Financial Services Regulatory Authority of Ontario

Ontario

User Guide Application for Registration of a Pension Plan - Form 1

Approved by the Chief Executive Officer (CEO) pursuant to the Pension Benefits Act, R.S.O. 1990, c. P.8, as amended

General Information

Pension plans providing benefits to employees in Ontario are subject to the Ontario Pension Benefits Act (PBA). Section 9 of the PBA requires that a plan administrator apply to the Chief Executive Officer (CEO) for registration of a pension plan using the Form 1 (Application for Registration of a Pension Plan). Employer pension plans are registered with the jurisdiction in which the plurality of active members are employed*.

If you have a pension plan that covers employees in multiple Canadian jurisdictions, including Ontario, and the plurality of membership is **not** in Ontario, **do not use this form**. You will need to apply to the jurisdiction that has the plurality of active members.

This application must be made within 90 days of the establishment of the pension plan (section 2 of Regulation 909 (Regulation) and submitted with the documents required under section 9(2) of the PBA and the required registration fee of $250 (cheque payable to the **Financial Services Regulatory Authority of Ontario**). This must be sent to:

Pensions
25 Sheppard Avenue West,
Suite 100, Toronto ON M2N 6S6

The CEO will issue a certificate of registration for each pension plan registered under the PBA. The CEO may refuse to register a pension plan that does not comply with the PBA and the Regulation.

Changes to information or documentation after submitting Application for Registration of a Pension Plan but before Registration of the Pension Plan

Any changes to the information provided on the Application must be submitted in writing, to the Financial Services Regulatory Authority of Ontario (FSRA). If there are any changes to the plan or funding provisions previously submitted, then replacement documentation must be provided to FSRA.

Changes to information or documentation after Registration of Pension Plan

Any amendments to the pension plan or pension fund documents must be submitted to FSRA via FSRA's Pension Services Portal as an application for registration of an amendment. For Instructions please refer to Instructions for submitting an application for the registration of a Pension Plan Amendment on the Pension Services Portal (PSP) .

Further information

More information is available on the FSRA website. You can also send your inquiries to FSRA by email at pensioninquiries@fsrao.ca or by mail to the address provided above.

* If the plurality of members is in 'included employment' as defined by the federal *Pension Benefits Standards Act*, the pension plan must be registered with the federal jurisdiction (Office of the Superintendent of Financial Institutions Canada).

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Question 1 – Provide the legal name of the pension plan. This information can be found in the pension plan document.

Information Concerning the Pension Plan Administrator (Questions 2 to 4)

Question 2 – Identify the pension plan administrator and provide contact information. For information on who can be a plan administrator, see section 8 of the PBA. Provide information on the person who FSRA can contact on matters related to the pension plan. This person MUST be the authorized employee, officer or director of the administrator of the pension plan. If applicable, provide information on a second contact person to whom the administrator has delegated responsibility to handle member questions regarding the pension plan.

Question 3 – Plan administrators have varying structures. Choose the administrator from the list provided.

Question 4 – If the plan administrator is a pension committee or board of trustees, indicate the number of 'employer' representatives and the number of 'member' representatives and provide the total. Also, attach a separate page providing the name and contact information of each of the committee or board of trustee members.

Information Concerning the Employer/Plan Sponsor (Questions 5 to 6)

Question 5 – Identify the employer/plan sponsor and contact information. If the employer or pension plan sponsor is also the pension plan administrator, check the box for 'same as plan administrator' and proceed to question 6.

Question 6 – If there are other employers with employees participating in this pension plan, answer 'yes' and provide the number. Attach a separate page providing the name and contact information about each employer.

Information Concerning the Pension Plan (Questions 7 to 11)

Question 7
Part a - Provide the effective date of the establishment of the pension plan. This information can be found in the plan document.
Part b - Provide the year-end date of the pension plan.

Question 8 – Indicate 'yes' if the pension plan has been or will be registered with the Canada Revenue Agency (CRA). If the plan has been submitted for registration with the CRA, provide the application date and the CRA registration number, if available.

Question 9
Part a - Indicate the type of benefit provided by the pension plan. This information can be found in the plan document.
Part b - Indicate the type of plan. Check the applicable type, complete the required parts and proceed as directed to the relevant questions.

Note:

- If the plan is an **Individual Pension Plan (IPP)**, complete, sign and attach FSRA Form 1.2 – Individual Pension Plan Certification.
- If the pension plan is a **Jointly Sponsored Pension Plan (JSPP)** (either a single employer or multi-employer JSPP), the plan administrator is required by Regulation, to file a statement with the CEO certifying that the pension plan meets the criteria of a JSPP as specified in section 3.2 of the Regulation. Indicate whether such a statement has been filed with the CEO.

Question 10 – Indicate whether the pension plan is a collectively bargained pension plan. If your answer is 'yes', attach a copy of the collective agreement and provide the name of each of the trade union(s) and their contact information.

Question 11 – If the pension plan is a multi-employer pension plan established pursuant to a collective agreement or trust agreement, or, the plan provides defined benefits or target benefits where the employer's obligation to contribute to the plan is limited to a fixed amount set out in a collective agreement, answer 'yes'.

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Information Concerning the Funding Instrument/Arrangement (Question 12)

Question 12
Part a – Check the most applicable funding instrument or arrangement. Only use 'other' if the funding instrument is not in the list provided; provide details.

