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2nd Session, 50th Legislature,  
New Brunswick,  
33 Elizabeth II, 1984

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2<sup>e</sup> session 50<sup>e</sup> Législature,  
Nouveau-Brunswick,  
33 Elizabeth II, 1984

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JUN 14 1984

**BILL            47            PROJET DE LOI**

**AN ACT TO AMEND THE  
FREDERICTON CITY CHARTER**

**LOI MODIFIANT LA LOI INTITULÉE  
FREDERICTON CITY CHARTER**

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**MR. DAVID CLARK**

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**An Act to Amend the  
Fredericton City Charter**

WHEREAS the City of Fredericton has by its petition prayed that it be enacted as hereinafter set forth;

AND WHEREAS it is deemed expedient to grant the prayer in the said petition;

THEREFORE, Her Majesty, by and with the advice and consent of the Legislative Assembly of New Brunswick, enacts as follows:

**1 Section 98 of the Fredericton City Charter, chapter 69 of George VI, 1951 is amended by repealing subparagraphs (1)(a)(i) and (1)(a)(ii) and substituting therefor the following:**

(i) every person who receives from the City of Fredericton a regular salary or regular wage and has been receiving such salary or wage for six successive months and who is employed in connection with any department, group, class or position;

(ii) every person who receives from the Fredericton Area Pollution Control Commission a regular salary or regular wage and has been receiving such salary or wage for six successive months.

**Loi modifiant la loi intitulée  
Fredericton City Charter**

CONSIDÉRANT que la cité appelée City of Fredericton a, par sa pétition, demandé l'adoption des dispositions qui suivent;

ET CONSIDÉRANT qu'il est jugé utile d'accéder à la demande formulée dans cette pétition;

À CES CAUSES, Sa Majesté, sur l'avis et du consentement de l'Assemblée législative du Nouveau-Brunswick, décrète:

**1 L'article 98 de la loi intitulée Fredericton City Charter, chapitre 69 de la loi George VI, 1951 est modifié par l'abrogation des alinéas (1)(a)(i) et (1)(a)(ii) et leur remplacement par ce qui suit:**

(i) every person who receives from the City of Fredericton a regular salary or regular wage and has been receiving such salary or wage for six successive months and who is employed in connection with any department, group, class or position;

(ii) every person who receives from the Fredericton Area Pollution Control Commission a regular salary or regular wage and has been receiving such salary or wage for six successive months.

**2 Section 99 of the said Act is amended by repealing subsection (1) thereof and substituting therefor the following:**

**99(1)** This part shall be administered by the City Treasurer under the direction of a Board of Administrators consisting of five councillors of the Council of the City of Fredericton, four representatives from the employees having permanent status, and one representative from the membership of the Fredericton Superannuates Association, with the Chairperson to be elected by the members of the Board from its membership. All members to the Board of Administrators are to be appointed by the Council of the City of Fredericton each year in the month of March.

**3 Section 100 of the said Act is amended by striking out the words "one-half" where they appear in subsections (4), (5) and (8) thereof, and substituting therefor the words "sixty percent".**

**4 Section 102 of the said Act is amended**

**(a) by repealing subsection (4) thereof and substituting therefor the following:**

**102(4)** An employee who has attained the age of fifty-five years and has years of service with the City which when added to the age of the employee totals eighty-five, may be retired at the option of the Council or of the employee.

**(b) by adding a new subsection (5) as follows:**

**102(5)** An employee who retires or has retired pursuant to the provisions of subsection (4) shall be entitled to a superannuation allowance as provided in subsections (1B) and (1C) of this section until September 1, 1983 and thereafter as provided in subsection (3) of this section.

**5 The said Act is further amended by adding immediately after section 103, a new section 103A as follows:**

**103A** Notwithstanding the provisions of sections 102 and 103, a superannuation allowance shall not exceed the lesser of

**2 L'article 99 de cette loi est modifié par l'abrogation du paragraphe (1) et son remplacement par ce qui suit:**

**99(1)** This part shall be administered by the City Treasurer under the direction of a Board of Administrators consisting of five councillors of the Council of the City of Fredericton, four representatives from the employees having permanent status, and one representative from the membership of the Fredericton Superannuates Association, with the Chairperson to be elected by the members of the Board from its membership. All members to the Board of Administrators are to be appointed by the Council of the City of Fredericton each year in the month of March.

**3 L'article 100 de cette loi est modifié par l'élimination des mots «one-half» qui apparaissent aux paragraphes (4), (5) et (8) de cet article et leur remplacement par les mots «sixty percent».**

**4 L'article 102 de cette loi est modifié**

**a) par l'abrogation du paragraphe (4) et son remplacement par ce qui suit:**

**102(4)** An employee who has attained the age of fifty-five years and has years of service with the City which when added to the age of the employee totals eighty-five, may be retired at the option of the Council or of the employee.

**b) par l'adjonction du paragraphe (5) suivant:**

**102(5)** An employee who retires or has retired pursuant to the provisions of subsection (4) shall be entitled to a superannuation allowance as provided in subsections (1B) and (1C) of this section until September 1, 1983 and thereafter as provided in subsection (3) of this section.

**5 Cette loi est de plus modifiée par l'adjonction après l'article 103 de l'article 103A suivant:**

**103A** Notwithstanding the provisions of sections 102 and 103, a superannuation allowance shall not exceed the lesser of

(a) two percent of the average of the best three consecutive years of earnings for each year to a maximum of thirty-five years, or

(b) one thousand seven hundred fifteen dollars per year of service to a maximum of thirty-five years.

(a) two percent of the average of the best three consecutive years of earnings for each year to a maximum of thirty-five years, or

(b) one thousand seven hundred fifteen dollars per year of service to a maximum of thirty-five years.