

FSRAFinancial Services Regulatory
Authority of Ontario

Ontario

ARSFAutorité ontarienne de réglementation
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May 16 2022

Attn: Kimberly Hilton Kim.Hilton@canadalife.com
Director – London GRS Administration
Canada Life
Group Retirement Services, Group Customer
255 Dufferin Avenue, T540-5B
London, ON N6A 4K1

and

Attn: Andrea Mangiardi, Plan Administrator
RLP Machine & Steel Fabrication Inc.
259 Reliable Lane, P. O. Box 1580
Timmins, ON P4N 7W7

**Re: Pension Plan for the Employees of RLP Machine & Steel Fabrication Inc.
Registration Number 1152990**

Enclosed, please find the Notice of Intended Decision (NOID) with respect to the above noted registered Pension Plan.

Yours truly,

Mitzi D'Souza
Administrative Assistant, Pensions

Enclosure

c: Chantal Laurin , Financial Services Regulatory Authority of Ontario

IN THE MATTER OF the *Pension Benefits Act*, R.S.O. 1990, c. P.8 (the “Act”), in particular sections 69 and 89.

AND IN THE MATTER OF the Pension Plan for the Employees of RLP Machine & Steel Fabrication Inc., Registration Number 1152990 (the “Plan”).

NOTICE OF INTENDED DECISION

TO: **Group Retirement Services, Group Customer**
255 Dufferin Avenue, T540-5B
London ON N6A 4K1

Attention: Kimberly Hilton
Director, London GRS Administration, Canada Life

Appointed Administrator & Applicant

AND TO: **RLP Machine & Steel Fabrication Inc.**
259 Reliable Lane, PO Box 1580
Timmins ON P4N 7W7

Attention: Andrea Mangiardi
Plan Administrator

Employer

TAKE NOTICE THAT pursuant to section 69 of the Act, and by delegated authority from the Chief Executive Officer of the Financial Services Regulatory Authority of Ontario (the “Chief Executive Officer”), the Director, PBGF Management (the “Director”) intends to make an order to wind up the Plan effective May 31, 2020. Details of the intended decision are described below.

SI VOUS DÉSIREZ RECEVOIR CET AVIS EN FRANÇAIS, veuillez nous envoyer votre demande par courriel immédiatement à: contactcentre@fsrao.ca.

YOU ARE ENTITLED TO A HEARING BY THE FINANCIAL SERVICES TRIBUNAL (THE “TRIBUNAL”) PURSUANT TO SUBSECTION 89(6) OF THE ACT. A hearing by the Tribunal about this Notice of Intended Decision may be requested by completing the enclosed Request for Hearing Form (Form 1) and delivering it to the Tribunal within thirty (30) days after this Notice of Intended Decision is served on you. The Request for Hearing Form (Form 1) must be mailed, delivered, faxed or emailed to:

Address: Financial Services Tribunal
25 Sheppard Avenue West
7th Floor, Suite 100
Toronto ON M2N 6S6

Attention: Registrar

Fax: 416-226-7750

Email: contact@fstontario.ca

TAKE NOTICE THAT if you do not deliver a written request for a hearing to the Tribunal within thirty (30) days after this Notice of Intended Decision is served on you, an order will be issued as described in this Notice of Intended Decision.

For additional copies of the Request for Hearing Form (Form 1), visit the Tribunal's website at www.fstontario.ca.

The hearing before the Tribunal will proceed in accordance with the *Rules of Practice and Procedure for Proceedings before the Financial Services Tribunal* ("Rules") made under the authority of the *Statutory Powers Procedure Act*, R.S.O. 1990, c. S.22. The Rules are available at the website of the Tribunal: www.fstontario.ca. Alternatively, a copy can be obtained by telephoning the Registrar of the Tribunal at (416) 590-7294, or toll free at 1-800-668-0128 extension 7294.

REASONS FOR INTENDED DECISION

1. On June 29, 2020 FSRA received notice that pursuant to an order of the Ontario Superior Court of Justice (the "Court") on January 31, 2020, Macpherson & Associates Inc.(the "Receiver) was appointed as receiver and manager of all assets, undertakings, and properties of the RLP Machine & Steel Fabrication Inc. ("RLP Machine").
2. The Receiver advised FSRA that RLP Machine had become bankrupt effective December 31, 2020.
3. By court order effective November 30, 2021, the Receiver, was authorized to distribute \$45,000, which represent the outstanding contributions for the months of December 2019 to May 2020 to the appointed administrator, Canada Life.
4. Pursuant to section 8(1.1) of the Act, the Insolvency Coordinator, by delegated authority from the Chief Executive Officer, appointed Canada Life to act as the administrator of the Plan effective February 9, 2021.
5. Subsection 69(1) of the Act provides that the Chief Executive Officer may require the wind up of a pension plan if certain circumstances are met. Canada Life filed a wind up order request dated January 17, 2021, to wind up the Plan effective

May 31, 2020 for the following reasons:

- There is a cessation of employer contributions to the pension fund;
- The employer is bankrupt within the meaning of the *Bankruptcy and Insolvency Act (Canada)*;
- All members have ceased to be employed by the employer as the result of the discontinuance of all of the business of the employer;
- All of the business has been discontinued;

6. Such further reasons as may come to my attention.

DATED at Toronto, Ontario, May 16, 2022.

A handwritten signature in black ink, appearing to read "S. Charest", is centered on a light gray rectangular background.

Sylvie Charest
Director, PBGF Management

By delegated authority from the Chief Executive Officer