that, in such a case, we must have received your buy-back application no later than the date of receipt of your application for a retirement pension. To obtain clarifications, please consult part H of the guide accompanying form 727A, available on our website.

HOW DO WE APPLY FOR A BUY-BACK OF SERVICE?

Simply fill out the following forms and also have them filled out by your employer(s). Both forms are available on our website.

- *Application for Buy-Back* (727A);
- *Attestation of a Buy-Back Period* (728A).

The forms are mandatory, in accordance with the Act Respecting the Government and Public Employees Retirement Plan. You are responsible for obtaining the form *Attestation of a Buy-Back Period* (728A), completed and signed by the employers concerned, for all the periods you want to buy back; for attaching them to the form *Application for Buy-Back* (727A), completed and signed by you and your current employer; and for submitting those forms to us, along with any supporting documents if applicable. In order to process your application within the best possible time, make sure that the mandatory fields are completed, that all the information requested is provided and that your application is duly signed. The information requested is essential to the evaluation of your application. An incomplete application will be returned to you.

YOUR CURRENT EMPLOYER AS WELL AS YOUR PREVIOUS EMPLOYERS HAVE AN IMPORTANT ROLE TO PLAY

In order to attest that, at the time of the application you were participating in your pension plan, your current employer must complete and sign Part H of the form *Application for Buy-Back* (727A), even if that employer is not concerned by the periods to be bought back.

As for the form *Attestation of a Buy-Back* (728A), it must be completed by the employer concerned by the periods to be bought back, whether it is your current employer or a former employer.

If you apply to buy back a period of absence, your employer should, in addition to providing the information requested, verify that the contribution information the employer reported in your regard is accurate, and, if applicable, make any necessary corrections.

By certifying the periods requested in the application, the employer concerned will provide us with detailed information which will help determine more accurately the service that you will be able to buy back and the cost of that buy-back.

It is possible that one of your previous employer's name has changed following a consolidation or merger, or may have ceased to exist. If you have difficulty finding a former employer or if you worked in the public sector, we suggest you check with Services Québec.

If you worked in the health and social services sector or the education sector, you can contact a member of personnel from the current institution in the area concerned that may have taken over the administration from your former employer (for example, a school board, hospital, etc.).

If you apply to buy back a period of work and your efforts to find the former employer concerned prove unsuccessful, you should either:

- authorize us to obtain information from Revenu Québec, such as your employment income and the name of the employer during the period you wish to buy back;
- provide such proof of remuneration yourself.

Lastly, we invite you to carefully read the instructions in the guide accompanying the form *Application for Buy-Back* (727A), specifically Part F – Authorization to contact *Revenu Québec*.

WHAT WILL BE OUR ANSWER?

When your application for buy-back meets all or part of the buy-back requirements, we will send you a **buy-back proposal**, which will describe the requirements that will apply to your buy-back and inform you of the following, in particular:

- the periods you can buy back;
- the total cost of the buy-back;
- your annual pensionable salary at the time of the application[7];
- the terms of payment;
- the impact of the buy-back from a tax standpoint, and the PA (Pension Adjustment) or the PSPA (Past Service Pension Adjustment) related to the buy-back.

Depending on the periods you requested to buy back, you may receive several proposals. The proposals will be accompanied by a *Reply-Form* that you must return to us.

A buy-back proposal merits careful study. Besides its cost and benefits, a buy-back has a number of tax impacts that must be considered. Do not hesitate to ask for help and advice from your employer, your professional association, your union, or your financial adviser.

Should your application for buy-back fail to meet the buy-back requirements, we will notify you in writing.

BUY-BACK OF SERVICE AND MAXIMUM SERVICE

There is a provision called **maximum service** that limits the maximum number of years of service that can be used to calculate the basic pension and beyond which you no longer contribute to your pension plan.

That number is 38 years of service since December 31, 2013.

Correspondingly, if, at the time your application for buy-back is processed we notice that you have reached the maximum service allowed, you will receive a letter informing you that you have nothing to pay for your buy-back. The pensionable salary for the period you wish to buy back will then be used in the calculation of your pension if it results in increasing it.

Furthermore, if the period you wish to buy back allows you to reach and exceed the maximum service permitted, the cost of the buy-back will be adjusted in order to correspond solely to the portion of service required to reach that maximum.

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7. Since this salary may have been used to determine the cost of your buy-back(s), it is recommended that you check the accuracy of the information.

IS THE PERIOD OF VALIDITY OF THE BUY-BACK PROPOSAL LIMITED?

