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Superintendent of  
Financial  
Services



Surintendant des  
services  
financiers

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**IN THE MATTER OF** the *Pension Benefits Act*, R.S.O. 1990, c. P.8, (the “PBA”);

**AND IN THE MATTER** an Intended Decision of the Superintendent of Financial Services to Refuse to Make an Order under sections 87(2)(a) and 18(1)(e) of the *PBA* relating to The Royal Ontario Museum Pension Plan, Registration Number 0469866.

**TO:**

**The Royal Ontario Museum Curatorial Association**  
100 Queens Park  
Toronto ON M5S 2C6

Association of some of the Members of the Plan

## ORDER

**ON OR ABOUT August 8, 2012**, the Superintendent of Financial Services (the “Superintendent”) issued a Notice of Intended Decision (the “NOID”) in respect of The Royal Ontario Museum Pension Plan, Registration Number 0469866, (the “Plan”).

**A REQUEST FOR HEARING** dated September 5, 2012 was received by the Financial Services Tribunal (the “Tribunal”) on September 5, 2012 in connection with this matter.

**ON November 27, 2012**, a pre-hearing conference was held and party status was granted to: The Royal Ontario Museum; the Ontario Public Service Employees Union; and the Service Employees International Union, Local 2.

**ON May 22, 2013**, a hearing was held.

**THE TRIBUNAL**, in its Reasons for Decision dated August 15, 2013 (the “Decision”), directed the Superintendent to make the decision reflected in the Notice of Intended Decision dated August 8, 2012.

**NO APPEAL** has been taken from the Decision under section 91 of the *PBA* by any party to the hearing and, therefore, the Decision is final.

For the reasons set out in the Decision, **I REFUSE TO REVOKE** the registration of the Amendment to the Plan that was effective January 1, 2010 and that was registered by the Financial Services Commission of Ontario on January 13, 2010.

For the reasons set out in the Decision, **I REFUSE TO ORDER** the Royal Ontario Museum to administer the Plan in accordance with the pre-2010 definition of “Final Average Earnings” in the Plan.

**DATED** at Toronto, Ontario, this **25th** day of **September, 2013**.

*Original Signed By*

Brian Mills  
Deputy Superintendent, Pensions

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