

Schedule B: Comparative Table of Pension Legislations
(Our underlining throughout)

		Québec <i>Supplemental Pension Plans Act, C.Q.L.R., c. R-15.1</i>	Newfoundland & Labrador <i>Pension Benefits Act, 1997, S.N.L. 1996, c. P-4.01</i>	Canada <i>Pension Benefits Standards Act (1985), R.S.C. 1985, c. 32 (2nd Supp.)</i>	Ontario <i>Pension Benefits Act, R.S.O. 1990, c. P.8</i>
1.	Minimum Standards	<p>5. Any provision of a pension plan which is incompatible with this Act is without effect. However, a pension plan may contain provisions that are more advantageous to members or beneficiaries than those contained in this Act.</p> <p>1989, c. 38, s. 5; 1999, c. 40, s. 254.</p>	<p>Minimum standards</p> <p>3. The requirements of this Act shall not prevent the registration or operation of a pension plan containing a provision that is more advantageous to a member or former member, or the principal beneficiary, beneficiary or estate of a member or former member.</p> <p>1996 c. P-4.01 s. 3; 2001 c. 22 s. 20.</p>	<p>Pension plans may exceed minimum requirements</p> <p>3. The requirements of this Act and the regulations shall not be construed as preventing the registration or operation of a pension plan containing provisions that are more advantageous to members of the plan, former members or potential members or their spouses, common-law partners, designated beneficiaries, estates or successions.</p> <p>R.S., 1985, c. 32 (2nd Supp.), s. 3; 2000, c. 12, s. 255; 2010, c. 12, s. 1787.</p>	<p>Greater pension benefits</p> <p>5 The requirements of this Act and the regulations shall not be construed to prevent the registration or administration of a pension plan and related pension fund that provide pension benefits or ancillary benefits more advantageous to members than those required by this Act and the regulations.</p> <p>R.S.O. 1990, c. P.8, s. 5.</p>
2.	Scope of Application	<p>CHAPTER 1 APPLICATION AND INTERPRETATION</p> <p>1. This Act applies to pension plans provided</p> <p>(1) for employees who report for work at an establishment of their employer located in Québec or, if not, who receive their remuneration from such an establishment, provided, in the latter case, they do not report for work at any other establishment of their employer;</p> <p>(2) for employees not referred to in paragraph 1 who, while residing in Québec and being employed by an employer whose main establishment is located in Québec, work outside Québec, provided the plans are not governed by an Act of a legislative body other than the Parliament of Québec which provides for a deferred pension.</p> <p>1989, c. 38, s. 1.</p>	<p>Application of Act</p> <p>5. This Act applies to all pension plans for persons employed in the province, <u>except those pension plans to which an Act of the Parliament of Canada applies.</u></p> <p>1996 c. P-4.01, s. 5.</p>	<p>Application of Act</p> <p>4 (1) This Act applies in respect of pension plans.</p> <p>Definition of pension plan</p> <p>(2) In this Act, <i>pension plan</i> means a superannuation or other plan organized and administered to provide pension benefits to employees employed in <u>included employment</u> (and former employees) and to which the employer is required under or in accordance with the plan to contribute, whether or not provision is also made for other benefits or for benefits to other persons, and includes a supplemental pension plan, whether or not the employer is required to make contributions under or in accordance with the supplemental pension plan [...]</p> <p>Definition of included employment</p> <p>(4) In this Act, <i>included employment</i> means employment, other than excepted employment, on or in connection with the operation of any work, undertaking or business that is within the legislative authority of the Parliament of Canada [...]</p> <p>R.S., 1985, c. 32 (2nd Supp.), s. 4; 1993, c. 28, s. 78; 1999, c. 28, s. 172, c. 31, s. 244(F); 2002, c. 7, s. 226; 2012, c. 16, s. 84.</p>	<p>Employees in Ontario</p> <p>3 This Act applies to every pension plan that is provided for persons employed in Ontario.</p> <p>Place of employment</p> <p>4 (1) For the purposes of this Act, a person shall be deemed to be employed in the province in which the establishment of his or her employer is located and to which the person is required to report for work.</p> <p>(2) A person who is not required to report for work at an establishment of his or her employer shall be deemed to be employed in the province in which is located the establishment of his or her employer from which the person's remuneration is paid.</p> <p>R.S.O. 1990, c. P.8, s. 3. R.S.O. 1990, c. P.8, s. 4.</p>

