

## Draft Regulation

Supplemental Pension Plans Act  
(chapter R-15.1)

### Pension plan — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the draft Regulation to amend the Regulation respecting supplemental pension plans, appearing below, may be submitted to the Government for approval upon the expiry of 30 days following this publication.

The purpose of the draft Regulation is to set out various measures concerning the funding of plans and enacted by the Act to amend the Supplemental Pension Plans Act mainly with respect to the funding of defined benefit pension plans (2015, chapter 29). The measures concern in particular the contents of the report on the actuarial valuation of a pension plan and the various notices provided for under the Supplemental Pension Plans Act (chapter R-15.1), and the special conditions regarding variable benefits, letters of credit and benefits.

Under section 12 of the Regulations Act, the draft Regulation may be approved on the expiry of the 45-day period provided for under section 11 of that Act. The Government is of the opinion that the shorter publication period is warranted due to the fact that the report on the actuarial valuation as at 31 December 2015 that is required for every pension plan to which Chapter X of the Supplemental Pension Plans Act applies must take into account the amendments made by the draft Regulation.

The draft Regulation has no negative impact on businesses, particularly on small businesses.

Further information may be obtained from Mr. Patrick Provost, Retraite Québec, Place de la Cité, 2600, boulevard Laurier, Québec (Québec) G1V 4T3 (telephone: 418 643-8282; fax: 418 643-7421; email: patrick.provost@retraitequebec.gouv.qc.ca).

Any person wishing to comment on the draft Regulation is asked to send his or her comments in writing before the expiry of the 30-day period to Mr. Michel Després, President and Chief Executive Officer of Retraite Québec, Place de la Cité, 2600, boulevard Laurier, 5<sup>e</sup> étage, Québec (Québec) G1V 4T3. Comments will be forwarded by Retraite Québec to the Minister of Finance, who is responsible for the administration of the Supplemental Pension Plans Act.

CARLOS LEITÃO,  
*Minister of Finance*

## Regulation to amend the Regulation respecting supplemental pension plans

Supplemental Pension Plans Act  
(chapter R-15.1, s. 244, 1st par., subpars. 1, 2, 2.1, 3.1.1, 7, 8 and 14)

An Act to amend the Supplemental Pension Plans Act mainly with respect to the funding of defined benefit pension plans  
(2015, chapter 29, s. 76)

**1.** The Regulation respecting supplemental pension plans (chapter R-15.1, r. 6) is amended by inserting “, notices” in the heading of Division I after “registration”;

**2.** The Regulation is amended by inserting, before section 1, the following heading:

“§1. *Application for registration*”.

**3.** The Regulation is amended by inserting, after section 3, the following heading:

“§2. *Notices*”.

**4.** Sections 4 to 11.1 of the Regulation are replaced by the following:

“§3. *Actuarial valuation report*

“General provisions

“4. Any actuarial valuation report referred to in section 120 of the Act must contain the following information:

(1) the name of the plan and the number assigned to it by Retraite Québec;

(2) the date of the actuarial valuation;

(3) the name of the signatory, the signatory’s professional title, the name and address of the signatory’s office and the date of signing.

Unless otherwise indicated, the provisions of this subdivision are applied using a funding basis.

“Complete actuarial valuation

“5. The report on a complete actuarial valuation shall contain the information and statements of the actuary provided for in Section 3260 of the Standards of Practice of the Canadian Institute of Actuaries, those provided for under sections 6 to 9, under sections 10 to 11.1, where applicable, and under section 11.2, and the following information:

(1) the number of active members apportioned, if applicable, according to whether their benefits are accumulated under defined benefit provisions or money purchase provisions within the meaning of section 965.0.1 of the Taxation Act (chapter I-3) or both types of provisions, the number of non-active members to whom no pension is being paid and the number of the other non-active members and beneficiaries whose benefits are covered by the actuarial valuation;

(2) a summary of the provisions of the plan that must be taken into account for the purposes of the valuation, including those bearing on contributions, normal retirement age, conditions to be met to be entitled to an early pension, the pension indexation formula, assumptions used in accordance with the second paragraph of section 61 of the Act and the refunds and benefits payable under the pension plan;

(3) the value of the plan's assets and its liabilities, and the actuarial assumptions and methods used to determine those values;

(4) the value of the plan's liabilities distributed among the group of active members of the plan, the group of non-active members to whom no pension is paid and the group of the other non-active members and beneficiaries, and the actuarial assumptions and methods used to determine the value;

(5) the plan's funding ratio and its degree of solvency.

