1980

c 494 Teachers' Superannuation Act

Ontario
CHAPTER 494

Teachers' Superannuation Act

1.—(1) In this Act,

(a) "actuary" means a Fellow of the Canadian Institute of Actuaries;

(b) "board" means a public school board, separate school board, secondary school board or board of education;

(c) "Commission" means the Teachers' Superannuation Commission;

(d) "employed" means engaged for any period,

(i) as a teacher in an elementary school or a secondary school,

(ii) as a teacher in a school or class designated by the regulations,

(iii) as a teacher in a school outside Ontario under a teachers' exchange system authorized by the Minister,

(iv) as a teacher in a school or class that is maintained by the Government of Canada or the Government of Ontario, or both, for the instruction of members or former members of the Canadian Forces and that is designated by the regulations, where the teacher has elected to come under this Act,

(v) as a teacher by the minister of a ministry of the Government of Ontario,

(vi) as a teacher in Elliot Lake Centre for Continuing Education, Moosonee Education Centre, the Institute of Child Study, the University of Toronto Schools, the Ontario College of Art, the Royal Ontario Museum,
Chap. 494

TEACHERS' SUPERANNUATION

Sec.1(1)(d)(vi)

Ryerson Polytechnical Institute, St. John's Training School for Boys, Uxbridge, or St. Joseph's Training School for Boys, Alfred,

(vii) as a teacher in the civil service as defined in the Public Service Act,

(viii) as a co-ordinator or instructor under any agreement entered into under the Adult Occupational Training Act (Canada),

(ix) as a full time employee by a board or in the Ministry,

(x) as an officer of an association or body of teachers engaged in advancing the interests of education and designated by the regulations,

(xi) as an officer of an association or body of boards or of trustees and ratepayers engaged in advancing the interests of education and designated by the regulations,

(xii) by the Minister or a board in any capacity designated by the regulations,

(xiii) by any organization and in any capacity designated by the regulations,

but no person shall be deemed to be employed who,

(xiv) is not qualified as a teacher under the Education Act and the regulations under that Act,

(xv) is regularly engaged outside Ontario and who is performing services in Ontario under a teachers' exchange system approved by the Minister, or

(xvi) is a contributor to a fund to which the Crown contributes except the Teachers' Superannuation Fund;

(e) “Fund” means the Teachers' Superannuation Fund;

(f) “Minister” means the Minister of Education;

(g) “Ministry” means the Ministry of Education;
Sec. 2 (5)  

TEACHERS' SUPERANNUATION  

Chap. 494  

761

(h) "regulations" means the regulations made under this Act;

(i) "Treasurer" means the Treasurer of Ontario.  

R.S.O. 1970, c. 455, s. 1; 1971 (2nd Sess.), c. 9, s. 1; 1972, c. 1, ss. 1, 2, 65; 1975, c. 85, s. 1, revised.

(2) Every person,

(a) to whom the Minister has granted a certificate of qualification or a letter of standing; or

(b) in respect of whom the Minister has granted a letter of permission to a board,

shall be deemed to be qualified as a teacher for the purposes of this Act so long as his certificate or letter of standing, or the letter of permission granted in respect of him, remains valid.  

1973, c. 36, s. 1.

2.—(1) The Teachers' Superannuation Commission is continued.  

(2) The Commission shall be composed of,

(a) six persons who shall be appointed by the Minister; and

(b) five contributors to the Fund who shall be elected by ballot by the contributors to the Fund who are members of the teachers' organizations designated by the regulations.

(3) The Minister shall designate triennially one of the members as chairman.

(4) When a vacancy occurs among the members, another member shall be appointed by the Minister or by the governing body of the teachers' organization concerned, as the case may be, so soon as is practicable after the vacancy occurs, and the person so appointed shall hold office for the unexpired portion of the term of the member he replaces.

(5) Each member is eligible for reappointment or re-election, as the case may be.
(6) Each member shall hold office for three years and until his successor is appointed or elected. R.S.O. 1970, c. 455, s. 2 (1-6).

(7) The Commission shall meet in the offices of the Commission at such times as the Commission may determine. 1973, c. 36, s. 2.

(8) Eight members constitute a quorum. R.S.O. 1970, c. 455, s. 2 (8).

3. — (1) Subject to the approval of the Lieutenant Governor in Council, the Commission may,

(a) in its own name acquire by purchase, lease or otherwise and hold any real property or any interest therein necessary for its actual use and occupation; and

(b) when no longer so necessary, sell or otherwise dispose of any of such property and pay the proceeds thereof into the Fund.

(2) Any expenditure incurred by the Commission in connection with any property acquired under subsection (1) shall be deemed to be an administration expense.

(3) The Commission may in its own name contract and be contracted with and sue and be sued in respect of any property or any interest therein acquired under subsection (1).

(4) The Commission shall be deemed to be a Crown agency to which the Crown Agency Act applies for the purposes of the Mechanics' Lien Act. 1971 (2nd Sess.), c. 9, s. 3, part, revised.

4. Where any document is required to be executed by the Commission, it is sufficient if the document is signed in the name of the Commission by any two of,

(a) the chairman of the Commission;

(b) a member of the Commission designated by the Commission for the purpose;

(c) the director of the Commission. 1971 (2nd Sess.), c. 9, s. 3, part.

5. The Commission shall continue to provide to each contributor to the Fund the explanations required to be provided to
Sec. 10 (1) TEACHERS' SUPERANNUATION Chap. 494 763

6. It is the duty of the Commission to administer this Act and in so doing it shall determine the right of every applicant to receive an allowance or a refund and the amount thereof. R.S.O. 1970, c. 455, s. 3.

7.—(1) Subject to the approval of the Lieutenant Governor in Council, the Commission may,

(a) establish job classifications, salary ranges and the terms and conditions of employment for its employees; and

(b) appoint a director, an actuary, a solicitor, a medical referee and such other employees as are considered proper.

(2) The employees of the Commission shall be paid out of salaries the Fund.

(3) The Public Service Superannuation Act applies to the permanent employees of the Commission as though the Commission had been designated by the Lieutenant Governor in Council under section 28 of that Act. R.S.O. 1970, c. 455, s. 4.

8.—(1) The Teachers' Superannuation Fund is continued.

(2) The Treasurer is the custodian of the Fund.

(3) The actuary of the Commission shall make an actuarial valuation of the Fund as of the 31st day of December, 1972 and of each third year thereafter, but the Minister may direct him to make additional actuarial valuations of the Fund at any time. R.S.O. 1970, c. 455, s. 5.

9. The Commission may receive any gift, devise or bequest made to or for the purposes of the Fund and shall pay it or the proceeds thereof into the Fund to be applied as directed by the donor, and, if so directed, in additional benefits to those provided by this Act or, in the absence of such a direction, to the general purposes of the Fund. R.S.O. 1970, c. 455, s. 6.

10.—(1) The issue by the Treasurer of Ontario Government stock in the sum of $31,200,000, dated the 1st day of November, 1942, bearing interest at the rate of 4 3/4 per cent per year payable half-yearly, and maturing on the 1st day of
November, 1982, shall be withdrawn and replaced by the issue by the Treasurer of a Province of Ontario debenture in the sum of $31,200,000, dated the 1st day of May, 1971, bearing interest at the rate of 6 per cent per year payable half-yearly, and maturing on the 1st day of November, 1982.