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3.	Exclusions	<p>CHAPTER 1 APPLICATION AND INTERPRETATION</p> <p>2. This Act does not apply to</p> <p>(1) a pension plan to which the employer is not required to make contributions. However, it applies to a pension plan where membership therein is a condition precedent to membership in another plan to which an employer is required to make contributions or, conversely, where membership therein is conditioned by membership in that other plan; where that is the case, such pension plans are deemed, for the purposes of this Act, to constitute a single pension plan;</p> <p>(2) a pension plan established for employees who are also members of a plan governed by this Act, if their employer makes contributions to both plans in their respect and if, under the terms of the other plan, they are entitled to benefits at least equal to the maximum benefits which may be paid under the terms of a registered pension plan defined in section 1 of the <i>Taxation Act</i> (chapter I-3);</p> <p>(3) a profit sharing plan or a deferred profit sharing plan referred to in Titles I and II of Book VII of Part I of the <i>Taxation Act</i>;</p> <p>(4) a pension plan established by an Act, the Government or the Office of the National Assembly, unless the Act, the Government or the Office of the National Assembly renders the plan subject to this Act; [...]</p> <p>(6) a voluntary retirement savings plan governed by the <i>Voluntary Retirement Savings Plans Act</i> (chapter R-17.0.1). [...]</p> <p>1989, c. 38, s. 2; 1991, c. 25, s. 178; 1995, c. 46, s. 30; 1993, c. 45, s. 1; 1999, c. 40, s. 254; 2000, c. 41, s. 1; 2002, c. 52, s. 7; 2009, c. 1, s. 1; 2011, c. 8, s. 1; 2013, c. 26, s. 135; 2015, c. 20, s. 55.</p>	<p>Application of Act</p> <p>5. This Act applies to all pension plans for persons employed in the province, <u>except those pension plans to which an Act of the Parliament of Canada applies.</u></p> <p>1996 c. P-4.01, s. 5.</p>	<p>Definition of pension plan</p> <p>4 (2) In this Act, <i>pension plan</i> [...] <u>does not include</u></p> <p>(a) an employees' profit sharing plan or a deferred profit sharing plan as defined in sections 144 and 147, respectively, of the <i>Income Tax Act</i>;</p> <p>(b) an arrangement to provide a <i>retiring allowance</i> as defined in subsection 248(1) of the <i>Income Tax Act</i>;</p> <p>(b.1) a pooled registered pension plan, as defined in subsection 2(1) of the <i>Pooled Registered Pension Plans Act</i>; or</p> <p>(c) any other prescribed arrangement. [...]</p> <p>Definition of excepted employment</p> <p>(5) In this Act, <i>excepted employment</i> means</p> <p>(a) employment by Her Majesty in right of Canada; and</p> <p>(b) any employment that is excepted from included employment by any regulation made under subsection (6).</p> <p>(6) The Governor in Council may make regulations excepting from included employment [...]</p> <p>R.S., 1985, c. 32 (2nd Supp.), s. 4; 1993, c. 28, s. 78; 1999, c. 28, s. 172, c. 31, s. 244(F); 2002, c. 7, s. 226; 2012, c. 16, s. 84.</p>	<p>Interpretation</p> <p>Definitions</p> <p>1 (1) In this Act, [...]</p> <p>"pension plan" means a plan organized and administered to provide pensions for employees, <u>but does not include</u>,</p> <p>(a) an employees' profit sharing plan or a deferred profit sharing plan as defined in sections 144 and 147 of the <i>Income Tax Act</i> (Canada),</p> <p>(a.1) a pooled registered pension plan registered under the <i>Pooled Registered Pension Plans Act, 2015</i>,</p> <p>(b) a plan to provide a retiring allowance as defined in subsection 248 (1) of the <i>Income Tax Act</i> (Canada),</p> <p>(c) a plan under which all pension benefits are provided by contributions made by members, or</p> <p>(d) any other prescribed type of plan; ("régime de retraite") [...]</p> <p>1997, c. 28, s. 190 (1, 2) - 01/07/1998; 1999, c. 6, s. 53 (1, 2) - 01/03/2000; 2004, c. 31, Sched. 31, s. 1 (1, 2) - 16/12/2004; 2005, c. 5, s. 56 (1-6) - 13/06/2005; 2005, c. 31, Sched. 18, s. 1 (1, 2) - 31/12/2004; 2007, c. 7, Sched. 31, s. 1 (1, 2) - 17/05/2007; 2009, c. 11, s. 41 (1-3) - 01/01/2012; 2010, c. 1, Sched. 23, s. 1 (1-4) - 01/10/2010; 2010, c. 9, s. 1 (1-3, 5, 7), 2 - 01/07/2012; 2010, c. 9, s. 1 (4) - not in force; 2010, c. 9, s. 1 (6) - 18/05/2010; 2010, c. 24, s. 1 (1-3, 5, 8, 10) - not in force; 2010, c. 24, s. 1 (4, 6, 7) - 08/12/2010; 2010, c. 24, s. 1 (9) - 01/06/2011; 2012, c. 8, Sched. 44, s. 1 - 20/06/2012; 2014, c. 7, Sched. 26, s. 1 (1, 2) - 01/11/2015; 2015, c. 9, s. 31 (1) - 8/11/2016; 2016, c. 17, s. 96 - no effect - see 2016, c. 37, Sched. 18, s. 5 - 8/12/2016; 2016, c. 23, s. 63 - 1/01/2017; 2017, c. 8, Sched. 27, s. 1 - not in force.</p>

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4.	Conflicts		<p>Act prevails</p> <p>4. In the event of a conflict between this Act and another Act, this Act prevails with the exceptions noted in section 33 and Part VI.</p> <p>1996 c. P-4.01, s. 4.</p>	<p>Inconsistency with agreement</p> <p>6.2 (2) The provisions of a federal-provincial agreement that have the force of law <u>prevail</u> over any provision of this Act and the regulations to the extent of any inconsistency or conflict between them.</p> <p>2010, c. 25, s. 181; 2016, c. 7, s. 205.</p>	
