



Financial Services Commission of Ontario  
Commission des services financiers de l'Ontario

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SECTION: Registration  
INDEX NO.: R500-301  
TITLE: Pension Plan Document Checklist  
APPROVED BY: The Superintendent of Pensions  
PUBLISHED: PCO Form 03045(92)  
EFFECTIVE DATE: November 1, 1992 to May 1, 1994 [No longer applicable - Feb. 2000]

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#### **Pension Plan Document Checklist - Notice And Instructions To The Administrator**

The *Pension Benefits Act*, R.S.O. 1990, c.P.8 (the "PBA") requires the Administrator to ensure that the pension plan and the pension fund are administered in accordance with the PBA and the Regulations, as well as the pension plan documents filed with the Pension Commission. In order to assess whether pension plans being filed for registration comply with the PBA and Regulations and in order to administer these plans appropriately, Administrators must ensure that they understand the statutory requirements. Administrators who have delegated their duties to authorized agents are responsible for the actions of those agents.

The Pension Plan Document Checklist (the "Checklist") has been compiled to assist Administrators in identifying and assessing plan documents and amendments for compliance with the PBA, Regulations, and published Commission policies. This Pension Plan Document Checklist must be completed and filed with any plan document and/or amendment filed for registration on or after November 1, 1992.

The Checklist is comprised of four sections:

- SECTION I: - General Information
- SECTION II: - Application for Registration Of A Pension Plan  
- Application For Registration Of A Restated Plan Text
- Instructions: Minimum statutory requirements with references to the appropriate sections of the PBA and Regulations are itemized in Section II of the Checklist. Please insert the information requested in Column 3 of the Checklist. Where reference is to a document other than the plan text, please state the name of that document (e.g., trust agreement).
- SECTION III: - Application for Registration of Other Amendments
- Instructions: The nature of the amendment must be identified in Column 1 (e.g., benefit improvement, name change, etc.). Please insert the information requested in Column 2 of the Checklist if the amendment revises the terms of any of the source documents.
- SECTION IV: - Certification

Instructions: The Administrator, or authorized officer if the Administrator is a corporation, must complete the certification portion of the Checklist.

In accordance with the authority granted by subsection 98(1) of the PBS, the Superintendent of Pensions requires submission of the completed certified Checklist with all supporting documentation. Incomplete submissions may be returned.

A Compliance Assistance Guideline has been prepared to assist Administrators in completing the Pension Plan Document Checklist. To obtain a copy contact [*Editor's note: Address has been updated*]: ~~Pension Commission of Ontario~~, Financial Services Commission of Ontario, Pension Plans Branch, ~~250 Yonge Street, 29th Floor, Toronto, Ontario, M5B 2N7~~ or phone ~~416-314-5993~~ or fax ~~416-314-0650~~. 5160 Yonge Street, P.O. Box 85, Toronto, Ontario M2N 6L9.

### PENSION PLAN DOCUMENT CHECKLIST

Please print:

#### SECTION I - General Information

Pension Commission of Ontario Registration Number  
(where applicable): \_\_\_\_\_

Name of Pension Plan: \_\_\_\_\_

Name of Employer or Sponsor: \_\_\_\_\_

Effective Date of Plan Text  
or Amendment: \_\_\_\_\_ / Day / Month / Year /

Amendment Number  
(where applicable): \_\_\_\_\_

Please indicate the type of application:

Application for Registration of Pension Plan \_\_\_\_\_  
Application for Registration of  
Restated Plan Text ("RPT") \_\_\_\_\_  
Application for Registration of Other Amendments \_\_\_\_\_

Please indicate whether the application involves:

Transfer of assets \_\_\_\_\_  
Distribution of surplus \_\_\_\_\_  
Early Retirement/Downsizing program \_\_\_\_\_  
Merger of plans \_\_\_\_\_  
Plan conversion \_\_\_\_\_  
Full or partial wind-up of the pension plan \_\_\_\_\_

Refund of contributions

<b>SECTION II</b>	-	<b>Application for Registration of a Pension Plan</b>
	-	<b>Application for Registration of a Restated Plan Text</b>

Statutory Requirements (1)	Ontario Act or Regulation (Reg.) Reference(s) (2)	Pension Plan Source Document(s) Section Reference(s) (3)	For Pension Commission Use Only (4)
1. Method and details of appointment of administrator.	Act ss.10(1) 1		
2. Powers and duties of Board of Trustees (MEPPs only)	Act ss. 10(2)		
3. Fiscal year of Pension Plan	Reg. s. 51		
4. Conditions for membership:			
(a) Full-time employees; and,	Act ss. 31(2)		
(b) Part-time employees.	Act ss. 31(3); 31(4) (MEPPs only)		
5. Benefits and rights accruing upon:			
(a) Normal retirement;	Act ss. 35(3)		
(b) Early retirement;	Act ss. 41(2) - (5) incl.		
(c) Continuation of employment after normal retirement date;	Act ss. 35(3), (4)		
(d) Termination of employment or membership prior to normal retirement date;	Act ss. 36, 37, 42(1)		
(e) Death prior to retirement; and,	Act ss. 48(1), (2), (6), (7), Reg. s. 59		
(f) Death after retirement.	Act ss. 44(1) - (3) incl.		
6. Retirement dates:			
(a) Normal retirement date; and,	Act ss. 35(1)		
(b) Early retirement date.	Act ss. 41(1), (2)		