(2) The issue by the Treasurer of Ontario Government stock in the sum of $43,000,000, dated the 1st day of November, 1952, bearing interest at the rate of 4½ per cent per year payable half-yearly, and maturing on the 1st day of November, 1992, shall be withdrawn and replaced by the issue by the Treasurer of a Province of Ontario debenture in the sum of $43,000,000, dated the 1st day of May, 1971, bearing interest at the rate of 6 per cent per year payable half-yearly, and maturing on the 1st day of November, 1982.

(3) The issue by the Treasurer of Ontario Government stock in the sum of $176,000,000, dated the 1st day of November, 1962, bearing interest at the rate of 4½ per cent per year payable half-yearly, and maturing on the 1st day of November, 2002, shall be withdrawn and replaced by the issue by the Treasurer of a Province of Ontario debenture in the sum of $176,000,000, dated the 1st day of May, 1971, bearing interest at the rate of 6 per cent per year payable half-yearly, and maturing on the 1st day of November, 1987.

(4) The issue by the Treasurer of Ontario Government stock in the sum of $454,500,000, bearing interest at the rate of 5 per cent per year payable half-yearly, and maturing on the 1st day of November, 1972, is withdrawn and replaced by the issue by the Treasurer of a Province of Ontario debenture in the sum of $454,500,000, dated the 1st day of May, 1971, bearing interest at the rate of 6 per cent per year payable half-yearly, and maturing on the 1st day of November, 1992.

(5) The Treasurer shall issue from time to time a Province of Ontario debenture in the amount, as determined by the Commission, of surplus funds accumulated in the Fund and not required for current expenditures, such debenture to be for a term of not more than twenty-five years and not less than twenty years and to bear interest payable half-yearly at a rate of interest not less than the weighted average yield to maturity of long term securities issued or guaranteed by the Province payable in Canadian dollars and sold to the public during the Province of Ontario fiscal year next preceding the date of the debenture.

(6) For the purposes of subsection (5), the rate of interest and the term of the debenture shall be as agreed upon
between the Treasurer and the Commission and approved
by the Lieutenant Governor in Council.

(7) The Province of Ontario debentures issued under this
section are a charge upon the Consolidated Revenue Fund.
1971 (2nd Sess.), c. 9, s. 4, part.

11.—(1) All securities belonging to the Fund shall be depos-
ited with the Treasurer.

(2) The Treasurer is responsible for the safekeeping of all
securities deposited with him under subsection (1). 1971
(2nd Sess.), c. 9, s. 4, part.

12. When the payments into the Fund in any year are Deficiency
insufficient to make the required payments out of the Fund, the
deficiency shall be made up out of the Consolidated
Revenue Fund. R.S.O. 1970, c. 455, s. 8.

13. Accounts shall be kept in which shall be entered all Assets and liabilities and payments into and disbursements
out of the Fund. R.S.O. 1970, c. 455, s. 9.

14. The period from the 1st day of January to the 31st day of Fiscal year
December constitutes the fiscal year of the Commission. 1975,
c. 85, s. 2, revised.

15. Except where otherwise specifically provided by this Interest Act,

(a) interest payable under this Act or the regulations
shall be at the rate of 6 per cent per year, com-
pounded half-yearly; and

(b) interest is payable on any payment into or out of
the Fund, other than an allowance, that is six months
or more in arrear. R.S.O. 1970, c. 455, s. 11;
1971 (2nd Sess.), c. 9, s. 5.

16.—(1) The accounts of the Fund shall be audited and Audit
the securities in which the moneys of the Fund may be
invested shall be examined and checked in each year by the
Provincial Auditor or by such other auditor as the Lieu-
tenant Governor in Council appoints, and the auditor shall
make an annual report, and prepare and furnish such other
statements as the Treasurer may require.

(2) The cost of such audits and reports shall be paid by Costs and expenses of audits
the Commission out of the Fund. R.S.O. 1970, c. 455, s. 12.
17.—(1) The Commission shall annually, after the close of its fiscal year, file with the Minister a report upon the affairs of the Commission.

(2) The Minister shall submit the report to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session. R.S.O. 1979, c. 455, s. 13.

18. An account shall be kept in a chartered bank of Canada in the name of the Treasurer as custodian of the Fund, and every amount received as a payment into the Fund shall be deposited to the credit of such account. R.S.O. 1970, c. 455, s. 14.

19.—(1) Every allowance, every refund, and the expenses of the administration of this Act, are payable out of the Fund.

(2) Every payment out of the Fund shall be made,

(a) by cheque of the Commission signed by; or

(b) by a direct transfer into the payee's account in a chartered bank or other institution entitled to receive money on deposit, pursuant to an arrangement authorized by the signatures of,

any two of, the chairman of the Commission, a member of the Commission designated by the Commission for the purpose, or the director of the Commission, and any such signature may be affixed in facsimile by use of a rubber stamp or by printing, lithographing, engraving or other means.

(3) The recipient of an allowance shall report, as required by the Commission, the number of days, if any, that he was employed, and the Commission may direct that no further allowance be paid him until he provides such report to the Commission. 1971 (2nd Sess.), c. 9, s. 6.

20.—(1) The Treasurer, as custodian of the Fund, may, at the request of the Minister, arrange for a chartered bank of Canada to advance to the Fund, by way of overdraft or otherwise, any amount required temporarily to provide for payments out of the Fund and may furnish securities of the Commission as security therefor, and every such advance shall be repaid within one year out of interest or contributions to the Fund, or both.

(2) The Treasurer, as custodian of the Fund, may at the request of the Minister, when both the Treasurer and the
Minister consider it advisable for the sound and efficient management of the Fund, invest any part of the Fund for any period not exceeding twelve months in any securities in which the Treasurer may invest the public moneys of Ontario. R.S.O. 1970, c. 455, s. 16.

21.—(1) Any school, college, academy or other educational institution,

(a) that is giving instruction equivalent to that given in elementary or secondary schools in Ontario;

(b) that is not operated for personal profit or gain and where the profits, if any, are used to develop its objects;

(c) that is not supported in any way by school taxes or by provincial or municipal grants; and

(d) whose governing body has undertaken in writing,

(i) to make such annual reports to the Commission as the Commission may require and to supply such information as to its constitution, operations, teaching staff and otherwise as the Commission may require, and

(ii) to pay monthly to the Commission a sum equal to the sum required to be paid under section 25 for those persons on its teaching staff who are contributors to the Fund under this section together with a sum calculated thereon at a rate equal to the rate of the contributions made from time to time to the Fund by the Province under section 26,

may be designated by the Lieutenant Governor in Council as a private school for the purposes of this Act, effective on the 1st day of September next following the designation, and thereupon this Act and the regulations apply to such designated private school as if it were specifically named in subclause 1 (d) (vi). R.S.O. 1970, c. 455, s. 17 (1); 1971 (2nd Sess.), c. 9, s. 7.