5.	Trust and/or Deemed Trust (General)	<p>49. Until contributions and accrued interest are paid into the pension fund or to the insurer, they are <u>deemed to be held in trust</u> by the employer, whether or not the latter has kept them separate from his property.</p> <p>[...]</p> <p>CHAPTER XVIII MISCELLANEOUS AND TRANSITIONAL PROVISIONS</p> <p>264. Unless otherwise provided by law, the following amounts or contributions <u>are unassignable and unseizable</u>:</p> <p>(1) all contributions paid or payable into the pension fund or to the insurer, with accrued interest;</p> <p>(2) all amounts refunded or pension benefits paid under a pension plan or this Act;</p> <p>(3) all amounts awarded to the spouse of a member following partition or any other transfer of benefits effected pursuant to Chapter VIII, with accrued interest, and the benefits deriving from such amounts.</p> <p><u>Except</u> as far as they derive from additional voluntary contributions or represent a portion of the surplus assets allocated after termination of the plan, any of the above-mentioned amounts that have been transferred to a pension plan contemplated by section 98, with accrued interest, any refunds of and benefits resulting from such amounts, and any pension or payment having replaced a pension pursuant to section 92 <u>are also unassignable and unseizable</u>.</p> <p>1989, c. 38, s. 49. 1989, c. 38, s. 264; 1992, c. 60, s. 44; 1997, c. 19, s. 19; 2000, c. 41, s. 171.</p>	<p>Amounts to be held in trust</p> <p>32. (1) An employer or a participating employer in a multi-employer plan <u>shall ensure</u>, with respect to a pension plan, that</p> <p>(a) the money in the pension fund;</p> <p>(b) an amount equal to the aggregate of</p> <p>(i) the normal actuarial cost, and</p> <p>(ii) any special payments prescribed by the regulations, that have accrued to date; and</p> <p>(c) all</p> <p>(i) amounts deducted by the employer from the member's remuneration, and</p> <p>(ii) other amounts due under the plan from the employer that have not been remitted to the pension fund</p> <p><u>are kept separate and apart</u> from the employer's own money, and <u>shall be considered to hold</u> the amounts referred to in paragraphs (a) to (c) <u>in trust for members</u>, former members, and other persons with an entitlement under the plan.</p> <p>1996 c. P-4.01, s. 32.</p>	<p>Amounts to be held in trust</p> <p>8 (1) An employer <u>shall ensure</u>, with respect to its pension plan, that the following amounts <u>are kept separate and apart</u> from the employer's own moneys, and the employer is <u>deemed to hold</u> the amounts referred to in paragraphs (a) to (c) <u>in trust for members</u> of the pension plan, former members, and any other persons entitled to pension benefits under the plan:</p> <p>(a) the moneys in the pension fund,</p> <p>(b) an amount equal to the aggregate of the following payments that have accrued to date:</p> <p>(i) the prescribed payments, and</p> <p>(ii) the payments that are required to be made under a workout agreement; and</p> <p>(c) all of the following amounts that have not been remitted to the pension fund:</p> <p>(i) amounts deducted by the employer from members' remuneration, and</p> <p>(ii) other amounts due to the pension fund from the employer, including any amounts that are required to be paid under subsection 9.14(2) or 29(6).</p> <p>R.S., 1985, c. 32 (2nd Supp.), s. 8; 1998, c. 12, s. 6; 2010, c. 12, s. 1791, c. 25, s. 183; 2012, c. 16, s. 86.</p>	<p>Trust Property</p> <p>57 (1) Where an employer receives money from an employee under an arrangement that the employer will pay the money into a pension fund as the employee's contribution under the pension plan, the employer shall <u>be deemed to hold the money in trust</u> for the employee until the employer pays the money into the pension fund.</p> <p>Money withheld</p> <p>(2) For the purposes of subsection (1), <u>money withheld by an employer</u>, whether by payroll deduction or otherwise, from money payable to an employee shall <u>be deemed to be money received by the employer</u> from the employee.</p> <p>Accrued contributions</p> <p>(3) An employer who is required to pay contributions to a pension fund shall <u>be deemed to hold in trust</u> for the beneficiaries of the pension plan an amount of money equal to the employer contributions due and not paid into the pension fund.</p> <p>Jointly sponsored pension plans</p> <p>(4.1) An employer who transfers assets under section 80.4 from a single employer pension plan to a jointly sponsored pension plan and who is required to make a payment under subsection 80.4 (18) for the benefit of transferred members and other transferees shall <u>be deemed to hold in trust</u> for the transferred members and other transferees an amount of money equal to any payment due under subsection 80.4 (18) that has not been paid into the pension fund of the jointly sponsored pension plan. [...]</p> <p>(6) Subsections (1), (3), (4) and (4.1) apply whether or not the money has been kept separate and apart from other money or property of the employer.</p>

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					R.S.O. 1990, c. P.8, s. 57 (1). R.S.O. 1990, c. P.8, s. 57 (2). R.S.O. 1990, c. P.8, s. 57 (3). R.S.O. 1990, c. P.8, s. 57 (5); 2014, c. 7, Sched. 26, s. 6 (1). ; 2014, c. 7, Sched. 26, s. 6 (2).