“6. The report must contain the following financial information:

(1) the current service contribution projected for the fiscal year or part of a fiscal year immediately following the actuarial valuation and the rule used to determine the service contribution;

(2) the portion of the current service contribution that constitutes the stabilisation provision referred to in section 128 of the Act;

(3) the rule used to determine the service contribution for the two subsequent fiscal years;

(4) the amounts to be paid respectively by the employer and by the members for each fiscal year or part of a fiscal year referred to in subparagraphs 1 and 3 and, for each amount, in the case of a defined benefit plan for which certain provisions are identical to those of a defined contribution plan, the share that must be paid for those provisions and the share that must be paid for the defined benefit provisions;

(5) where the members contribute to amortization payments, the types of amortization payments to which they contribute, the portion for which they are responsible, and the amount, hourly rate or rate of the remuneration that must be paid for the purpose;

(6) the employer contribution under the plan, where it is greater than the contribution provided for in section 39 of the Act;

(7) a description of the contribution adjustments resulting from the application of the third paragraph of section 41 of the Act;

(8) the amount of the letter of credit or the total amount of the letters of credit taken into account in the assets of the pension plan on a funding basis and on a solvency basis;

(9) amounts recorded pursuant to section 42.2 of the Act.

In the case of a pension plan to which Chapter X.2 of the Act applies, the report must also include a certification of the actuary that the negotiated contributions are sufficient or a mention by the actuary that the contributions are insufficient.

“7. The report must contain, with regard to the stabilization provision, the following information:

(1) the target level of the stabilization provision, established in accordance with Division VI.2;

(2) the list of investments provided for in the investment policy of the plan that is in force at the date of the actuarial valuation;

(3) the target of the investment policy for each investment along with the acceptable deviation from its target;

(4) the percentage of the assets allocated to fixed-income securities, within the meaning of section 60.8, and to variable-yield investments;

(5) the duration of each fixed-income security;

(6) the duration of the assets, determined in accordance with section 60.9;

(7) the value of  $P$ ,  $P_+$  and  $P_-$  determined in accordance with section 60.10, as well as the formula used to calculate the duration of the liabilities;

(8) the duration of the liabilities;

(9) the proportion of assets of the plan allocated to each investment provided for in the investment policy.

“8. The report must contain, for each type of funding deficiency referred to in section 130 of the Act, the following information:

(1) the date of its determination as well as the date of the end of the period provided for its amortization;

(2) the monthly payments related to amortization payments to be made until the end of that period and their present value.

The report must also contain a description of the amendments made pursuant to section 135 of the Act to improvement unfunded actuarial liabilities indicated in the most recent report on an actuarial valuation of the plan.

“9. The report must also contain the following information, determined on a solvency basis:

(1) the value of the plan’s assets and its liabilities, and the actuarial assumptions and methods used to determine those values;

(2) the value of the plan’s liabilities distributed among the group of active members of the plan, the group of non-active members to whom no pension is paid and the group of the other non-active members and beneficiaries, the actuarial assumptions and methods used to determine the value, and the degree of solvency of the plan;

(3) the estimated amount of the administration costs referred to in the first paragraph of section 141 of the Act;

(4) where the plan provides for obligations to which the last sentence of the first paragraph of section 142.1 of the Act applies:

(a) a description of the obligations;

(b) the scenario used by the actuary to determine the plan’s liabilities and, where that scenario results in liabilities that are less than the value of the obligations arising from the plan assuming that the plan is terminated at the valuation date in such circumstances that the benefits accrued to the members must be estimated at their maximum value, such maximum value;

(5) the description of the approach used to estimate the premium referred to in section 142.3 of the Act.

“10. Where the actuarial valuation considers for the first time an amendment to the plan that has an impact on the plan’s funding, the report must also contain a summary of the amendment, the date on which the amendment occurred, and its effective date.