(2) Where a person on the teaching staff of a designated private school who is contributing to the Fund receives, in addition to his salary, any board, lodging or other perquisite, his salary shall, for the purposes of this Act, be determined by the Commission, regard being had to the value of the
board, lodging or other perquisite. R.S.O. 1970, c. 455, s. 17 (2).

(3) Subject to the right of a person to establish credit in the Fund in respect of war service under subsection (6), a person may establish credit in the Fund under this section only in respect of teaching service rendered while qualified as a teacher under the *Education Act* and the regulations under that Act and only in respect of teaching service equivalent to that given in elementary or secondary schools in Ontario. R.S.O. 1970, c. 455, s. 17 (3); 1972, c. 1, s. 1.

(4) Subject to subsection (3) and except as provided in subsection (5), every person on the teaching staff of a designated private school shall be deemed to be employed within the meaning of this Act. R.S.O. 1970, c. 455, s. 17 (4).

(5) Every person,

(a) who was qualified as a teacher under the *Education Act* and the regulations under that Act and who was on the teaching staff of a designated private school at the time the designation became effective; or

(b) who was not qualified as a teacher under the *Education Act* and the regulations under that Act and who was on the teaching staff of a designated private school at the time the designation became effective and who became so qualified after the designation became effective,

may, by notice in writing to the governing body of the school and to the Commission, given within three months after the designation became effective if under clause (a) or within three months after becoming qualified if under clause (b), exclude himself from the benefits and obligations of this Act during the time that he is on the teaching staff of a designated private school. R.S.O. 1970, c. 455, s. 17 (5); 1972, c. 1, s. 1.

(6) Every person who comes within subsection (4) may establish credit in the Fund in respect of past teaching service in any designated private school in accordance with the regulations or in any other school to which this Act applies in accordance with section 54, or in respect of war service in accordance with the regulations.

(7) The Lieutenant Governor in Council may terminate the designation of a designated private school effective on
the 31st day of August next following, and thereupon the persons on the teaching staff of that school who contributed to the Fund shall, for the purposes of this Act, be deemed to have withdrawn from the profession. R.S.O. 1970, c. 455, s. 17 (6, 7).

22. Every person,

(a) who was a contributor to the University of Toronto Pension Fund;

(b) who has transferred or transfers to the Fund;

(c) who has credit in the Fund for a period of ten or more years of service; and

(d) who had or has credit in the University of Toronto Pension Fund for a period which, if that period and the period mentioned in clause (c) had both been served under this Act, would have entitled him to a superannuation allowance under this Act,

is entitled to a superannuation allowance calculated on the basis of his average salary for the seven years during which his salary was highest and for which he contributed to the Fund and bearing the same ratio to the allowance to which he would have been entitled if he had contributed to the Fund for the period for which he contributed to the University of Toronto Pension Fund as the number of his years of contribution to the Fund bears to the number, not exceeding thirty-five, of his years of contribution to the Fund and the University of Toronto Pension Fund. R.S.O. 1970, c. 455, s. 18.

23.—(1) Every person who joins the staff of a college education and who is eligible to contribute to the Fund shall, within three months after joining such staff, by notice in writing to the Commission and to the university of which the college is a part, elect to contribute to the Fund or to the pension fund of the university.

(2) Every person on the staff of The Ontario Institute for Studies in Education who is eligible to contribute to the Fund shall, within three months after joining such staff, by notice in writing to the Commission and to the Institute, elect to contribute to the Fund or to the pension fund of the Institute.

(3) Notwithstanding section 18 of The Lakehead University Act, 1965, every person on the staff of Lakehead University 1965, c. 54.
University who is eligible to contribute to the Fund shall, within three months after joining such staff, by notice in writing to the Commission and to the University, elect to contribute to the Fund or to the pension fund of the University. R.S.O. 1970, c. 455, s. 19 (1-3).

(4) Every person on the staff of a teachers' college who is eligible to contribute to the Fund shall, within three months after the teachers' college becomes part of a university or within three months after joining such staff, whichever is the later, by notice in writing to the Commission and to the college, elect to contribute to the Fund or to the pension fund of the university of which the college is a part. R.S.O. 1970, c. 455, s. 19 (5).

(5) A person to whom subsection (1), (2), (3) or (4) applies shall not have any other right of election and, if he fails to exercise his right of election thereunder, he shall be deemed to have elected to contribute to the Fund. R.S.O. 1970, c. 455, s. 19 (6); 1971 (2nd Sess.), c. 9, s. 8 (2).

(6) A person who elects or is deemed to have elected under this section, or who elected or is deemed to have elected under a predecessor of this section, to contribute to the Fund, shall be deemed to be employed as if the institution in which he is employed were named in subclause 1 (d) (vi). 1971 (2nd Sess.), c. 9, s. 8 (3).

Contributions

24.—(1) Every person who is employed and who contributes to the Canada Pension Plan shall contribute to the Fund from his salary for the calendar year,

(a) 6 per cent of the part thereof which is below the year's basic exemption as prescribed by the Canada Pension Plan;

(b) 4.2 per cent of the part thereof which is between the year's basic exemption and the year's maximum pensionable earnings as prescribed by the Canada Pension Plan; and

(c) 6 per cent of the part thereof which is in excess of the year's maximum pensionable earnings.

(2) Every person who is employed and who does not contribute to the Canada Pension Plan shall contribute to the Fund 6 per cent of his salary. R.S.O. 1970, c. 455, s. 20 (1, 2).
Sec. 25 (5) (a)  TEACHERS’ SUPERANNUATION  Chap. 494  771

(3) Where the annual rate of salary is less than $5,000, it shall, for the purposes of this section be deemed to be at the annual rate of $5,000. 1971 (2nd Sess.), c. 9, s. 9.

(4) In this section, “salary” means salary in accordance with the terms and conditions under which the person is employed, and includes a cost of living or other similar bonus but does not include any additional remuneration for extra services. 1975, c. 85, s. 3.

(5) Where a person receives part of his salary in respect of employment of a type prescribed in subclause 1 (d) (i) to (xiii) and part of his salary in respect of other employment, for the purposes of this Act,

(a) his salary shall be deemed to be only the amount of the salary that he receives in respect of such prescribed employment; and

(b) he shall be given credit for only that portion of each school year that bears the same proportion to the school year as the portion of his salary that he receives in respect of such prescribed employment bears to his total salary for such year. R.S.O. 1970, c. 455, s. 20 (4).

25.—(1) Contributions shall be deducted by the board or other authority employing the person from each payment of his salary and shall be forwarded to the Commission on or before the fifteenth day of the month following the month in which the payment was made.

(2) Notwithstanding clause 15 (b), interest shall be payable by the board or other authority on any sum in arrears under subsection (1).

(3) Every board and other authority shall report to the Commission from time to time as required by the Commission, but not more often than once a month, as to the contributions deducted.

(4) In the case of a person who is a contributor to the Fund and whose salary is paid by the Government of Ontario, the amount payable by him shall be retained out of his salary and placed to the credit of the Fund.