6.	Trust and/or Deemed Trust (Liquidation, assignment or bankruptcy of employer)		<p>Amounts to be held in trust</p> <p>32 (2) In the event of a liquidation, assignment or bankruptcy of an employer, an amount equal to the amount that under subsection (1) is considered to be held in trust <u>shall be considered to be separate from and form no part of the estate</u> in liquidation, assignment or bankruptcy, whether or not that amount has in fact been kept separate and apart from the employer's own money or from the assets of the estate.</p> <p>1996 c. P-4.01, s. 32.</p>	<p>Amounts to be held in trust</p> <p>Where bankruptcy, etc., of employer</p> <p>8 (2) In the event of any liquidation, assignment or bankruptcy of an employer, an amount equal to the amount that by subsection (1) is deemed to be held in trust shall be deemed to be separate from <u>and form no part of the estate</u> in liquidation, assignment or bankruptcy, whether or not that amount has in fact been kept separate and apart from the employer's own moneys or from the assets of the estate.</p> <p>R.S., 1985, c. 32 (2nd Supp.), s. 8; 1998, c. 12, s. 6; 2010, c. 12, s. 1791, c. 25, s. 183; 2012, c. 16, s. 86.</p>	
7.	Trust and/or Deemed Trust (Termination of plan – See also Section 9. below)		<p>Amounts to be held in trust</p> <p>32 (3) Where a pension plan is terminated in whole or in part, an employer who is required to pay contributions to the pension fund <u>shall hold in trust</u> for the member or former member or other person with an entitlement under the plan an amount of money equal to employer contributions due under the plan to the date of termination.</p> <p>1996 c. P-4.01, s. 32.</p>		<p>Trust Property</p> <p>Wind up</p> <p>57 (4) Where a pension plan is wound up in whole or in part, an employer who is required to pay contributions to the pension fund shall be <u>deemed to hold in trust</u> for the beneficiaries of the pension plan an amount of money equal to employer contributions accrued to the date of the wind up but not yet due under the plan or regulations.</p> <p>[...]</p> <p>(6) Subsections (1), (3), (4) and (4.1) apply whether or not the money has been kept separate and apart from other money or property of the employer.</p> <p>R.S.O. 1990, c. P.8, s. 57 (4). R.S.O. 1990, c. P.8, s. 57 (6); 2014, c. 7, Sched. 26, s. 6 (3).</p> <p>Note: On a day to be named by proclamation of the Lieutenant Governor, subsection (4) is amended by striking out "in whole or in part". See: 2010, c. 9, ss. 40, 80 (2).</p> <p>[...]</p>

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					<p>Liability of employer on wind up</p> <p>75 (1) Where a pension plan is wound up, the employer shall pay into the pension fund,</p> <p>(a) an amount equal to the total of all payments that, under this Act, the regulations and the pension plan, are due or that have accrued and that have not been paid into the pension fund; and</p> <p>(b) an amount equal to the amount by which,</p> <p>(i) the value of the pension benefits under the pension plan that would be guaranteed by the Guarantee Fund under this Act and the regulations if the Superintendent declares that the Guarantee Fund applies to the pension plan,</p> <p>(ii) the value of the pension benefits accrued with respect to employment in Ontario vested under the pension plan, and</p> <p>(iii) the value of benefits accrued with respect to employment in Ontario resulting from the application of subsection 39 (3) (50 per cent rule) and section 74,</p> <p>exceed the value of the assets of the pension fund allocated as prescribed for payment of pension benefits accrued with respect to employment in Ontario.</p> <p>R.S.O. 1990, c. P.8, s. 75(1); 1997, c. 28, s. 200; 2010, c. 9, s. 58. R.S.O. 1990, c. P.8, s. 75(2).</p>
8.	Lien and Charge		<p>Amounts to be held in trust</p> <p>32 (4) An administrator of a pension plan has a lien and charge on the assets of the employer in an amount equal to the amount required to be held in trust under subsections (1) and (3).</p> <p>1996 c. P-4.01, s. 32.</p>		<p>Trust Property</p> <p>Lien and Charge</p> <p>57 (5) The administrator of the pension plan has a lien and charge on the assets of the employer in an amount equal to the amounts deemed to be held in trust under this section.</p> <p>R.S.O. 1990, c. P.8, s. 57(5); 2014, c. 7, Sched. 26, s. 6(2).</p>

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9.	Termination Payments	<p>DIVISION II WINDING-UP</p> <p>Debts of the employer</p> <p>228. The amount to be funded to ensure full payment of the benefits of the members or beneficiaries affected by the withdrawal of an employer from a multi-employer pension plan or the termination of a pension plan shall constitute a debt of the employer. The amount to be funded shall be established at the date of termination. If, at the date of termination, the employer has failed to pay contributions into the pension fund or to the insurer, as the case may be, the debt shall be the amount by which the amount to be funded exceeds such contributions. [...]</p> <p>228.1 No provision of a defined benefit plan or defined benefit-defined contribution pension plan may operate to limit or reduce the obligations of an employer towards the plan because of the withdrawal of the employer from the pension plan or the termination of the pension plan.</p> <p>229. Any amount owed by an employer under section 228 must, upon its determination, be paid into the pension fund or to the insurer, as the case may be. However, Retraite Québec may, on the conditions it determines, allow any employer to spread the payment of such amount over a period of not more than five years. Any amount not paid into the pension fund or to the insurer shall bear interest from the date of default, at the rate determined pursuant to section 61 that was applicable at the date of termination.