



INSTRUCTIONS FOR COMPLETING THE STANDARDIZED WIND UP REPORT FOR DEFINED CONTRIBUTION PENSION PLANS

The *Pension Benefits Act, R.S.O. 1990* requires that a wind up report shall be filed for a pension plan that is to be wound up in whole or in part, pursuant to s. 70. The wind up must be effected and administered in accordance with the plan text, and should the plan text require that an amendment or resolution be made in order to wind up the plan, the amendment or resolution should be filed along with a completed Application for Registration of a Pension Plan Amendment (Form 1.1).

Please follow these instructions in completing the standardized Wind Up Report for Defined Contribution Pension Plans. If there are any prior defined benefit accruals that are being held under a prior version of the plan, or if there are any defined benefit past service benefits for any members, the plan should be considered a defined benefit plan. The standardized wind up report is not applicable to plans with Group Annuity Benefits.

PLAN INFORMATION

1. **Registration Number** - enter the plan registration number.
2. **Name of Pension Plan** - enter the legal name of the pension plan.
3. **Employer/Plan Sponsor** - enter the legal name of the employer or plan sponsor.
4. **Pension Fund Trustee(s)** - enter the name of the organization(s) holding the pension fund assets.
5. **Collective Bargaining Agent** - enter the name of the Collective Bargaining Agent representing the members. If there is no Collective Bargaining Agent, check the N/A box.
6. **Contributory Plan/Non-Contributory Plan** - check the Contributory Plan box if the plan requires that members make contributions or check the Non-Contributory Plan box if members are not required to contribute.

WIND UP INFORMATION

7. **Type of Wind Up** - check the appropriate box for a full or partial wind up. For partial wind ups, please identify the partial wind up group.
8. **Effective date of Wind Up** - enter the effective date of the wind up.
9. **Effective date of Wind Up complies with s. 68(5)** - check yes if the effective date is in compliance with subsection 68(5) which states: "*The effective date of the wind up shall not be earlier than the date member contributions, if any, cease to be deducted, in the case of contributory pension benefits, or, in any other case, on the date notice is given to members*". If the effective date is not in compliance, check no and explain the reason.
10. **End of last period for which contributions were deducted** - enter the date of the end of the last period for which contributions were deducted from members' earnings (for contributory plans only).
11. **All employee and employer contributions remitted to the fund to the effective date of wind up** - if all employee and employer contributions, including any profit sharing allocation required under the plan, have been remitted, check yes. If all contributions have not been remitted, check no and explain.
12. **Date last notice given to members** - enter the final date the notice of the wind up was given to members.
13. **Notice content and distribution complies with ss. 68(2), 68(3) and 68(4)** - check yes if the notice content and distribution complies with the appropriate sections.
For all wind ups, subsection 68(2) requires that: "*The administrator shall give written notice of proposal to wind up the pension plan to,*
(a) *the Superintendent*
(b) *each member of the pension plan*
(c) *each former member of the pension plan*
(d) *each trade union that represents members of the pension plan*
(e) *the advisory committee of the pension plan; and*

(f) any other person entitled to a payment from the pension fund.”

For partial wind ups, the notice distribution is also subject to subsection 68(3) which states: “*In the case of a proposal to wind up only part of a pension plan, the administrator is not required to give written notice of the proposal to members, former members, or other persons entitled to payment from the pension fund if they will not be affected by the proposed partial wind up.*”

In addition, the content of the wind up notice must comply with subsection 68(4) which requires that “*The notice of proposal to wind up shall contain the information prescribed by the regulations.*” (See section 28 of Regulation 909) If the notice is not in compliance with the relevant subsections, check no and provide an explanation.

14. **Date report sent to Collective Bargaining Agent** - enter the date a copy of the wind up report was sent to the Collective Bargaining Agent representing the members (if applicable). Approval of the wind up will not be granted until 30 days after the date the report was provided to the members’ agent.
15. **Financial Information: Full Plan** - enter the Assets, Liabilities and Surplus (if any) of the entire plan as at the effective date of the wind up. Surplus is the excess, if any, of the value of the assets over the value of the liabilities as at the date of the wind up.
16. **Financial Information: Affected by Wind Up** - enter the Assets, Liabilities and Surplus (if any) related to the wind up, as at the effective date of the wind up. If there is a surplus, provide an explanation of how the surplus was created, the proposed treatment of the surplus and the allocation method.
17. **Legislative Requirements** - provide confirmation that full vesting and transfer rights have been provided to the members, and that benefits that are required to be locked-in, have been locked-in.

FILING REQUIREMENTS (FULL WIND UP ONLY)

18. **All outstanding Annual Information Returns have been filed** - check yes if all outstanding Annual Information Returns, including the final Annual Information Return for the period ending at the effective date of the wind up, have been filed. If all Annual information Returns have not been filed, check no and provide an explanation.
19. **All outstanding Financial Statements have been filed** - check yes if all outstanding Pension Fund Financial Statements, including financial statements for the period ending at the effective date of the wind up, have been filed. If all Financial Statements have not been filed, check no and provide an explanation.

EXPLANATIONS

Enter any information or explanation required by these instructions along with reference to the section number and any other information that may have a material impact on the wind up of the pension plan. Attach additional pages if necessary.

CERTIFICATION OF COMPLIANCE

The Certification of Compliance must be signed by a person described in section 15 of Regulation 909. The requirements of section 15 are as follows:

15(1) *The reports and certificates required under section 70 of the Act and under subsection 3(1) and sections 13 and 14 must be prepared by an actuary.*

15(2) *Despite subsection (1) reports and certificates in respect of,*

- (a) *a pension plan where all pension benefits are defined contribution benefits,*
- (b) *a fully insured pension plan, established prior to the 1st day of January, 1987 underwritten by a contract or contracts with an insurance company and that does not require any contributions to be made by employees; or*
- (d) *a pension plan underwritten by a contract or contracts issued under the Government Annuities Act (Canada),*

may be made by an accountant or a person authorized by an insurance company, a trust corporation or by the Annuities Branch of the Department of Labour of the Government of Canada, responsible for administering the pension plan or pension fund.