(5) A person who,

(a) ceases to be employed or is granted leave of absence from his employment without salary for any
purpose and for a period permitted by the regulations; or

(b) is employed by a board that refuses or neglects to comply with subsection (1) or that by reason of non-compliance with any statute or regulation is not entitled to share in the legislative grant for the schools under its jurisdiction,

may contribute to the Fund on such terms and conditions and at such times as the regulations prescribe.

(6) Any contribution, except when made under clause (5) (a), that through error has not been received in the regular way and at the customary time may be subsequently accepted by the Commission. R.S.O. 1970, c. 455, s. 21.

(7) Where a person is employed and contributes to the Superannuation Adjustment Fund under the Superannuation Adjustment Benefits Act, the contribution shall be deducted by the board or other authority employing the person from each payment of his salary. 1975, c. 85, s. 4.

26.—(1) Annually and at the same time as the total legislative grant is payable to the board or other authority, the Treasurer shall place to the credit of the Fund a sum equal to the contributions made by or on behalf of the persons to whom this Act or the regulations apply. R.S.O. 1970, c. 455, s. 22 (1).

(2) Subsection (1) does not apply,

(a) in the case of persons employed within the meaning of subclause 1 (d) (vi), (x), (xi) or (xiii), but the respective organizations employing such persons shall pay monthly to the Commission a sum equal to the sum that would otherwise be credited to the Fund by the Treasurer under subsection (1) in respect of such persons; or

(b) in the case of persons who under the regulations are themselves required to pay a sum in lieu of the sum that would otherwise be paid by the Treasurer under subsection (1). R.S.O. 1970, c. 455, s. 22 (2); 1971 (2nd Sess.), c. 9, s. 10.

(3) The person required to make payment to the Fund under subsection (1) or (2) shall be deemed to be the employer of the contributor to the Fund for the purpose of the contributions to be made by the employer under the Superannuation Adjustment Benefits Act. 1975, c. 85, s. 5.
27. All sums placed to the credit of the Fund during a fiscal year under section 26 shall be deemed to have been credited as of the 1st day of June in the preceding fiscal year, and the Treasurer shall pay interest thereon for the period between that day and the last day of the fiscal year in which the sums were actually received. R.S.O. 1970, c. 455, s. 23.

28.—(1) Every person who,

(a) has credit in the Fund for thirty-five or more years of service;
(b) is sixty-two or more years of age; and
(c) ceased to be employed on or before the 30th day of November, 1971,

is entitled to an annual superannuation allowance during his lifetime. 1971 (2nd Sess.), c. 9, s. 11, part.

(2) Every person who,

(a) has ceased to be employed after the 30th day of November, 1971; and
(b) has credit in the Fund for a number of years of service that, when added to his age on the date that he ceased to be employed, totals at least ninety years,

is entitled to an annual superannuation allowance during his lifetime. 1971 (2nd Sess.), c. 9, s. 11, part; 1973, c. 36, s. 4.

29.—(1) The amount of the annual superannuation allowance under section 28 shall be computed by multiplying an amount equal to 2 per cent of his average salary for the seven years during which his salary was highest by the number of years, not exceeding thirty-five, for which he has credit in the Fund, reduced by an amount equal to 0.7 per cent of such average salary for each year of credit in the Fund after the year 1965, but such reduction shall not be computed upon the amount, if any, that such average salary exceeds the year's maximum pensionable earnings under the Canada Pension Plan established at the time he ceased to be employed. R.S.O. 1970, c. 455, s. 25 (1); 1971 (2nd Sess.), c. 9, s. 12 (1).

(2) In this section, “salary” for any year means the salary used in calculating the person’s contribution to the Fund for such year. 1971 (2nd Sess.), c. 9, s. 12 (2).
(3) Where the person ceased to be employed before attaining the age at which he could become eligible for a benefit under the Canada Pension Plan, the reduction mentioned in subsection (1) does not apply until the first day of the month following the month in which he attains such age.

(4) Where the person ceased to be employed before the year 1967, the reduction mentioned in subsection (1) does not apply.

(5) Where the person did not contribute to the Canada Pension Plan, the reduction mentioned in subsection (1) does not apply.

(6) For the purpose of computing the amount of such allowance,

(a) each school year for which his contributions are in the Fund at the time of his application for an allowance counts as a school year of credit;

(b) each school year for which he was employed before the 1st day of April, 1917, counts as one-half school year of credit; and

(c) each school year for which he made contributions to the Public Service Superannuation Fund, which contributions are in the Fund at the time of his application for an allowance, counts as a school year of credit. R.S.O. 1970, c. 455, s. 25 (2-5).

30.—(1) Every person who,

(a) has credit in the Fund for forty or more years of service; and

(b) ceased to be employed on or before the 30th day of November, 1971,

is entitled to an annual superannuation allowance during his lifetime. R.S.O. 1970, c. 455, s. 26 (1); 1971 (2nd Sess.), c. 9, s. 13 (1).

(2) The amount of such allowance shall be computed in the manner prescribed by section 29. R.S.O. 1970, c. 455, s. 26 (2); 1971 (2nd Sess.), c. 9, s. 13 (2).

31.—(1) Every person who,

(a) has credit in the Fund for thirty or more years of service; and

(b) has ceased to be employed,

is entitled to an annual superannuation allowance during his lifetime. R.S.O. 1970, c. 455, s. 27 (1).
(2) The amount of such allowance shall be computed in the manner prescribed by section 29, but shall be further reduced or reduced, as the case may be,

(a) in the case of a person who has attained the age of sixty-one years but has not attained the age of sixty-five years at the beginning of the month following the month during which he ceased to be employed, by 5 per cent; or

(b) in the case of a person who has not attained the age of sixty-one years at the beginning of the month following the month during which he ceased to be employed, at the rate of 5 per cent in respect of each year by which he is less than sixty-two years of age at the beginning of the month in which his pension is to commence. R.S.O. 1970, c. 455, s. 27 (2); 1971 (2nd Sess.), c. 9, s. 14 (1).

(3) Notwithstanding section 43, where a person ceased to be employed before attaining the age of fifty-five years, an allowance under this section shall commence on the first day of the month following the month in which the person entitled thereto attains the age of fifty-five years. R.S.O. 1970, c. 455, s. 27 (4).

32. — (1) Every person who,

(a) has credit in the Fund for ten or more years of service; and

(b) has ceased to be employed after the calendar year in which he attained forty-four years of age,

is entitled to an annual superannuation allowance during his lifetime. R.S.O. 1970, c. 455, s. 28 (1); 1975, c. 85, s. 6 (1).

(2) The amount of such allowance shall be computed in the manner prescribed by section 29. R.S.O. 1970, c. 455, s. 28 (2); 1971 (2nd Sess.), c. 9, s. 15.

(3) Notwithstanding section 43, an allowance under this section shall commence as of the first day of the month following the month in which the person entitled thereto attains the age of sixty-five years, or, where he is employed in the month in which he attains the age of sixty-five years, then on the first day of the month following the month in which he ceased to be employed. R.S.O. 1970, c. 455, s. 28 (3); 1975, c. 85, s. 6 (2).