</p> <p>1989, c. 38, s. 228; 1992, c. 60, s. 33; 2000, c. 41, s. 133. 2008, c. 21, s. 20. 1989, c. 38, s. 229; 2000, c. 41, s. 134; 2015, c. 20, s. 61.</p>	<p>Termination payments</p> <p>61. (1) On termination of a pension plan, the employer shall pay into the pension fund all amounts that would otherwise have been required to be paid to meet the requirements prescribed by the regulations for solvency, including</p> <p>(a) an amount equal to the aggregate of</p> <p>(i) the normal actuarial cost, and</p> <p>(ii) special payments prescribed by the regulations, that have accrued to the date of termination; and</p> <p>(b) all</p> <p>(i) amounts deducted by the employer from members' remuneration, and</p> <p>(ii) other amounts due to the pension fund from the employer that have not been remitted to the pension fund at the date of termination.</p> <p>(2) Where, on the termination, after April 1, 2008, of a pension plan, other than a multi-employer pension plan, the assets in the pension fund are less than the value of the benefits provided under the plan, the employer shall, as prescribed by the regulations, make the payments into the pension fund, in addition to the payments required under subsection (1), that are necessary to fund the benefits provided under the plan.</p> <p>1996 c. P-4.01, s. 61; 2008 c. 16, s. 1.</p>	<p>Termination and Winding-up of Pension Plans</p> <p>Payments by employer to meet solvency requirements</p> <p>29 (6) If the whole of a pension plan is terminated, the employer shall, without delay, pay into the pension fund all amounts that would otherwise have been required to be paid to meet the prescribed tests and standards for solvency referred to in subsection 9(1) and, without limiting the generality of the foregoing, the employer shall pay into the pension fund</p> <p>(a) an amount equal to the normal cost that has accrued to the date of the termination;</p> <p>(b) the amounts of any prescribed special payments that are due on termination or would otherwise have become due between the date of the termination and the end of the plan year in which the pension plan is terminated;</p> <p>(c) the amounts of payments that are required to be made under a workout agreement that are due on termination or would otherwise have become due between the date of the termination and the end of the plan year in which the pension plan is terminated;</p> <p>(d) all of the following amounts that have not been remitted to the pension fund at the date of the termination:</p> <p>(i) the amounts deducted by the employer from members' remuneration, and</p> <p>(ii) other amounts due to the pension fund from the employer; and</p> <p>(e) the amounts of all of the payments that are required to be made under subsection 9.14(2).</p> <p>/...</p>	<p>Liability of employer on wind up</p> <p>75 (1) Where a pension plan is wound up, the employer shall pay into the pension fund,</p> <p>(a) an amount equal to the total of all payments that, under this Act, the regulations and the pension plan, are due or that have accrued and that have not been paid into the pension fund; and</p> <p>(b) an amount equal to the amount by which,</p> <p>(i) the value of the pension benefits under the pension plan that would be guaranteed by the Guarantee Fund under this Act and the regulations if the Superintendent declares that the Guarantee Fund applies to the pension plan,</p> <p>(ii) the value of the pension benefits accrued with respect to employment in Ontario vested under the pension plan, and</p> <p>(iii) the value of benefits accrued with respect to employment in Ontario resulting from the application of subsection 39 (3) (50 per cent rule) and section 74, exceed the value of the assets of the pension fund allocated as prescribed for payment of pension benefits accrued with respect to employment in Ontario.</p> <p>(2) The employer shall pay the money due under subsection (1) in the prescribed manner and at the prescribed times.</p> <p>R.S.O. 1990, c. P.8, s. 75(1); 1997, c. 28, s. 200; 2010, c. 9, s. 58. R.S.O. 1990, c. P.8, s. 75(2).</p>

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9.	Termination Payments			<p>Payment by employer of pension benefits</p> <p>29 (6.1) If the whole of a pension plan that is not a negotiated contribution plan is terminated, the employer shall pay into the pension fund, in accordance with the regulations, the amount — calculated periodically in accordance with the regulations — that is required to ensure that any obligation of the plan with respect to pension benefits, as they are determined on the date of the termination, is satisfied.</p> <p>Application of subsection 8(1)</p> <p>(6.2) Subsection 8(1) does not apply in respect of the amount that the employer is required to pay into the pension fund under subsection (6.1). However, it applies in respect of any payments that are due and that have not been paid into the pension fund in accordance with the regulations made for the purposes of subsection (6.1). [...]</p> <p>Winding-up or bankruptcy</p> <p>(6.4) On the winding-up of the pension plan or the liquidation, assignment or bankruptcy of the employer, the amount required to permit the plan to satisfy any obligations with respect to pension benefits as they are determined on the date of termination is payable immediately.</p> <p>Application of subsection 8(1)</p> <p>(6.5) Subsection 8(1) does not apply in respect of the amount that the employer is required to pay into the pension fund under subsection (6.4). However, it applies in respect of any payments that have accrued before the date of the winding-up, liquidation, assignment or bankruptcy and that have not been remitted to the fund in accordance with the regulations made for the purposes of subsection (6.1).</p> <p>R.S., 1985, c. 32 (2nd Supp.), s. 29; 1998, c. 12, s. 18; 2000, c. 12, s. 261; 2010, c. 12, s. 1816, c. 25, ss. 194, 198.</p>	

