

LAY RETIREMENT PLAN REGULATIONS

Bold indicated addition, underline indicates deletion

6. DISABILITY BENEFIT **RESERVED**

1. Eligibility for Disability Benefit

On the disability of a Member in Active Service, a disability benefit shall be payable accruing from the first day of the month following the later of:

- (a) the date on which the Member's employment terminated for pension purposes; or
- (b) the date on which a medical examination form in support of the Member's application for disability benefits was completed.

2. Determination of Disability

- (a) For the purpose of this Regulation, disability shall mean the total and permanent inability of the Member to engage in any gainful occupation for which the Member is reasonably fitted by education, training or experience.
- (b) The determination of disability shall be made by the Director on the recommendation of a medical referee appointed by the Trustees, on the basis of such medical or other reports as the Director and/or medical referee consider appropriate, and subject to approval by the Trustees.
- (c) Evidence that the Member is in receipt of disability benefits under the Canada Pension Plan or the Quebec Pension Plan will generally be accepted in the determination of such Member's disability.

3. Amount of Disability Pension

The amount of annuity which can be provided shall be equal to that amount which can be provided at the date of commencement of the disability Pension by the then application of the Member's Account.

4. Commutation of Disability Pension

The Trustees may, at their sole discretion, authorize the payment to the Member of the Member's Account as a single payment in lieu of a disability Pension provided that:

- (a) the Member is eligible for a disability benefit pursuant to Regulation 6.1 and 6.2;
- (b) the Trustees have received written certification from a licensed medical doctor acceptable to the Trustees that the disability is expected to shorten considerably the Member's life expectancy;

- (c) the Member has requested in writing a payment in accordance with this Regulation 6.4; and
- (d) if the Member has a Partner, the Partner after having received independent legal advice has consented in writing to such a payment and has waived the right to any Pension in the event of the Member's death.

9. 3. Disability Benefit **Reserved**

Upon the disability of an Inactive Member, there shall be payable a disability Pension calculated in accordance with Regulation 6.