(4) Notwithstanding subsection (3), a person entitled to an allowance under this section may elect to have the
allowance commence on the first day of any month after he has attained the age of fifty-five years so long as he is not employed at that time, and in such case the amount of the allowance shall be further reduced or reduced, as the case may be, at the rate of 5 per cent in respect of each year by which his age is less than sixty-five years at the time his allowance commences.

(5) Notwithstanding section 42, an allowance under this section may be paid, in the discretion of the Commission, in a lump sum annually, or in semi-annual, quarterly or monthly instalments. R.S.O. 1970, c. 455, s. 28 (4, 5).

(6) Every person who,

(a) has credit in the Fund for ten or more years of service; and

(b) has ceased to be employed before the calendar year in which he attained forty-five years of age,

is entitled either to an annual superannuation allowance during his lifetime or to a refund of his contributions under subsection 53 (1). R.S.O. 1970, c. 455, s. 28 (6); 1975, c. 85, s. 6 (3).

(7) Where a person elects to take an allowance under subsection (6), subsections (2), (3), (4) and (5) apply with necessary modifications. R.S.O. 1970, c. 455, s. 28 (7).

33.—(1) Every person who,

(a) has credit in the Fund for ten or more years of service;

(b) while employed becomes mentally or physically incapacitated to a degree that in the opinion of the Commission renders him incapable of further earning his livelihood;

(c) ceased to be employed before the end of the school year in which he would attain the age of sixty-five years; and

(d) makes application therefor within two years from the date upon which he was last employed,

is, subject to section 49, entitled to an annual disability allowance during his lifetime. R.S.O. 1970, c. 455, s. 29 (1).

(2) The amount of such allowance shall be computed in the manner prescribed by section 29, but the reduction prescribed
by subsection 29(1) does not apply to a teacher whose allowance commenced before the 1st day of January, 1971. R.S.O. 1970, c. 455, s. 29(2); 1971 (2nd Sess.), c. 9, s. 16.

34.—(1) Every person who, (a) has credit in the Fund for ten or more years of service; (b) while employed becomes mentally or physically incapacitated to a degree that in the opinion of the Commission renders him incapable of being further employed as a teacher or supervisory officer; (c) ceased to be employed before the end of the school year in which he would attain the age of sixty-five years; and (d) makes application therefor within two years from the date upon which he was last employed, is, subject to section 49, entitled to an annual disability allowance during his lifetime. R.S.O. 1970, c. 455, s. 30(1).

(2) The amount of such allowance shall be computed in the manner prescribed by section 29, but the reduction prescribed by subsection 29(1) does not apply to a teacher whose allowance commenced before the 1st day of January, 1971. R.S.O. 1970, c. 455, s. 30(2); 1971 (2nd Sess.), c. 9, s. 17.

(3) The amount of the allowance computed under subsection (2) shall be further reduced or reduced, as the case may be, at the rate of 2½ per cent in respect of each year by which the age of the person is less than sixty-five at the beginning of the month next following the month in which he ceased to be employed, but the reductions shall not exceed 25 per cent in aggregate. R.S.O. 1970, c. 455, s. 30(3).

35.—(1) The amount of the superannuation allowance or disability allowance of every person who was employed before the 1st day of January, 1966, shall be increased by the excess, if any, of, (a) the amount of the allowance that would have been payable to him calculated under The Teachers' Superannuation Act, being chapter 392 of the Revised
Statutes of Ontario, 1960, as it was on the 31st day of December, 1965,

over,

(b) the amount of the allowance payable to him calculated under *The Teachers' Superannuation Act* as it was on the 1st day of January, 1966, together with the amount that he was entitled to receive under the *Canada Pension Plan* at the time he was first eligible to receive a benefit under that Plan.

(2) Nothing in subsection (1) entitles a person to an allowance under section 31 before attaining the age of fifty-five years. R.S.O. 1970, c. 455, s. 31.

36.—(1) Where a person who has credit in the Fund for ten or more years dies or where a person who is in receipt of an allowance dies,

(a) leaving a widow or widower, as the case may be, surviving, a dependant's allowance of an amount equal to,

(i) one-half of the allowance computed in the manner prescribed in section 29, but based on the deceased person's credit in the Fund at the date of death, or

(ii) one-half of the allowance that the deceased person was receiving at the date of death, with the exception that, in the case of a person who had not attained the age of sixty-five years at the date of death, the allowance shall be one-half of the allowance that the person would have received at the beginning of the month following the month in which he or she attained the age of sixty-five years,

as the case may be, shall be paid to the widow or widower during her or his lifetime or until she or he remarries, and where the widow or widower dies or remarries leaving a child or children who at the date of death or remarriage is or are under the age of eighteen years, a dependant's allowance of an amount equal to that paid to the widow or widower shall be paid to the child or children until such age is attained; or
(b) leaving no widow or widower but leaving a child or children under the age of eighteen years, a dependant’s allowance of an amount equal to,

(i) one-half of the allowance computed in the manner prescribed in section 29, but based on the deceased person’s credit in the Fund at the date of death, or

(ii) one-half of the allowance that the deceased person was receiving at the date of death, with the exception that, in the case of a person who had not attained the age of sixty-five years at the date of death, the allowance shall be one-half of the allowance that the person would have received at the beginning of the month following the month in which he or she attained the age of sixty-five years, as the case may be, shall be paid to such child or children until such age is attained. 1975, c. 85, s. 7 (1).

(2) Subsection (1) does not apply to the surviving spouse of a deceased person if they were married after the date of the deceased spouse’s last day of employment or to the child or children of any such surviving spouse. 1971 (2nd Sess.), c. 9, s. 18, part; 1975, c. 85, s. 7 (2).

(3) Where a dependant’s allowance is discontinued under this section by reason of remarriage and the spouse of such dependant dies or the marriage is dissolved, such dependant is entitled to the dependant’s allowance under this section from the first day of the month following the month in which such spouse dies or the dissolution becomes final. 1975, c. 85, s. 7 (3).

(4) In this section, “child” includes an adopted child and a step-child, and “children” has a corresponding meaning. 1971 (2nd Sess.), c. 9, s. 18, part.

(5) For the purposes of subsection (1), a person who has attained the age of eighteen years but has not attained the age of twenty-five years and who is in full-time attendance at a school, college, university or other institution that is recognized by the Commission for the purposes of this section as a place of higher education, shall be deemed not to have attained the age of eighteen years. 1973, c. 36, s. 5.
Recomputation of "CE" to "C" pension for purposes of "D" pension

37. Where a person referred to in subclause 36 (1) (a) (ii) or 36 (1) (b) (ii) was receiving a disability allowance under section 34 at the time of his death and provision was made for a special medical re-examination and no decision was made by the Commission on such re-examination, the Commission may, if it is of the opinion, having regard to the facts established at the time of his death, that the person should have been receiving a disability allowance under section 34, recompute his allowance under section 33 as of the date of his death for the purposes of a dependant's allowance under section 36. R.S.O. 1970, c. 455, s. 33.

Annuity in lieu of dependant's allowance

38.—(1) A person who has no one to whom section 36 can apply may, by a direction in writing signed by him and deposited with the Commission at least two years before he ceases to be employed, direct that the allowance to which he would be entitled be converted and paid as an annuity to him upon his retirement for his lifetime and, after his death, at one-half the rate to any dependant named in the direction.