If additional obligations arise due to the amendment, the report must also contain the following information:

(1) the value of the additional obligations as well as the value of the target level of the stabilization provision with regard to the obligations;

(2) the special improvement payment determined pursuant to section 139 of the Act, where applicable;

(3) the amount of surplus assets that may be appropriated to the payment of the value of the additional obligations;

(4) the value, determined on a solvency basis, of the additional obligations.

Where the amendment has the effect of reducing the plan’s obligations, the report must indicate the value of the reduction of the liabilities on a funding basis and on a solvency basis.

The report must also indicate the effect of the amendment, where applicable, on each item of information required under sections 5 to 9.

In the case of a plan referred to in Chapter X.2 of the Act, the report must include a certification of the actuary that the negotiated contributions are sufficient even taking into account the additional obligations arising from the amendment, or a statement by the actuary that the contributions are insufficient.

“11. In the case of the appropriation of surplus assets, the report must also contain the following information:

(1) the maximum amount of surplus assets that may be used, established in accordance with section 146.7 of the Act;

(2) the amount of the surplus assets used and the conditions for their allocation in accordance with section 146.8 and, where applicable, section 146.9 of the Act;

(3) the effect of the allocation of the surplus assets on the amounts recorded in accordance with section 42.2 of the Act;

(4) where applicable, the portion of the surplus assets allocated to the reduction of the amount of a letter of credit in accordance with paragraph 2 of section 15.0.0.4.

“Partial actuarial valuation

“**11.1.** The report on a partial actuarial valuation must contain the following information:

(1) the financial information mentioned in the first paragraph of section 6;

(2) the target level of the stabilization provision determined in accordance with Division VI.2.

Where the actuarial valuation considers for the first time an amendment to the plan that has an impact on the plan’s funding, the report must also contain

(1) any adjustment made to the rule referred to in subparagraph 3 of the first paragraph of section 6 that is related to the fiscal year immediately following the actuarial valuation, to take into account the amendment;

(2) the information referred to in the first paragraph of section 8 that is related to each improvement unfunded actuarial liability determined in accordance with section 134 of the Act;

(3) the information referred to in section 10, accompanied with the actuary’s certification that, on a funding basis, the value of the additional obligations arising from the amendment was estimated using the same actuarial assumptions and methods as those used during the most recent complete actuarial valuation of the plan, unless those assumptions and methods are not appropriate to the nature of the amendment.

In the case of the allocation of surplus assets, the report must also contain the information referred to in section 11, accompanied with a certification of the actuary certifying that a complete actuarial valuation of the plan carried out at the valuation date would have established amounts equal to or less than the amounts indicated.

“**11.2.** The certifications referred to in section 122 of the Act that are required for the purpose of a partial actuarial valuation must be established on the basis of a conservative estimate made by the actuary.

“Special measures

“**11.3.** A report relating to an actuarial valuation of the plan at a date that is prior to 1 January 2019 must include:

(1) the amount of the employer amortization payment determined in accordance with the Act as it read on 31 December 2015, taking into account any instruction referred to in the third paragraph of section 318.4 of the Act;

(2) the sum of the employer amortization payment and employer current service stabilization contribution determined in accordance with the rules set forth in the Act as it read as of 1 January 2016;

(3) the proportion of the difference between the amounts provided for under paragraphs 2 and 1 that is required for the fiscal year;

(4) the portion of the stabilization amortization payment that can be paid using a letter of credit.”

**5.** Section 14 of the Regulation is amended

(1) by inserting, in the fourth paragraph after “to produce”, “the notice required under section 119.1 of the Act or”;

(2) by inserting, after “section 120 of the Act” in the fourth paragraph, “, barring the report on the actuarial valuation referred to in subparagraph 1 of the first paragraph of section 118 of the Act,”;

(3) by striking out, in the fourth paragraph, “ended on the date of the actuarial valuation”.

**6.** Section 15.0.0.2 of the Regulation is amended by replacing, in the table in paragraph 2, “Dominion Bond Rating Service” with “DBRS”.

**7.** Section 15.0.0.4 of the Regulation is amended

(1) by replacing paragraph 2 with the following:

“(2) an actuarial valuation report mentions that surplus assets can be appropriated, in accordance with section 146.8 or 146.9 of the Act, to the payment of the employer current service contribution or be transferred to the employer, and the employer informs the pension committee of the amount of the surplus that must be appropriated to the reduction of the amount of a letter of credit.”;

(2) by adding the following paragraph:

“The appropriation referred to in subparagraph 2 of the first paragraph does not prevent the application of the fourth paragraph of section 146.8 of the Act.”

