

Chapter 6

**AN ACT TO AMEND THE NORTHERN EMPLOYEE BENEFITS SERVICES
PENSION PLAN ACT**

(Assented to March 14, 2023)

The Commissioner, by and with the advice and consent of the Legislative Assembly, enacts as follows:

1. The *Northern Employee Benefits Services Pension Plan Act*, S.Nu. 2015,c.10, is amended by this Act.

2. Section 1 is amended by repealing and replacing the definition of "pension committee" by:

"pension committee" means the NEBS Pension Committee referred to in subsection 11(2);
(comité des pensions)

3. Subsection 11(2) is repealed and replaced by:

Bylaws must establish pension committee

(2) The bylaws made by NEBS must establish a pension committee to be known as the NEBS Pension Committee.

Pension committee is administrator

(2.1) The pension committee is the administrator of the NEBS plan.

4. Subsection 12(1) is repealed and replaced by:

Composition

12. (1) The pension committee must be composed of at least seven members,
- (a) between one third and one half of whom are members of the NEBS board;
 - (b) between one third and one half of whom are persons, other than members of the NEBS board, the NEBS board considers as representing the interests of the members of the NEBS plan; and
 - (c) at least one of whom is independent to the extent that they are not a member of the NEBS board or an officer or employee of a participating employer.

5. Subsection 14(1) is repealed and replaced by:

Plan documents

14. (1) Subject to this Act, the pension committee has exclusive power and authority to adopt, amend or revoke the plan documents, and may record in the plan documents any rules, policies or procedures addressing

- (a) the matters prescribed by regulation; and
- (b) any other matters the pension committee considers appropriate.

6. (1) Subsection 60(1) is amended by

(a) adding the following after paragraph (e):

- (e.1) prescribing any additional matters that may be included in the plan documents under paragraph 14(1)(a);

(b) adding the following after paragraph (t):

- (t.1) exempting the NEBS plan, any participating employer, class of participating employer or class of employee from any provision of this Act for a temporary period not exceeding 180 days;
- (t.2) varying the application of any provision of this Act to the NEBS plan, any participating employer, class of participating employer or class of employee for a temporary period not exceeding 180 days;
- (t.3) renewing or extending a temporary period referred to in paragraph (t.1) or (t.2), or any renewal or extension of that period, for a further temporary period not exceeding 180 days;

(2) The following is added after subsection 60(2):

Extending or renewing temporary period

(3) Regulations under paragraph (1)(t.3) may not be made more than two months before the end of the temporary period that they renew or extend.

Coming into force

7. This Act comes into force on a day to be fixed by order of the Commissioner in Executive Council.