(2) The amount of such annuity shall be the percentage indicated in the following tables of the amount of the allowance that would have been payable had no direction been given:

1. Where the dependant is younger than the person by the number of years indicated in the first column:

<table>
<thead>
<tr>
<th>Years</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>83.9%</td>
</tr>
<tr>
<td>1</td>
<td>82.9%</td>
</tr>
<tr>
<td>2</td>
<td>81.9%</td>
</tr>
<tr>
<td>3</td>
<td>80.9%</td>
</tr>
<tr>
<td>4</td>
<td>79.9%</td>
</tr>
<tr>
<td>5</td>
<td>78.9%</td>
</tr>
<tr>
<td>6</td>
<td>78.0%</td>
</tr>
<tr>
<td>7</td>
<td>77.1%</td>
</tr>
<tr>
<td>8</td>
<td>76.2%</td>
</tr>
<tr>
<td>9</td>
<td>75.3%</td>
</tr>
<tr>
<td>10</td>
<td>74.4%</td>
</tr>
<tr>
<td>11</td>
<td>73.6%</td>
</tr>
<tr>
<td>12</td>
<td>72.8%</td>
</tr>
<tr>
<td>13</td>
<td>72.0%</td>
</tr>
<tr>
<td>14</td>
<td>71.2%</td>
</tr>
<tr>
<td>15</td>
<td>70.5%</td>
</tr>
<tr>
<td>16</td>
<td>69.8%</td>
</tr>
<tr>
<td>17</td>
<td>69.2%</td>
</tr>
</tbody>
</table>
2. Where the dependant is older than the person by the number of years indicated in the first column:

<table>
<thead>
<tr>
<th>Years</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>83.9%</td>
</tr>
<tr>
<td>1</td>
<td>84.9%</td>
</tr>
<tr>
<td>2</td>
<td>85.9%</td>
</tr>
<tr>
<td>3</td>
<td>86.8%</td>
</tr>
<tr>
<td>4</td>
<td>87.7%</td>
</tr>
<tr>
<td>5</td>
<td>88.6%</td>
</tr>
<tr>
<td>6</td>
<td>89.4%</td>
</tr>
<tr>
<td>7</td>
<td>90.2%</td>
</tr>
<tr>
<td>8</td>
<td>91.0%</td>
</tr>
<tr>
<td>9</td>
<td>91.7%</td>
</tr>
<tr>
<td>10</td>
<td>92.4%</td>
</tr>
</tbody>
</table>

(3) A person who has not given a direction within the time prescribed in subsection (1) may, at a later date, but not after applying for an allowance, give such a direction upon passing a medical examination satisfactory to the Commission.

(4) A person who has given a direction under this section may revoke it at any time before he ceases to be employed.

(5) Where a person who has given a direction under this section dies,

(a) before applying for an allowance; or

(b) before he ceases to be employed,

the direction has no effect. R.S.O. 1970, c. 455, s. 34.
a contribution made by the insurer on behalf of a person who contributes to the Fund for each month in respect of which the person receives a payment under the agreement where the contribution by the insurer is made on or before the 15th day of the month next following such payment, except where such person has attained the age of sixty-five years or is in receipt of an allowance from the Fund and the contribution shall, subject to subsection (3), be 6 per cent of the annual rate of salary paid to the contributor immediately before the cessation of his employment. 1975, c. 85, s. 8.

(3) Where an agreement approved by the Commission provides for payments to vary in amount from time to time in accordance with the cost of living, the amount of a contribution accepted by the Commission under subsection (2) shall be increased or decreased proportionately.

(4) Annually and at the same time as the total legislative grant is payable to the board or other authority, the Treasurer shall place to the credit of the Fund a sum equal to the total amount of the contributions made under this section in the previous twelve-month-period. 1971 (2nd Sess.), c. 9, s. 19, part.

40. An allowance under this Act shall be made only after the receipt by the Commission of an application therefor in the prescribed form. R.S.O. 1970, c. 455, s. 35.

41. No application for a disability allowance shall be considered by the Commission until the Commission has obtained,

(a) the certificate of a legally qualified medical practitioner designated by the Commission, certifying that while employed the applicant became mentally or physically incapacitated and indicating the nature and degree of the incapacitation; and

(b) the report of the medical referee of the Commission containing such recommendations as he considers proper with regard to the granting of an allowance to the applicant. R.S.O. 1970, c. 455, s. 36.

42. Every allowance is payable in monthly instalments. R.S.O. 1970, c. 455, s. 38.

43.—(1) Every allowance shall commence as of the first day of the month next following the month during which
the applicant ceased to be employed, except that a disab-

(2) Where an employed person dies and a dependant's allowance becomes payable on his death, the allowance shall commence as of the day next following his death.

(3) Where a person who is in receipt of an allowance dies on or after the 1st day of April, 1964, and a dependant's allowance becomes payable on his death, the dependant's allowance shall commence as of the first day of the month next following the month in which he died. R.S.O. 1970, c. 455, s. 39.

44. Every allowance terminates as of the end of the month in which the event that terminates the allowance occurs. R.S.O. 1970, c. 455, s. 40.

45.—(1) Where a person who is receiving a superannuation allowance becomes employed upon either a temporary or a permanent basis, he shall forthwith give notice in writing thereof to the Commission, and in default of so doing forfeits any further claim to any benefit under this Act unless the Commission otherwise directs.

(2) Where a person who is receiving a disability allowance becomes employed upon either a temporary or a permanent basis or becomes engaged as a teacher in a school or institution either in or outside Ontario upon either a temporary or a permanent basis, he shall forthwith give notice in writing thereof to the Commission, and in default of so doing forfeits any further claim to any benefit under this Act unless the Commission otherwise directs. R.S.O. 1970, c. 455, s. 41.

46.—(1) Where a person who is receiving a superannuation allowance becomes employed,

(a) the allowance shall cease to be paid; and

(b) he shall contribute to the Fund during the period that he is employed. R.S.O. 1970, c. 455, s. 42 (1).

(2) Where a person who is receiving a disability allowance becomes employed,

(a) the allowance shall cease to be paid; and
(b) he shall contribute to the Fund during the period that he is employed. R.S.O. 1970, c. 455, s. 42 (2); 1971 (2nd Sess.), c. 9, s. 21 (1).

(3) Where a person who is receiving a disability allowance becomes engaged as a teacher in a school or institution either in or outside Ontario but is not employed within the meaning of clause 1 (d), the allowance shall cease to be paid and the Commission may reinstate the allowance at the end of the period of teaching upon receipt of a written request therefor. 1971 (2nd Sess.), c. 9, s. 21 (2).

47. Where a person who ceased to receive a superannuation allowance because of re-employment again ceases to be employed,

(a) in the case of a person who has been re-employed for a period of less than two school years, payment of the allowance shall be resumed without any adjustment in the amount thereof, upon receipt by the Commission of a notice in writing of the cessation of employment;

(b) in the case of a person who has been so employed for a period of two or more school years, an application for an allowance shall be treated as an application for a new allowance; and

(c) in no case is he entitled to receive a disability allowance. R.S.O. 1970, c. 455, s. 43.