**8.** Sections 15.0.0.5 to 15.0.0.7 of the Regulation are revoked.

**9.** Division II.0.1 of the Regulation, which contains sections 15.0.1 to 15.0.3, is revoked.

**10.** The Regulation is amended by inserting, after section 15.4, the following division:

**“DIVISION II.3  
“VARIABLE BENEFITS**

**“15.5.** Where a pension plan provides for the payment, as a life income, of the variable benefits referred to in section 90.1 of the Act, the following rules apply:

(1) for each fiscal year, the member sets the income to be received as variable benefits;

(2) the maximum income paid is set in accordance with sections 20 and 20.1, which apply with the necessary modifications, and with schedules 0.6 and 0.7;

**“15.6.** Where a pension plan provides for the payment of variable benefits as a temporary income, the following rules apply:

(1) where the member is at least 55 years of age but less than 65 years of age at the time the application is filed, the conditions set out under sections 19.1, 20.3, 20.4 and 21 apply with the necessary modifications, along with schedules 0.4 and 0.8;

(2) where the member is less than 55 years of age at the time the application is filed, the conditions set out under sections 19.2, 20.5 and 21, along with Schedule 0.5, apply with the necessary modifications.

**“15.7.** The minimum income paid as variable benefits during a fiscal year is the one prescribed under subsection 5 of section 8506 of the Income Tax Regulations (C.R.C., ch. 945), enacted by the Income Tax Act (R.S.C. 1985, ch. 1 (5th Suppl.));

**“15.8.** The pension committee shall, at the beginning of each fiscal year of the plan, provide the member with a statement that indicates the information provided for in the first paragraph of section 24, with the necessary modifications.

Where the plan provides for the payment of a temporary income and the member is at least age 55 or will reach that age during the fiscal year, the pension committee shall also accompany the statement with a copy of the declarations that are prescribed in schedules 0.4 and 0.8, with the necessary modifications.”

**11.** Section 20 of the Regulation is amended by replacing “or”, in the description of “C” and after “a life income fund” with “, from a supplemental pension plan that offers variable benefits referred to in Division II.3 or from”.

**12.** Section 20.3 of the Regulation is amended by inserting “from a supplemental pension plan that offers variable benefits referred to in Division II.3” after “of the purchaser,” in the description of “C”.

**13.** Section 20.4 of the Regulation is amended

(1) by inserting, after subparagraph (b) in the description of “T” in subparagraph 2 of the first paragraph:

(b.1) the total of the variable benefits that the purchaser must receive during the year covered by the fiscal year under a pension plan referred to under Division II.3;

(2) by inserting, after “of the purchaser,” in subparagraph 2 of the second paragraph “from a supplemental pension plan that offers the variable benefits referred to in Division II.3”.

**14.** Section 20.5 of the Regulation is amended by adding “or from a supplemental pension plan that offers the variable benefits referred to in Division II.3” in the first paragraph and after “from another life income fund”.

**15.** Section 22.2 of the Regulation is amended by inserting “from a supplemental pension plan that offers the variable benefits referred to in Division II.3” after “from a life income fund”.

**16.** Section 24 of the Regulation is amended by inserting “from a supplemental pension plan that offers the variable benefits referred to in Division II.3”

(1) after “of the purchaser,” in subparagraph 2 of the first paragraph;

(2) after “of the purchaser,” in subparagraph 7 of the first paragraph.

**17.** Section 24.1 of the Regulation is amended by inserting “from a supplemental pension plan that offers the variable benefits referred to in Division II.3,” after “of the purchaser” in the first paragraph and in paragraph 1.

**18.** Section 33 of the Regulation is amended by striking out “, and benefits relative to the additional pension benefit provided for in section 60.1 of the Act” at the end of the definition of “pension benefits”.

**19.** Section 36.1 of the Regulation is amended by striking out subparagraph 3 of the second paragraph.

**20.** Section 37 of the Regulation is amended by replacing the fourth paragraph with the following:

“However, in the case of a member whose benefits correspond to a deferred pension to which the member would be entitled if the member terminated active membership on the valuation date, the value of the benefits related to excess member contributions, with accrued interest, is the one established according to the formula provided for in the third paragraph of this section.”.