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	Québec <i>Supplemental Pension Plans Act, C.Q.L.R., c. R-15.1</i>	Newfoundland & Labrador <i>Pension Benefits Act, 1997, S.N.L. 1996, c. P-4.01</i>	Canada <i>Pension Benefits Standards Act (1985), R.S.C. 1985, c. 32 (2nd Supp.)</i>	Ontario <i>Pension Benefits Act, R.S.O. 1990, c. P.8</i>
<p>10. Authority to enter into multi-jurisdictional agreement</p>	<p>249. The Minister or Retraite Québec <u>may enter into agreements</u> according to law with any government, government department, international body or agency of a government or international body for the purposes of this Act or any other Act applicable, in whole or in part, to pension plans.</p> <p>The agreements may, in particular,</p> <p>(1) where a pension plan is governed both by this Act and by an Act of a legislative body other than the Parliament of Québec, determine on what conditions and to what extent each Act applies to the plan in respect of the employees referred to in section 1 who are parties to the plan and prescribe any other rule applicable to the plan;</p> <p>(2) determine on what conditions and to what extent this Act applies to benefits or assets transferred from a pension plan governed by this Act to a pension plan governed by an Act of a legislative body other than the Parliament of Québec;</p> <p>(3) provide for the delegation of powers that this Act confers on Retraite Québec or that an Act of a legislative body other than the Parliament of Québec confers on a similar agency.</p> <p>Every agreement bearing on a matter referred to in the second paragraph must be tabled in the National Assembly within 15 days after the date on which it is entered into if the Assembly is in session or, if not, within 15 days after the opening of the next session or resumption. The agreement acquires force of law from the time it is tabled in the National Assembly.</p> <p>For the purposes of such an agreement, Retraite Québec may act as the mandatary of the department or agency with which the agreement has been made.</p> <p>1989, c. 38, s. 249; 2000, c. 41, s. 165; 2015, c. 7, s. 2; 2015, c. 20, a. 61.</p> <p style="text-align: right;">/...</p>	<p>Agreements</p> <p>8. (1) The minister may</p> <p>(a) subject to the Executive Council Act, enter into agreements;</p> <p>(b) authorize the Canadian association of pension supervisory authorities to exercise or perform powers and functions of the superintendent;</p> <p>(c) delegate to a pension supervisory authority or the government of a designated province or of Canada, powers and functions under this Act; and</p> <p>(d) authorize the superintendent to accept a delegation of powers and functions from a pension supervisory authority or the government of a designated province or of Canada.</p> <p>(2) The minister may, subject to the approval of the Lieutenant-Governor in Council, enter into an agreement with the government of a designated province or of Canada, or with more than one of them, to provide that where a pension plan is subject to both this Act and an Act of one or more of those other jurisdictions, either</p> <p>(a) this Act or a part of it is not to apply and the legislation or part of the legislation of the other jurisdiction is to apply to the plan; or</p> <p>(b) this Act or a part of it is to apply and the legislation or part of the legislation of the other jurisdiction is not to apply to the plan, and to establish conditions for the application of the laws referred to in paragraphs (a) and (b).</p> <p>(3) An agreement entered into under subsection (2) shall specify the date on which it comes into force and the agreement acquires the force of law in the province as of that date.</p> <p>1996 c. P-4.01 s. 8.</p> <p style="text-align: right;">/...</p>	<p>One or more designated provinces</p> <p>6.1 (1) The Minister <u>may</u>, with the approval of the Governor in Council, <u>enter into an agreement with one or more designated provinces</u> respecting any matter relating to pension plans that are subject to the pension legislation of at least one designated province that is a party to the agreement.</p> <p>Content of agreement</p> <p>(2) A federal-provincial agreement may, among other things,</p> <p>(a) limit the application of the pension legislation of a designated province that is a party to the agreement to a pension plan and adapt that legislation to that pension plan;</p> <p>(b) limit the application of this Act and the regulations to a pension plan and adapt them to that pension plan;</p> <p>(c) exempt a pension plan from the application of this Act and the regulations or the pension legislation of a designated province that is a party to the agreement;</p> <p>(c.1) make applicable, with respect to a pension plan, the pension legislation of a designated province that is a party to the agreement;</p> <p>(d) provide for the administration and enforcement of this Act, the regulations and the pension legislation of a designated province that is a party to the agreement;</p> <p>(e) authorize a pension supervisory authority of a designated province that is a party to the agreement or the association referred to in section 6.4 to exercise any of the Superintendent's powers under this Act;</p> <p>(f) authorize the Superintendent to exercise any powers of a pension supervisory authority of a designated province that is a party to the agreement or the association referred to in section 6.4;</p> <p>(g) establish requirements — in addition to any other requirements under this Act, the regulations and the pension legislation of a designated province that is a party to the agreement — with respect to a pension plan, administrator or employer; and</p> <p>(h) confer powers on the Superintendent.