Part b – Provide the name and address of the fund holder, fund name or policy number and contact person at the fund holder. Attach a separate page if there is more than one.

Part c – Plan administrators are required to establish a Statement of Investment Policies and Procedures (SIP&P) for the pension plan. Confirm that a SIP&P has been established for the plan. Provide an explanation if a SIP&P has not been established.

Other Pension Plans Sponsored by the Employer/Plan Sponsor (Question 13)

Question 13 - Have any of the members in the pension plan participated in the past in any other pension plan of the company (includes a subsidiary or affiliate of the company) to which the employer identified in question 5 makes contributions? If your answer is 'yes', provide information about the pension plan (registration number, pension plan name, jurisdictions of registration of the previous plan and its current status).

Information Related to Pensions and Pension Plans (Questions 14 to 28)

Question 14 - Check the type of organization operated by the principal employer(s) of the pension plan. Only use 'other' if your answer is not on the list provided; provide details.

Question 15 - Enter the NAICS (North American Industry Classification System) code which corresponds to the main business of the principal employer(s) or pension plan sponsor. For more information, visit the Statistics Canada website at **www.statcan.gc.ca** (see information NAICS).

Question 16 - Is participation in the plan voluntary or mandatory?

Question 17 - Plan eligibility – Provide the number of employees who are eligible to join the pension plan. Multiple entries are acceptable except if you select 'all employees'. Only use 'other' if your answer is not on the list provided; provide details.

Question 18 – For plans that provide a defined benefit or target benefit provision, provide the number of employees eligible for membership in each class. For 'Executives', include 'connected persons' as defined in the Income Tax Act, R/S.C., 1985, c.1, (5th sup.), as amended. Provide details, if you select 'other'.

Question 19 – Is the type of benefit the same for each class of members? If your answer is 'no', indicate what type of benefit is provided for each class.

Question 20
Part a – For plans that provide a defined benefit or target benefit provision, indicate if it is open to new members.
Part b – For plans that provide a defined benefit or target benefit provision, indicate if accruals are permitted.

Question 21 – Specify the normal retirement age under the pension plan. This information can be found in the plan document.

Question 22 – Indicate if the benefit provided under the pension plan or the contribution rate (specified in the pension plan text) is integrated with the Canada Pension Plan (CPP) or Quebec Pension Plan (QPP).

Question 23 – Make the appropriate selection. If employee contributions are required, provide the required information. Multiple entries are acceptable. If 'other' is selected, provide details.

Question 24 – Make the appropriate selection. If employer contributions are required, provide the required information. Multiple entries are acceptable. If 'other' is selected, provide details.

If your pension plan has a defined benefit or target benefit provision, complete questions 25 to 28. Otherwise, move directly to question 29.

Question 25 - Indicate whether the pension benefit is calculated on the basis of final average earnings, career average earnings, best average earnings, or flat benefit*. Complete the information as appropriate.

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Question 26 – On the basis of a normal retirement benefit only, specify the benefit formula or indicate the amount or rate*. If ‘other’ is selected, provide details.

Question 27 – Does the pension plan provide contractual benefit increases to pensions in pay? If your answer is ‘yes’, provide the indexation formula*.

Question 28 – Does the pension plan provide ancillary benefits? If your answer is ‘yes’, check the type of ancillary benefit*. Multiple entries are acceptable. Only use ‘other’ if the benefit is not listed here; provide details.

* This information can be found in the plan document.

Plan Membership and Registration Fee (Question 29)

Question 29 - Specify the number of members by province/jurisdiction.

Note: Indicate any pension plan member in “included employment” as defined in sections 2(1) and 4 of the federal Pension Benefits Standards Act (PBSA). For example, if any member is employed in an activity that is within the authority of the PBSA; this includes interprovincial transportation, communications, banking, and/or employment in the Yukon Territory, Northwest Territories or Nunavut Territory.

Registration Fee

A fee of $250 applies for the registration of a pension plan with FSRA.

Send the completed application, required documents and the registration fee (cheque payable to the **Financial Services Regulatory Authority of Ontario**) to:

Financial Services Regulatory Authority of Ontario
Pensions
25 Sheppard Avenue West
Suite 100, Toronto, ON, M2N 6S6

Requirements Checklist

The application is to be filed along with the required documents that create and support the pension plan and pension fund. The required documents are listed in this section. Indicate a check mark for each item attached to the application.

Administrator’s Certification

The administrator (as defined under section 8(1) of the PBA) is required to certify the application after completion. The authorized representative is the person whose name and contact information is provided in question 2.

As the authorized representative of the plan administrator, you must ensure that all the documents listed in the Requirements Checklist that are necessary to create and support the pension plan and the pension fund, are attached to the application. An application without all the required documents will be deemed an incomplete application and may delay or risk the registration of the pension plan.

In part (d), check the relevant jurisdiction(s) that apply to one or more members, former members, retired members or other beneficiaries of the pension plan.

You must provide your name and contact information, sign and date the application. By signing the application, you are certifying the information identified in parts (a) through (f).

After receiving the application and the registration fee, FSRA will review all the information for completeness and compliance. FSRA will issue a certificate of registration to the plan administrator, if it is satisfied with the information provided. If the application is incomplete or incompliant, FSRA will contact the plan administrator.

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