**21.** Section 50 of the Regulation is amended by replacing subparagraph 2 of the first paragraph with the following:

“(2) provided that the plan so allows, transfer the sum to the account of the spouse where the spouse already has benefits under the plan;”.

**22.** Section 52 of the Regulation is revoked.

**23.** Section 54 of the Regulation is amended by replacing the first sentence of the first paragraph with the following: “The pension committee must, where no retirement, disability or replacement pension is being paid to the member at the date of execution of the partition or transfer of pension benefits, determine at the date of the valuation the amount of the portion of the normal pension that corresponds to the proportion that the sum paid to the spouse or transferred to the spouse’s account represents of the value of the pension benefits of the member.”.

**24.** Section 55 of the Regulation is amended:

(1) by replacing, in the first bullet point of subparagraph 2 of the first paragraph “the value that the pension paid to the member on the day preceding the effective date of the judgment, dissolution of the civil union or cessation of conjugal relationship would have had on the date of execution of the partition or transfer” by “the value that the benefits of the member would have had on the date of execution of the partition or transfer”;

(2) by inserting, after the first paragraph, the following:

“For the purposes of subparagraph 2 of the first paragraph, the amount referred to in section 54 must be adjusted to take into account any amendment to the plan made after the date of the valuation that would have had an effect on the value of the benefits of the member at that date.”.

**25.** Section 56.0.3 of the Regulation is amended by replacing, in the first paragraph, “that, determined according to the value of the benefits attributed to the spouse, would have been paid to the member by the plan for that pension” with “that corresponds to the proportion that the value of the benefits attributed to the spouse represents of the value of the benefits of the member”.

**26.** Section 56.0.6 of the Regulation is amended by inserting, after the first paragraph, the following:

“For the purposes of subparagraph 2 of the first paragraph, the amount referred to in section 56.0.3 must be adjusted to take into account any amendment to the plan made after the date the seizure is effected that would have had an effect on the value of the benefits of the member at that date.”.

**27.** Section 57 of the Regulation is amended:

(1) by replacing “the member contributions” in subparagraph 10 of the first paragraph with “the member’s current service contributions and amortization payments,”;

(2) by replacing “benefits that the member would have been able to transfer” in subparagraph 1 of the first paragraph with “member’s benefits”;

(3) by inserting, after subparagraph 1 of the second paragraph, the following:

“(1.1) the value referred to in subparagraph 1, adjusted in proportion to the plan’s degree of solvency or as provided for in the plan text, that the member would have been able to transfer, accompanied with the mention provided for in subparagraph 1;

“(1.2) a mention that the value of the member’s benefits that may be transferred will be calculated using the most recent degree of solvency of the plan and determined on the date of payment in accordance with the notice referred to under section 119.1 of the Act or the most recent actuarial valuation of the plan;

“(1.3) with regard to the payment of residual benefits, a mention of the rules provided for under sections 143 to 146 of the Act or, where applicable, the rules set out in the plan text;”;

(4) by inserting, after subparagraph 2 of the second paragraph, the following:



“(2.1) with regard to the time limits applicable for exercising a right to transfer, a mention of the rules established under the second paragraph of section 99 of the Act or, where applicable, the rules set out in the plan text;”.

**28.** Section 58 of the Regulation is amended:

- (1) by striking out subparagraph *f* of paragraph 4;
- (2) by striking out subparagraph *e* of paragraph 5;
- (3) by striking out subparagraph *c* of paragraph 8;
- (4) by replacing paragraph 9 with the following:

“(9) the most recent degree of solvency of the plan and determined, at the date of the statement, using most recent actuarial valuation of the plan or, if it is more recent, the notice referred to under section 119.1 of the Act;

“(9.1) a mention that the degree of solvency may vary between the date of the statement and the date on which the payment is made;

“(9.2) with regard to the payment of the balance of the benefits, a mention of the rules provided for under sections 143 to 146 of the Act or, where applicable, the rules set out in the plan text;

“(9.3) with regard to the time limits applicable for exercising a right to transfer, a mention of the rules established under the second paragraph of section 99 of the Act or, where applicable, the rules set out in the plan text;”.

