



Financial Services Regulatory
Authority of Ontario



Autorité ontarienne de réglementation
des services financiers

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VIA E-MAIL

November 30, 2022

Attn: Eric Beveridge, Director
Anthos Canada Inc.
1388 Cornwall Road, Unit D
Oakville, ON L6J 7W5

e.beveridge@anthos.net

and

Attn: Sylvie Bourbonnais, Actuary
Mercer (Canada) Limited
120 Bremner Blvd, Suite 800
Toronto, ON M5J 0A8

Sylvie.Bourbonnais@mercer.com

**Re: Pension Plan for Employees of Anthos Canada Inc.
Registration Number 0560300**

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: Preethi Anthonypillai, 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 subsections 78(1) and 79(3);

AND IN THE MATTER OF Pension Plan for Employees of Anthos Canada Inc., Registration Number 0560300 (the “Plan”).

NOTICE OF INTENDED DECISION

TO: Anthos Canada Inc.
1388 Cornwall Road, Unit D
Oakville, ON , L6J 7W5

Attention: Eric P. Beveridge
Director

Employer & Applicant

AND TO: Mercer (Canada) Limited
120 Bremner Boulevard, Suite 800
Toronto ON M5J 0A8

Attention: Sylvie Bourbonnais
Actuary

TAKE NOTICE THAT pursuant to subsection 78(1) 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 Senior Manager, Special Transactions & Advisory Services, intends to make an order to consent to the payment of surplus in respect of the Plan to Anthos Canada Inc., in the amount of \$168,505 as at September 30, 2021, plus investment earnings thereon to the date of payment. Details of this 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
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. Anthos Canada Inc. is the employer and administrator as defined in the Plan (the "Employer").
2. The Plan was fully wound up on September 30, 2021.
3. The Employer's application (the 'Application') discloses that a Surplus Sharing Agreement ("SSA") has been entered into between the Employer and the retirees for whom a pension was purchased under section 43.1 of the Act (the "Affected Members").
4. The Application indicates that the surplus in the Plan as at September 30, 2021, was \$337,010.
5. As indicated in the Application, the surplus in the Plan at the date of payment is to be distributed as follows:
 - (a) 50% of surplus assets to the Affected Members, and
 - (b) 50% to the Employer
6. The Employer has applied, pursuant to paragraph 77.11(7)2, section 78, and subsection 79(3) of the Act for consent to the payment of the surplus of

\$168,505 as at September 30, 2021, plus investment earnings thereon to the date of payment.

7. The Application appears to comply with paragraph 77.11(7)2, section 78, subsection 79(3) and all other applicable requirements under the Act and Regulation 909, R.R.O. 1990, as amended.
8. Such further and other reasons as may come to my attention.

DATED at Toronto, Ontario, November 30, 2022.



Tim Thomson
Senior Manager, Special Transactions & Advisory Services

By delegated authority from the Chief Executive Officer