

ONTARIO REGULATION

made under the

PENSION BENEFITS ACT

Amending Reg. 909 of R.R.O. 1990

(GENERAL)

Note: Regulation 909 has previously been amended. For the legislative history of the Regulation, see the Table of Consolidated Regulations – Detailed Legislative History at www.e-Laws.gov.on.ca.

1. (1) Subsection 45 (1) of Regulation 909 of the Revised Regulations of Ontario, 1990 is amended by striking out the portion before paragraph 1 and substituting the following:

(1) For the purposes of subsection 29 (1) of the Act, the following are the prescribed records that the administrator of a pension plan is required to make available for inspection to the specified persons:

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(2) Paragraph 7 of subsection 45 (1) of the Regulation is revoked and the following substituted:

7. Copies of any information returns, actuarial information summaries and other information summaries that are filed in respect of the pension plan.

(3) Subsection 45 (1) of the Regulation is amended by adding the following paragraph:

13. Copies of any statements of investment policies and procedures for the plan that are established under Part II.

(4) Subsection 45 (2) of the Regulation is revoked and the following substituted:

(2) For the purposes of subsection 29 (5) of the Act, the following are the prescribed records with respect to a pension plan and pension fund:

1. The provisions of the current pension plan, including any amendments to the plan.

2. The most recent report under section 3, 4, 13 or 14 that has been filed.
3. The most recent financial statements or audited financial statements that have been filed for the plan or the fund.
4. The most recent actuarial information summary filed under section 16.1.
5. The most recent annual information return filed under section 18.
6. The most recent investment information summary filed under section 77.
7. The most recent statement of investment policies and procedures for the plan that is established under Part II.

(5) Section 45 of the Regulation is amended by adding the following subsections:

(5.1) The administrator may use electronic means to provide the prescribed records under subsection 29 (5) of the Act to a person described in subsection 29 (1) of the Act with the person's permission.

(5.2) For the purposes of subsection 29 (7) of the Act, the maximum amount of the applicable fee is 25 cents per page for each paper copy and \$10 for each request for one or more records to be provided by electronic means.

(6) Subsection 45 (6) of the Regulation is amended by striking out "or 30".

2. The Regulation is amended by adding the following section:

46. (1) For the purposes of paragraph 2 of subsection 30 (1) of the Act, the following are prescribed documents that the specified persons are entitled to inspect at the office of the Superintendent:

1. The records described in paragraphs 1 to 12 of subsection 45 (1) of this Regulation.

(2) For the purposes of subsection 30 (3) of the Act, the following are the prescribed records to be provided to the specified persons:

1. The records described in paragraphs 1 to 6 of subsection 45 (2) of this Regulation.

(3) The Superintendent may use electronic means to provide the prescribed records under subsection 30 (3) of the Act to a person described in that subsection with the person's permission.

(4) A person making a request under section 30 of the Act is entitled to have access to those parts of the pension plan and other documents or information that are applicable to the person.

3. The Regulation is amended by adding the following section:

77. (1) The administrator of a pension plan that provides defined benefits shall file an investment information summary in a form approved by the Superintendent within six months after the fiscal year end of the plan.

(2) Subsection (1) does not apply if the pension plan is an individual pension plan or a designated plan.