**29.** Section 59 of the Regulation is amended:

(1) by striking out subparagraph *f* of subparagraph 4 of the first paragraph;

(2) by replacing subparagraph 5 of the first paragraph with the following:

“(5) where the value of the member’s benefits has been paid only in part, a mention of the rules provided for under sections 143 to 146 of the Act or set out in the plan text with regard to the payment of the balance of the benefits and a mention of each year in which a payment will be made, where applicable.”;

(3) by replacing, in subparagraph 1 of the second paragraph, “benefits that may be transferred” with “member’s benefits”;

(4) by inserting, after subparagraph 1 of the second paragraph, the following:

“(1.1) the value referred to in subparagraph 1, adjusted in proportion to the plan’s degree of solvency or as provided for in the plan text, that that may be transferred, accompanied with the mention provided for in subparagraph 1;

“(1.2) the most recent degree of solvency of the plan and determined, at the date of the statement, using the notice referred to under section 119.1 of the Act or the most recent actuarial valuation of the plan;

“(1.3) a mention that the degree of solvency may vary between the date of the statement and the date on which the payment is made;

“(1.4) a mention that the value of the member’s benefits that may be transferred will be calculated using the most recent degree of solvency of the plan and determined on the date of payment in accordance with the notice referred to under section 119.1 of the Act or the most recent actuarial valuation of the plan;

“(1.5) with regard to the payment of residual benefits, a mention of the rules provided for under sections 143 to 146 of the Act or, where applicable, the rules set out in the plan text;

“(1.6) with regard to the time limits applicable for exercising a right to transfer, a mention of the rules established under the second paragraph of section 99 of the Act or, where applicable, the rules set out in the plan text;”.

**30.** Section 59.0.2 of the Regulation is amended:

(1) by replacing subparagraph 1 of the first paragraph with the following:

“(1) the degree of funding of the pension plan determined at the date of the most recent complete actuarial valuation of the plan and the degree of solvency of the plan determined at the date of the most recent actuarial valuation of the plan or, if it is more recent at the date the notice referred to under section 119.1 of the Act;”;

(2) by inserting, after subparagraph 1 of the first paragraph, the following:

“(1.1) the target level of the stabilization provision of the plan determined at the date of the most recent actuarial valuation of the plan;”;

(3) by replacing “member contributions” in subparagraph 4 of the first paragraph with “member’s current service contributions and amortization payments;”;

(4) by inserting, after subparagraph 4 of the first paragraph, the following:

“(4.1) the amounts recorded in accordance with section 42.2 of the Act;”;

(5) by replacing subparagraph 5 of the first paragraph with the following:

“(5) the portion of the surplus assets used during the fiscal year in accordance with section 146.8 of the Act, including how they were appropriated.”;

(6) by replacing “there of used” in the second paragraph with “thereof used to pay additional obligations arising from an amendment to the plan and”.

**31.** Section 60 of the Regulation is amended by inserting, after paragraph 4, the following:

“(4.1) the recovery plans of a pension plan to which Chapter X.2 of the Act applies;”.

**32.** Division VI.1 of the Regulation, which contains sections 60.1 to 60.5, is revoked.

**33.** Section 61.1 of the Regulation is amended:

(1) by inserting, after “relative to” in paragraph 5, “the appropriation of surplus assets during the existence of the plan;”;

(2) by striking out, in paragraph 5, “and of the rule set out in the second paragraph of section 288.1 of the Act”;

(3) by striking out paragraph 6;

(4) by replacing “his contributions” in paragraph 7 with “the value of the additional obligations arising from any amendment to the plan or to the payment of employer contributions”;

(5) by inserting, at the beginning of paragraph 8, “in the cases referred to in the third paragraph of section 196 of the Act;”;

(6) by replacing “in the second paragraph of section 230.4” in paragraph 8 with “in the third paragraph of section 146.4”;

(7) by inserting, after paragraph 8, the following:

“(8.1) a mention of the degree of solvency of each plan affected by the merger and of the degree of solvency of the absorbing plan after the merger;”.

**34.** Section 62 of the Regulation is amended by inserting, after “withdrawal” in subparagraph 2 of the first paragraph, “, the reason for the withdrawal”.