</p> <p>Tabling in Parliament</p> <p>(3) The Minister must cause every federal-provincial agreement to be tabled in each House of Parliament.</p> <p style="text-align: right;">/...</p>	<p>Agreements with designated jurisdictions</p> <p>100 (1) With the approval of the Lieutenant Governor in Council, the Minister <u>may enter into one or more agreements on behalf of the Crown with a representative of a designated jurisdiction</u> concerning the pension benefits legislation that governs designated multi-jurisdictional pension plans in Ontario and in the designated jurisdiction.</p> <p>Contents</p> <p>(2) An agreement may provide for the application of this Act and the regulations to designated multi-jurisdictional pension plans, the application of the pension benefits legislation of a designated jurisdiction to those plans, the application of the agreement itself to those plans and the supervision and regulation of those plans.</p> <p>Same, changes in legal requirements</p> <p>(3) Without limiting the generality of subsection (2), an agreement may provide for any of the following matters in relation to a designated multi-jurisdictional pension plan:</p> <p>1. It may establish a mechanism for determining whether the Superintendent, or a person who has supervisory or regulatory powers under the pension benefits legislation of another designated jurisdiction, has the principal regulatory jurisdiction for the pension plan.</p> <p>2. It may provide that this Act and the regulations, or any portion thereof, does not apply with respect to the pension plan in specified circumstances.</p> <p>3. It may establish additional requirements that apply with respect to the pension plan in specified circumstances.</p> <p>4. It may provide that a requirement of this Act or a regulation is deemed to be satisfied in respect of the pension plan if a corresponding requirement of the principal regulatory jurisdiction is satisfied or in such other circumstances as may be specified.</p> <p style="text-align: right;">/...</p>

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<p>10. Authority to enter into multi-jurisdictional agreement</p>	<p>285. Every agreement entered into pursuant to section 74 of the <i>Act respecting supplemental pension plans</i> (chapter R-17) remains effective.</p> <p>Such agreements may, however, be amended, replaced or repealed in accordance with this Act.</p> <p>1989, c. 38, s. 285.</p>	<p>Existing agreement</p> <p>8.1 An agreement entered into under section 8 continues in force until it is terminated according to its terms or until the minister and the other party to the agreement become subject to a multilateral agreement.</p> <p>Multilateral agreement</p> <p>8.2 (1) The minister <u>may</u>, subject to the approval of the Lieutenant-Governor in Council, <u>enter into a multilateral agreement respecting multi-jurisdictional pension plans</u> with the government of a designated province or of Canada, or with more than one of them.</p> <p>(2) A multilateral agreement may provide for</p> <p>(a) the application of this Act and the regulations to multi-jurisdictional pension plans;</p> <p>(b) the application of the pension benefits legislation of a designated province or of Canada to multi-jurisdictional pension plans;</p> <p>(c) the application of the multilateral agreement itself to multi-jurisdictional pension plans; and</p> <p>(d) the supervision and regulation of multi-jurisdictional pension plans.</p> <p>Status of agreement</p> <p>8.3 (1) A multilateral agreement shall specify the date on which it comes into force and it acquires the force of law in the province as of that date.</p> <p>(2) In the event of an inconsistency between a provision of a multilateral agreement and a provision of this Act or the regulations, the provision of the multilateral agreement prevails to the extent of the inconsistency.</p> <p>Administrator</p> <p>8.4 The administrator of a multi-jurisdictional pension plan shall comply with the requirements in a multilateral agreement that apply with respect to the pension plan and with requirements imposed under the authority of a multilateral agreement.</p>	<p>Publication — Canada Gazette</p> <p>(4) The Minister must cause to be published in the Canada Gazette</p> <p>(a) every federal-provincial agreement and a notice of the date on which the agreement comes into effect with respect to pension plans;</p> <p>(b) every amendment to a federal-provincial agreement and a notice of the date on which the amendment comes into effect with respect to pension plans; and</p> <p>(c) a notice of the effective date of the Government of Canada's withdrawal from the federal-provincial agreement or of the effective date of termination of that agreement, whichever comes first.</p> <p>Publication — other</p> <p>(5) In addition to the publishing requirements under subsection (4), the Minister must ensure that every federal-provincial agreement and every amendment to a federal-provincial agreement is accessible to the public through the Internet or by any other means that the Minister considers appropriate.</p> <p>Force of law</p> <p>6.2 (1) The provisions of a federal-provincial agreement, other than those exempted from the application of this subsection by regulation, have the force of law during the period that the agreement is in effect with respect to pension plans and are enforceable during that period as if those provisions formed part of this Act.