Yes. A buy-back proposal is only valid for 60 calendar days from its date of issue, that is, until the expiry date appearing in the letter that accompanies the proposal(s). After that deadline, if you have not accepted the buy-back proposal(s), your application will be considered never having been submitted.

HOW CAN YOU PAY FOR A BUY-BACK OF SERVICE?

You can pay for your buy-back through full immediate payment or payment by monthly or annual instalments, whichever you prefer. You can pay by cheque, direct debit, transfer from a Registered Retirement Savings Plan (RRSP) or, if your employer agrees, by salary deductions. You can also use your sick leave credits to pay for your buy-back if your working conditions allow it and if your employer agrees.

If you opt for full immediate payment, we must receive it and it must be cashable no later than the expiry date on the buy-back proposal. The date appears in the letter that accompanies the proposal(s). If full payment is not received on that date, interests will apply, and this, whatever the means used to pay the cost, including the transfer of funds from an RRSP or payment out of your sick leave credits. Please note that, in respect with the tax rules, we must receive the transfer of funds from an RRSP no later than six months following acceptance.

If you choose to pay for your buy-back through periodic instalments, interests will be added.

Once you have decided what periods you will buy back and what method of payment you plan to use, **you must indicate your choice on the corresponding Reply-Form and return it to us before the expiry date on the buy-back proposal**.

IS THE COST OF A BUY-BACK OF SERVICE DEDUCTIBLE FROM TAXABLE INCOME?

Yes. The amounts paid for a buy-back are usually deductible unless the funds are from an RRSP. In addition, if you pay by periodic instalments, the interests added by us will also be deductible from your taxable income under certain conditions, **unlike the interests on a bank loan**.

We issue the required tax receipts in late February of each year following the year of payment for a buy-back. Note that, although you can contribute to an RRSP for a given fiscal year within the first 60 days of the following fiscal year and thus take advantage of the normal tax deduction, only the amounts paid for a buy-back during the calendar year may be deducted from the taxable income for the same year.

You will find in the buy-back proposal all the information related to the amounts that are deductible as a result of your buy-backs.

WHEN WILL MY FILE BE ADJUSTED TO TAKE INTO ACCOUNT THE BOUGHT BACK PERIOD?

We register the accepted buy-back(s) as soon as we receive the reply-form confirming your acceptation of the proposed buy-back(s).

However, if your buy-back pertains to a period subsequent to 1989 and that a Past Service Pension Adjustment (PSPA) was calculated, it must be approved by the Canada Revenue Agency (CRA). It is a mandatory step in order to complete the acquisition process of your buy-back. For more details on the subject, please consult the following section called "What are the tax rules regarding the buy-back of service?".

In addition, a buy-back of service if officially acquired once you have paid its full cost.

WHAT ARE THE TAX RULES REGARDING THE BUY-BACK OF SERVICE?

In order for all Canadian taxpayers to benefit from equal advantages relating to retirement savings, the CRA introduced, on January 1, 1990, a limit to the amount that can be deducted each year from taxable income as contributions to a Registered Retirement Savings Plan (RRSP). That limit, called RRSP Deduction Limit, or simply, Fiscal Tax Room, represents 18% of the previous year's earned income (up to the RRSP limit).

In this context, to allow for the fact that some tax payers, such as yourself, participate in a pension plan offered by their employer, the CRA established two mechanisms:

- the Pension Adjustment (PA);
- the Past Service Pension Adjustment (PSPA).

The PA corresponds to the value of the benefits acquired in your pension plan administered by us during a year of service. **The PA reduces the maximum amount of contributions you can pay in your RRSP for the current year.** The space left constitutes the deductions unused under the RRSP, which accumulate year after year.

As for the PSPA, it reduces the deductions unused under the RRSP when your benefits acquired in the pension plan to which you participate are increased following recognition of past service after 1989, such as, for example:

- when an additional period of service after 1989 is credited to you as participant to a pension plan through transfer or buy-back of service or absence;
- when the benefits increase retroactively.

In those situations, the value of the benefits accrued increase and a Past Service Pension Adjustment (PSPA) is calculated in order to reduce the tax room.