**35.** Section 64 of the Regulation is amended:

(1) by replacing “230.0.1” in the introduction of subparagraph 5 of the first paragraph and in subparagraph *a* of subparagraph 5 with “230.1”;

(2) by replacing subparagraph 8 of the first paragraph with the following:

“(8) in the case of a plan to which Chapter X of the Act applies, the ratio of the value of the assets to the value of the liabilities determined in accordance with section 212.1 of the Act, each value being reduced in accordance with section 122.1 of the Act;”;

(6) by inserting, after subparagraph 8.1, the following:

“(8.2) where the plan has surplus assets:

(*a*) the plan’s surplus assets at the date of termination and at the latest date at which its value is known;

(*b*) the amounts recorded in accordance with section 42.2 of the Act;

(*c*) a summary of the provisions of the plan related to the allocation of any surplus assets in case of plan termination;

(*d*) a description of the allocation of surplus assets in accordance with section 230.2 of the Act and with the plan provisions;

(*e*) the name of each employer who is party to the plan and, for each of them, the surplus assets allocated to the group of benefits connected to each, the portion of the surplus assets granted to each at the dates referred to in subparagraph *a* and the proportion that such portion represents at the same dates with respect to the total surplus assets of the plan;

“(8.3) where all or a portion of the surplus assets is granted to persons referred to in section 240.2, 308.3 or 310.1 of the Act, the actuarial assumptions and methods used to determine the presumed value of their benefits for the purposes of determining their share of the surplus assets;”;

“(8.4) where a portion of the surplus assets is granted to the members or beneficiaries:

(*a*) their names;



(b) the share that each of them would have received had the surplus assets been allocated at the date of termination;

(c) an estimate of the share that each will receive, determined at the latest date referred to in subparagraph *a* of subparagraph 8.2;

(d) the methods for payment of the surplus assets thus allocated;”.

**36.** Section 65 of the Regulation is amended by replacing paragraph 5 with the following:

“(5) where the surplus assets of the plan are allocated in whole or in part to the members and beneficiaries in application of section 230.2 of the Act:

(a) an estimate of the portion of the surplus assets that is allocated to the member or beneficiary at the date of termination;

(b) the proportion of the surplus assets that is allocated to the participant or beneficiary at the date of termination.”.

**37.** Sections 66 to 67.3 of the Regulation are revoked.

**38.** The Regulation is amended by adding, after section 78, the following:

“79. The statements referred to in section 112 of the Act that are produced prior to 1 January 2017 may be made in accordance with the provisions of this Regulation in effect on 31 December 2015.

“80. The provisions of Division II.0.1, which are relative to the additional pension benefit, continue to apply to pension plans that have maintained such a benefit established in accordance with the provisions of section 60.1 of the Act in effect on 31 December 2015.

The statements referred to in sections 58 and 59 must include the information related to the additional pension benefit.”.

**39.** Schedule 0.3 of the Regulation is amended by inserting, after “temporary pensions” in paragraph 2 “, variable benefits”.

**40.** Schedule 0.4 of the Regulation is amended by inserting, after “temporary pensions” in paragraph 2 “, variable benefits”.

**41.** Schedule 0.5 of the Regulation is amended by inserting, after paragraph 3 and before the date and signature, the following:

“(4) that a total of \$\_\_\_\_\_ has been paid to me during the current year under a supplemental pension plan offering variable benefits referred to in Division II.3 of the Regulation respecting supplemental pension plans (chapter R-15.1, r. 6), and that the said total included \$\_\_\_\_\_ that was paid to me in the form of a temporary income.”.

**42.** Schedule 0.8 of the Regulation is amended by inserting, after “life income funds” in paragraph 2, “, the supplemental pension plans of which I am a member and that offer the variable benefits referred to in Division II.3 of the Regulation respecting supplemental pension plans (chapter R-15.1, r. 6)”.

**43.** Schedule 0.9 of the Regulation is amended by inserting “, from a supplemental pension plan that offers the variable benefits referred to in Division II.3 of the Regulation respecting supplemental pension plans (chapter R-15.1, r. 6)” after “by a contract”.

**44.** Schedule 0.9.1 of the Regulation is amended by inserting “or from a supplemental pension plan that offers the variable benefits referred to in Division II.3 of the Regulation respecting supplemental pension plans (chapter R-15.1, r. 6)” after “contract”.

**45.** This Regulation has effect from 1 January 2016.

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