48. Where a person who ceased to receive a disability allowance because of re-employment again ceases to be employed,

(a) in the case of a person who has been re-employed for a period of less than two school years, payment of the allowance shall be resumed without any adjustment in the amount thereof upon receipt by the Commission of a notice in writing of the cessation of employment; and

(b) in the case of a person who has been so employed for a period of two or more school years, an application for an allowance shall be treated as an application for a new allowance. 1971 (2nd Sess.), c. 9, s. 22.

49.—(1) The Commission may at any time require a person who is receiving a disability allowance under sec-
tion 33 or 34 to furnish evidence, in such form as it directs, of his mental or physical condition. 1975, c. 85, s. 9.

(2) Where the person fails to furnish evidence that his mental or physical condition continues to be of a nature that would entitle him to receive an allowance under the section under which his allowance is paid, the Commission may direct that the allowance shall cease to be paid and that no further allowance shall be paid to him or that such other allowance as the Commission finds him to be entitled to shall be paid to him. R.S.O. 1970, c. 455, s. 45 (2).

50. Where the Commission is satisfied that a person to whom an allowance is payable under this Act is incapable of managing his own affairs, the Commission may direct that any cheque for moneys payable to him be made payable to a member of his family or household, and in that case the endorsement of the cheque by the person so designated by the Commission is a sufficient discharge of the Fund to the extent of such payment. R.S.O. 1970, c. 455, s. 46.

51. The interest of a person in the Fund and in an allowance under this Act is not subject to garnishment, attachment, seizure or other process of law and is not assignable. R.S.O. 1970, c. 455, s. 47.

52.—(1) A refund under this Act shall be made only after the receipt by the Commission of an application therefor in the prescribed form.

(2) Every refund shall be paid in a lump sum unless the person to whom it is payable, or, where he has died, his personal representative, states in the application that he wishes the amount to be paid in instalments, in which case the amount shall be paid in three equal instalments without additional interest on the days fixed by the Commission for the purpose.

(3) Where the person to whom a refund is payable dies and has no personal representative, the refund may be paid to such person as the Commission designates. R.S.O. 1970, c. 455, s. 48.

53.—(1) A person who,

(a) has credit in the Fund for less than ten years of service and who ceases to be employed; or

(b) has credit in the Fund for ten or more years of service and who ceases to be employed before the calendar year in which he attained forty-five years of age,
is entitled to a refund of an amount equal to the whole of his contributions to the Fund with interest on each amount contributed for the period of time it was in the Fund at the rate of 3 per cent per year compounded half-yearly, but no such refund shall be made until three months after the day upon which the person ceased to be employed. R.S.O. 1970, c. 455, s. 49 (1).

(2) A person who has credit in the Fund for ten or more years of service and who was employed for at least twenty days in the calendar year in which he attained forty-five years of age is entitled to a refund of an amount equal to the whole of his contributions to the Fund in respect of service before the 1st day of January, 1965, with interest on each amount contributed for the period of time it was in the Fund at the rate of 3 per cent per year compounded half-yearly, but no such refund shall be made until three months after the day upon which the person ceased to be employed. R.S.O. 1970, c. 455, s. 49 (3).

54.—(1) A person who has withdrawn his contributions from the Fund and subsequently is employed for twenty or more days in a school year and desires to be reinstated in the Fund in respect of his former period of employment may be so reinstated by paying into the Fund an amount equal to the total of the contributions previously withdrawn and the interest thereon, if any, paid to him at the time of the withdrawal together with interest on such amount from the date of the withdrawal until the completion of the repayment, and any disability or superannuation allowance or other payment out of the Fund to which he may become entitled during the period of repayment shall be reduced actuarially during his lifetime by the amount withdrawn and not repaid. R.S.O. 1970, c. 455, s. 50 (1).

(2) Notwithstanding subsection (1), a person who has taken a refund of his contributions to the Fund under section 53 in lieu of an annual superannuation allowance under section 32 and subsequently is employed for twenty or more days in a school year and desires to be reinstated in the Fund in respect of his former period of employment may be so reinstated by paying into the Fund an amount equal to the total of the refund, including the interest, if any, paid to him at the time of the refund, together with interest on such amount from the date of the refund until the completion of the repayment at the rate paid on Ontario Government stock or Province of Ontario debentures that are received by the Fund in the fiscal year of the Province of Ontario
in which the refund was made except that, where such rate is less than that specified in section 15, the rate shall be that specified in section 15, and any disability or superannuation allowance or other payment out of the Fund to which he may become entitled during the period of repayment shall be reduced actuarially during his lifetime by the amount of the refund that is not repaid.

(3) No person who has withdrawn his contributions from the Fund and is subsequently employed and elects to be reinstated in the Fund under subsection (1) or (2) is eligible for a disability allowance under section 33 or 34 until he has been employed for two school years after his return to employment. 1975, c. 85, s. 10.

55. Where a person who is in receipt of a superannuation allowance becomes employed, no refund in respect of his contributions made after his return to employment shall be made except as provided in section 57. R.S.O. 1970, c. 455, s. 51.

56. Where a person who is not in receipt of an allowance dies and no dependant’s allowance becomes payable on his death, his personal representative is entitled to a refund of an amount equal to the amounts contributed by him to the Fund with interest on each amount for the period of time it was in the Fund to the date of death at the rate of 3 per cent per year compounded half-yearly. R.S.O. 1970, c. 455, s. 52.

57. Where a person who is in receipt of an allowance dies and no dependant’s allowance becomes payable on his death, his personal representative is entitled to a refund of an amount equal to the amounts contributed by the person to the Fund with interest on each amount for the period of time it was in the Fund to the date of death at the rate of 3 per cent per year compounded half-yearly, reduced by an amount equal to the amounts paid out of the Fund to the person with interest to the date of death at the rate of 3 per cent per year compounded half-yearly. R.S.O. 1970, c. 455, s. 53.

58. A person whose allowance ceased to be paid under section 49 is entitled to a refund of an amount equal to the amounts contributed by him to the Fund with interest on each amount for the period of time it was in the Fund at the rate of 3 per cent per year compounded half-yearly, reduced by an amount equal to the amounts paid out of the Fund to him with interest at the rate of 3 per
cent per year compounded half-yearly. R.S.O. 1970, c. 455, s. 54; 1975, c. 85, s. 11.

59. Where,

(a) the payments made under section 36;

(b) the amount of the allowance and any payments made under section 36; or

(c) the payments made under section 38,

with interest at 3 per cent per year compounded half-yearly to the date of cessation of the payments, are less than the amount of the contributions of the person, with interest on each amount for the period of time it was in the Fund at 3 per cent per year compounded half-yearly to the same date, the amount of the difference shall be paid to his personal representative. 1975, c. 85, s. 11.

60.—(1) A person who elects under the Public Service Superannuation Act to become a contributor to the Public Service Superannuation Fund is entitled to,

(a) a refund under section 52 for his non-continuous service as determined by the Public Service Superannuation Board; and

(b) a transfer to the Public Service Superannuation Fund of his contributions, the Government’s contributions with respect thereto and interest on both such contributions for his continuous service as determined by the Public Service Superannuation Board.