Therefore, the PA reduces exclusively your right to contribute to your RRSP for the current year, while the PSPA reduces your unused rights of contributions to your RRSP:

18% of the income earned during the previous year

Less (-)

- the PA issued for the previous year following contributions paid in your pension plan
- the PA issued following a buy-back of service, if applicable

(Note: 18% - PA: if the result is negative, it is converted to 0 by the CRA)

Plus (+)

deductions unused in an RRSP for the previous year

Less (-)

contributions paid to your RRSP during the previous year

Less (-)

the PSPA issued following your buy-back of service, if applicable

Equals (=)

Your tax room for the current year

SIMPLIFIED TAX ROOM

18% of the income earned last year
\- The PA issued for last year
= Balance of your rights of contributions for the current year (positive or "0": a negative balance is converted to 0 by the CRA)

→

Balance of your rights of contributions for the current year
\+ All your unused deductions for the previous years
\- The PSPA
\- Contributions paid to your RRSP for the last year
= **Balance of your unused deductions for the current year (positive or negative)**

To find out the amount of tax room you have, please consult your most recent Notice of Assessment sent to you by the CRA. This document is called *RRSP Deduction Limit Statement for 20XX*.

WHO CALCULATES THE PA AND THE PSPA?

It is your employer who calculates the PA linked to regular contributions and enters it on your T4 slip. However, in the case of a buy-back or a transfer of service, it is us who calculates the PA or the PSPA as administrator of the pension plan. That amount appears on the buy-back or transfer proposal we prepare and send you by mail.

It is important to note that the PA or the PSPA corresponds to the value of the benefits accrued in a pension plan. That value does not correspond to the contributions paid or the amounts paid to pay off the cost of the buy-back of service.

PA OR PSPA?

It is the type of buy-back and the date on which you accept the buy-back proposal which determine if it is a PA or PSPA that should be issued.

For all types of buy-backs related to service prior to enrolment in your pension plan, a PSPA will be issued for the years of service subsequent to 1989.

For all types of buy-backs related to periods of absence without pay, it is the date of acceptance of the buy-back proposal which is determinant:

- If you accept our buy-back proposal **before May 1st of the year following the end of the period of absence**, we will usually calculate a **PA**. We will send the information to your employer so that he can add it to the PA which he must calculate for your regular contributions and enter the total on the income tax slip he will then send to the CRA.

  Note that the number of years of service that can be subject to a buy-back and for which a PA is established is subject to a maximum set by the CRA; the maximum varies according to the type of leave you took. If the maximum is reached, we will instead calculate a PSPA for the period requested.

- If you accept our buy-back proposal **after April 30th of the year following the end of your period of absence**, we will then calculate a **PSPA** and send a copy to the CRA for certification. Usually, for a PSPA to be certified, its value must not exceed the amount of your rights unused at the end of the previous year, to which will be added an amount of $8000.

IS YOUR TAX ROOM SUFFICIENT?

In the case where you would have paid the maximum contributions to an RRSP in the past years, it is possible that your tax room will not be sufficient to allow certification of the PSPA by the CRA.

In that case, the CRA will contact you and grant you a 30-day delay to regulate the situation by one of the following means:

- payment of the buy-back of service through a transfer from your RRSP, which will reduce the PSPA by the same amount;
- withdrawal of a sufficient amount from your RRSP to allow certification of the PSPA;
- a combination of both previous actions.

Note that, in this situation, you will no longer be able to contribute to your RRSP for as long as your tax room is not positive again.

Important

If you do not act through one of the means mentioned within the prescribed delay, you will not receive certification of your PSPA by the CRA. We will then have to cancel, in part or in whole, your buy-back of service.

Any buy-back we propose requires careful analysis on your part, because the stakes can vary according to the date on which you accept our buy-back proposal. This date can either be **before May 1st** of the year following the end of your absence **(acquisition of a PA)**, or after April 30th of the year following the end of your period of absence **(acquisition of a PSPA)**.

It is in your best interest to apply for your buy-back as soon as possible following the end of your period of absence. This way, you would receive your buy-back proposal earlier and could benefit from a PA instead of a PSPA.

To get answers to any questions related to taxation, please contact the CRA (**www.cra-arc.gc.ca**).

For general information regarding calculation of the PA and PSPA, please contact us.

Subscribe to our electronic mailing list

By subscribing to our electronic mailing list, you can keep up with the latest information on the various public sector pension plans. The registration form is available on our website.

TO CONTACT US

Internet

www.retraitequebec.gouv.qc.ca

By telephone

418 643-4881 (Québec region)
1 800 463-5533 (toll free)

People with a hearing impairment
418 644-8947 (Québec region)
1 855 317-4076 (toll free)

By Fax

418 644-8659

In person or by mail

If you want to meet with a staff member, we recommend you call to make an appointment. You can also write to us or come to our offices at the following address:

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Retraite Québec