



Government of Newfoundland and Labrador
Department of Government Services
Consumer and Corporate Affairs
Financial Services Regulation Division

DIRECTIVE NO. 8

Issued Under the Pension Benefits Act, 1997, effective December 13, 2001

Dated at St. John's, this 16th. Day of December, 2002

WINSTON MORRIS
Superintendent of Pension

Plan Termination Notices

Notice of Intention to Terminate

1. A notice of intention to terminate a pension plan required under subsection 60(1) of the Act shall include the following information:
 - (a) the name of the plan and its provincial registration number;
 - (b) the proposed date of termination; and
 - (c) notice that each member, former member or any other person entitled to a pension benefit or a refund will be provided with an individual statement setting out entitlements and options under the plan.

Plan Termination Notices of Entitlement

2. A plan termination notice of entitlement required under section 64 of the Act shall be provided to each member, former member or any other person with an entitlement under a pension plan within 30 days after the approval by the Superintendent of the report filed under paragraph 60(2)(a) of the Act, and shall contain the following information, as applicable:

- (a) the name of the plan and its provincial registration number;
- (b) the member's name and date of birth;
- (c) the date of plan termination;
- (d) the date on which the member joined the plan, and, except in the case of a multi-employer pension plan, the date the member was employed by the employer;
- (e) the member's principal beneficiary or designated beneficiary as indicated on the records of the administrator;
- (f) the amount of required contributions made to the pension fund by the member since the date of the last statement provided under subsection 25(4) of the Act;
- (g) the accumulated amount of required contributions made to the pension fund by the member, including interest credited to those contributions, to the date of plan termination;
- (h) the amount of additional voluntary contributions made by the member to the pension fund since the date of the last annual statement provided under subsection 25(4) of the Act;
- (i) the accumulated amount of additional voluntary contributions made by the member to the pension fund, including interest credited to those contributions, to the date of termination;
- (j) any amount transferred since the date of the last statement provided under subsection 25(4) of the Act from another pension plan on behalf of the member and the pension benefit under the plan attributable to that amount;
- (k) in the case of a plan with a defined contribution provision
 - (i) the amount of employer contributions allocated to the member since the date of the last annual statement required under section 25 of the Act, and
 - (ii) the accumulated amount of employer contributions, including interest credited to those contributions, allocated to the member on the plan records, to the date of termination;
- (l) in the case of a defined benefit plan
 - 1. the member's years of employment for the purpose of the calculation of pension benefits, and

2. where salary is a factor in determining a pension benefit, the salary level utilized for the purpose of determining the benefit;
 - (m) the rate of interest required under subsections 36(1) and (2) of the Act, credited to contributions made by the member since the date of the last statement;
 - (n) an explanation of any amendments made to the pension plan during the period covered by the statement for which an explanation has not previously been provided under subsection 25(3) of the Act;
 - (o) entitlements under the plan;
 - (p) options available to the member or the former member;
 - (q) the time period in which any option shall be exercised;
 - (r) if there are insufficient assets to pay all pension benefits, a description of any reductions made to the member's pension benefits;
 - (s) if there are surplus assets, a statement of the method of distribution and, if applicable, the formula for allocation of any surplus;
 - (t) notice of where copies of the termination report are available and information on how to obtain copies of the report; and
 - (u) notice of the person the recipient of the statement may contact with respect to any questions arising out of the statement.
3. This Directive replaces Directive No. 8 issued January 1, 1997 and shall take effect on December 13, 2001.