(2) Where a person ceases to be employed and becomes a contributor to a fund approved by the Commission, a sum of money equal to his contributions with interest at 3 per cent compounded half-yearly may, upon his request, be paid out of the Fund into such other fund.

(3) Where a person’s contributions in the Public Service Superannuation Fund are transferred under the Public Service Superannuation Act to the Fund, he is entitled to credit in the Fund for a period equal to the period for which he made contributions to the Public Service Superannuation Fund.

(4) Where a person’s contributions to the Public Service Superannuation Fund are not transferred under the Public
Service Superannuation Act to the Fund and he was engaged in teaching while he was a civil servant, he is entitled to credit in the Fund for a period equal to the period for which he made contributions to the Public Service Superannuation Fund upon payment into the Fund of an amount equal to the teacher contribution applicable at the time of such service, the Government's contribution with respect thereto and interest on both such contributions. R.S.O. 1970, c. 455, s. 56.

61. Where a person has been engaged as a teacher in Ontario and in another part of Canada or the Commonwealth for a period of time which, if the whole period had been served in Ontario would have entitled him to a superannuation allowance under this Act, and if reciprocal arrangements satisfactory to the Lieutenant Governor in Council are made by the authority having jurisdiction in that other part, the Lieutenant Governor in Council may make regulations providing for the payment to such person of a superannuation allowance under this Act, which shall bear the same ratio to the allowance to which he would have been entitled if all of his teaching had been done in Ontario, at the rates of salary he did in fact receive, as the number of his years of teaching in Ontario bears to the total number of his years of teaching. R.S.O. 1970, c. 455, s. 57.

62. Subject to the approval of the Lieutenant Governor in Council, the Commission may enter into agreements with the authorized representatives of any other pension fund respecting the terms and conditions upon which persons may transfer to or from the Fund from or to the other pension fund. R.S.O. 1970, c. 455, s. 58.

63. The Lieutenant Governor in Council may make regulations,

1. designating schools or classes within the meaning of subclause 1 (d) (ii) or within the meaning of subclause 1 (d) (iv);

2. designating associations or bodies of teachers within the meaning of subclause 1 (d) (x);

3. designating associations or bodies of boards or of trustees and ratepayers within the meaning of subclause 1 (d) (xi);

4. designating capacities within the meaning of subclause 1 (d) (xii).
5. designating capacities and organizations for the purpose of subclause 1 (d) (xiii);  

6. designating teachers' organizations for the purpose of clause 2 (2) (b);  

7. prescribing the powers and duties of the officers of the Commission, or any of them;  

8. prescribing the manner in which the nomination and election of the elected members of the Commission shall be conducted;  

9. prescribing the form and manner in which and by whom the accounts and records of the Commission shall be kept;  

10. prescribing the terms and conditions and times that persons may contribute to the Fund under subsection 25 (5);  

11. prescribing the form of application for an allowance or refund and the information and material to be furnished therewith, including the form thereof, and prescribing other information and material that shall be taken into consideration by the Commission in considering applications for allowances or refunds;  

12. prescribing the procedure to be followed by the Commission in considering and disposing of applications for allowances or refunds;  

13. requiring persons who are contributors to the Fund or persons who are receiving allowances from the Fund, and boards, to furnish information to or for the use of the Commission and prescribing the form thereof;  

14. authorizing the Commission to require persons who are contributors to the Fund or persons who are receiving allowances from the Fund, and boards, to furnish information to or for the use of the Commission and prescribing the form thereof;  

15. governing persons who have been absent from duty,  

(a) because of ill-health,
(b) because of pregnancy or the adoption of a child,

(c) because of duties as jurors,

(d) because of duties as members of the Legislative Assembly of Ontario, of the House of Commons of Canada, of the council of a municipality or of a local board as defined in the Municipal Affairs Act,

(e) in order to take a course of study approved by the Commission,

(f) for a period of sabbatical leave under the by-law of the employing board, or

(g) in order to travel, where the purpose of the travel is approved by the Commission,

and providing for and regulating the payment of contributions to the Fund in respect of such periods of absence;

16. governing persons who ceased to be employed,

(a) because of ill-health,

(b) because of pregnancy or the adoption of a child,

(c) because of duties as members of the Legislative Assembly of Ontario, of the House of Commons of Canada, of the council of a municipality or of a local board as defined in the Municipal Affairs Act,

(d) in order to take a course of study approved by the Commission, or

(e) in order to travel, where the purpose of the travel is approved by the Commission,

and who are again employed and providing for and regulating the payment of contributions to the Fund in respect of such periods of unemployment;

17. prescribing the conditions under which credit may be given under the Act for teaching or inspectoral services performed,
(a) in any part of Canada or the Commonwealth, other than Ontario, or

(b) in a school maintained by the Government of Canada for children of members of the Canadian Forces, for Indians, or for inmates of penal institutions,

where the person is subsequently employed within the meaning of this Act, and prescribing the amount of such credit;

18. prescribing the conditions under which credit may be given under the Act for any period of teaching or supervisory services performed in a foreign country as the Commission may approve, and prescribing the amount of such credit;

19. prescribing the conditions under which credit for past teaching service in a designated private school may be given under the Act to persons who contribute to the Fund under any provision of the Act other than section 21, and prescribing the method of determining the period for which such credit may be given and the amount thereof;

20. providing for and regulating the transfer from the Fund into any other fund established under the authority of the Parliament of Canada or the legislature of any province of Canada of an amount equal to a teacher's contributions, government contributions in respect thereof, and accumulated interest thereon, or equal to any one or more of them;

21. prescribing the conditions under which credit in the Fund may be given where moneys are transferred to the Fund from the Public Service Superannuation Fund and prescribing the method of determining the period for which credit shall be given;

22. defining the meaning of "part-time employment" for the purpose of the regulations and prescribing the method of determining the period for which credit shall be given for part-time employment;

23. prescribing special provisions governing the conditions under which persons in receipt of allowances may become employed and providing for reductions in the allowances paid to them;
24. defining active service, providing for credits under this Act in respect of active service, and prescribing the terms and conditions upon which such credits may be given, the method of determining the periods for which such credits may be given, and the amount thereof;

25. respecting persons employed in schools whose board or teachers, or both, are reported by the Minister to the Commission as having failed to comply with any Acts or regulations administered by the Ministry including,

(a) the terms and conditions upon which contributions shall be made to the Fund, and

(b) the credit to be given to such persons in respect of the period of non-compliance;

26. prescribing the conditions under which a refund may be made to a person who establishes credit in the Fund under the regulations or who pays money into the Fund under the regulations for the purpose of establishing credit, and prescribing the method of determining the amount of such refund;

27. prescribing forms and providing for their use;

28. respecting any right or class thereof that is deemed to be prejudicially affected by the repeal of a predecessor of this Act and the substitution of another Act for such Act;

29. respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1970, c. 455, s. 59; 1972, c. 1, s. 1; 1975, c. 85, s. 13.