Statutory Requirements (1)	Ontario Act or Regulation (Reg.) Reference(s) (2)	Pension Plan Source Document(s) Section Reference(s) (3)	For Pension Commission Use Only (4)
7. Requirement for entitlement to:			
(a) deferred pension in respect of employment prior to 1.1.1987; and,	Act ss. 36(2)		
(b) deferred pension in respect of employment after 31.12.1986	Act ss. 37(2)		
8. Entitlement to ancillary benefits.	Act ss. 40(1), (2) Reg. ss. 54		
9. Contributions or method of calculating required employer contributions and employee contributions (if any).	Act ss. 55(1), (2); 11(2), (3) Reg. ss. 4(1), (2), 6(1), (2)		
10. Method of determining benefits payable:	Act ss. 10(7)		
(a) Value of deferred pension;	Act ss. 39(1); 11(1), (2); 14(1)		
(b) 50% rule;	Act ss. 39(3)		
(c) Entitlement to excess amount; and,	Act ss. 39(4)		
(d) Reductions, if any, related to CPP/QPP or OAS.	Act ss. 54		
11. Locking-in.	Act ss. 63(1) - (4) incl.		
12. Non-alienation.	Act ss. 65(1), (2); 66(1) - (3) incl.		
13. Method of calculating interest:			
Method of calculating interest to be credited on or after 1.1.1988 to contributions including additional voluntary contributions of members or former members.	Act ss. 58(2) Reg. s. 21		
14. Mechanism for payment of the cost of administration of the pension plan and pension fund.	Act ss. 22(9), (10)		
15. The mechanism for establishing and maintaining the pension fund.	Reg. s. 50		

Statutory Requirements (1)	Ontario Act or Regulation (Reg.) Reference(s) (2)	Pension Plan Source Document(s) Section Reference(s) (3)	For Pension Commission Use Only (4)
16. Treatment of surplus:  (a) During continuation of the pension plan; and,  (b) On wind-up of the pension plan.	Act ss. 10(1) 11; 78(1)		
17. Obligation of administrator to provide members with information and documents.	Act ss. 25(1); 26(3), (5); 27; 28 Reg. s. 34-40 incl.		
18. Documents/information available from administer on request.	Act s. 29 Reg. ss. 41(1)		
19. Method of allocation of assets of pension plan on wind up.	Act c. 70(1)(c)		

<b>Statutory Requirements (1)</b>	<b>Ontario Act or Regulation (Reg.) Reference(s) (2)</b>	<b>Pension Plan Source Document(s) Section Reference(s) (3)</b>	<b>For Pension Commission Use Only (4)</b>
20. Particulars of any predecessor pension plan under which members of the pension plan may be entitled to pension benefits.	Act ss. 10(1) 14		

**SECTION III - Application for Registration of Other Amendments**

<b>Nature of Amendment (1)</b>	<b>Pension Plan Source Document(s) Section Reference(s) (2)</b>	<b>For Pension Commission Use Only (3)</b>

**SECTION IV - Certification**

*Administrators are required to certify that applications for registration of pension plans, restated plan texts or plan amendments comply with the provisions of the Pension Benefits Act, R.S.O. 1990, c.P.8, (the "PBA") and the Regulations under the Act. Where a pension plan covers members in jurisdictions within Canada other than Ontario, the Administrator is also required to certify that the applications comply with the provisions of the pension legislation of those other jurisdictions. The issuance by the Superintendent of Pensions (the "Superintendent") of a Certificate of Registration for a pension plan registered under the PBA or Notice of Registration for a restated plan text or an amendment to a pension plan registered under the PBA will be made based upon this certification. Administrators are reminded that the Superintendent has the power to refuse to register or to revoke any registration that does not comply with the PBA and the Regulations.*

I \_\_\_\_\_, the Administrator (or in the case of a corporate Administrator, an authorized officer of the Administrator) of (state the name of the pension plan) \_\_\_\_\_, attach an application for registration of a pension plan or an application for registration of a restated plan text or an application for registration of other amendments, dated the \_\_\_\_ day of \_\_\_\_\_, 199\_\_, for the pension plan bearing Ontario registration number \_\_\_\_\_, CERTIFY AS FOLLOWS:

1. I am satisfied that the pension plan or amendment filed herewith for registration complies with the provisions of the Act, the Regulations, and the terms of any existing pension plan and trust; and,
2. I acknowledge that the obligation to determine compliance of the documents filed herewith is the responsibility of the Administrator and I declare that I have fulfilled that responsibility and have complied with the provisions of the Act and the Regulations in making this application for registration.
3. I acknowledge that this certification extends to compliance with the pension legislation of designated jurisdictions within Canada, other than Ontario, where the legislation of the designated jurisdictions applies to members and former members of the pension plan.

I declare that the above statements are true to the best of my knowledge and belief and I am making this certification conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

**DATED** at the City of \_\_\_\_\_, this \_\_\_\_ day of \_\_\_\_\_, 199\_\_.

\_\_\_\_\_  
Signature of Administrator or Authorized Officer

\_\_\_\_\_  
Name of Administrator or Authorized Officer (Printed)

**NOTE: It is an offence to administer a pension plan or pension fund in a manner that does not comply with the provisions of the PBA and the Regulations. In addition, an Administrator may be subject to an Order under the PBA issued by the Superintendent relating to, amongst other matters, the manner of administration of the pension plan or pension fund.**

*Please refer to R500-201 and R500-251. The updated applications are catalogued as R500-202 and R500-252.*