</p> <p>Inconsistency with agreement</p> <p>(2) The provisions of a federal-provincial agreement that have the force of law prevail over any provision of this Act and the regulations to the extent of any inconsistency or conflict between them.</p> <p>...</p>	<p>Same</p> <p>(4) For greater certainty, an agreement may provide for the following matters:</p> <p>Final location</p> <p>1. If, under a designated multi-jurisdictional pension plan, a member or former member has service in Ontario and in a designated jurisdiction, the agreement may establish requirements for determining the amount of the pension benefits, deferred pension, pension or ancillary benefits or any other amount payable under the pension plan in relation to the member or former member that differ from the requirements that would otherwise apply in the absence of the agreement. The requirements established by the agreement may result in an increase or a decrease in the amount to which the person would otherwise be entitled.</p> <p>Additional contributions</p> <p>2. It may require an employer, or a person or entity required to make contributions to the pension plan on the employer's behalf, to make contributions in addition to those required under this Act and the regulations and may specify the times and manner in which the contributions are to be made.</p> <p>Allocation of assets</p> <p>3. It may provide for the allocation of the assets of the pension plan between jurisdictions at the times and in the manner specified.</p> <p>Same, administrative matters</p> <p>(5) Without limiting the generality of subsection (2), an agreement may provide for the following matters:</p> <p>1. Matters respecting the administration and enforcement of this Act and the regulations and of the pension benefits legislation of the designated jurisdiction.</p> <p>2. The reciprocal application and enforcement of pension benefits legislation and the reciprocal registration, audit and inspection of the designated multi-jurisdictional pension plans.</p> <p>3. The delegation of any powers or duties of the Superintendent under this Act and the regulations to a person who has supervisory or regulatory powers under the pension benefits legislation of the designated jurisdiction.</p> <p>4. The delegation to the Superintendent of any powers or duties of a person who has supervisory or regulatory powers under the pension benefits legislation of the designated jurisdiction.</p>

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10.	Authority to enter into multi-jurisdictional agreement		<p>Employer</p> <p>8.5 An employer or person required to make contributions to a multi-jurisdictional pension plan on the employer's behalf shall comply with the requirements in a multilateral agreement that apply with respect to the pension plan and with requirements imposed under the authority of a multilateral agreement.</p> <p>Application</p> <p>8.6 Sections 8.3, 8.4 and 8.5 do not apply to a multi-jurisdictional pension plan unless the minister has entered into a multilateral agreement with a designated province or Canada to which the pension plan is subject.</p> <p>Publication</p> <p>8.7 (1) The minister shall publish a multilateral agreement and an amendment to a multilateral agreement in the Gazette as soon as practicable after entering into a multilateral agreement or making the amendment.</p> <p>(2) A multilateral agreement or an amendment to it published under subsection (1) is not subordinate legislation for the purpose of the Statutes and Subordinate Legislation Act.</p>	<p>Review by Federal Court</p> <p>6.3 (1) A decision of a pension supervisory authority of a designated province that is made under the authority of a federal-provincial agreement and that relates to the application of this Act or the regulations is deemed to be a decision of a federal board, commission or other tribunal, as defined in subsection 2(1) of the Federal Courts Act, and is subject to judicial review under that Act.</p> <p>No review by Federal Court</p> <p>(2) A decision of the Superintendent that is made under the authority of a federal-provincial agreement and that relates to the application of the pension legislation of a designated province is deemed to be a decision of the pension supervisory authority of that province and is not subject to judicial review under the Federal Courts Act.</p> <p>Association of pension supervisory authorities</p> <p>6.4 The Minister may, with the approval of the Governor in Council, enter into an agreement with one or more designated provinces respecting the establishment and operation in Canada of an association of pension supervisory authorities.</p>	<p>5. The reciprocal exchange of information between the Superintendent and a person who has supervisory or regulatory powers under the pension benefits legislation of the designated jurisdiction if the information is necessary for the purposes of,</p> <p>i. complying with, implementing or enforcing the agreement, or</p> <p>ii. the administration and enforcement of this Act and the regulations and the pension benefits legislation of the designated jurisdiction.</p> <p>Effective date</p> <p>(6) An agreement or an amendment to an agreement with a designated jurisdiction does not come into effect in Ontario until a date that is specified by regulation.</p> <p>Same</p> <p>(7) An agreement with a designated jurisdiction ceases to have effect in Ontario on a date that is specified by regulation.</p> <p>Publication of agreements</p> <p>(8) The Minister shall publish each agreement and any amendments to the agreement in The Ontario Gazette.</p> <p>Status of agreement</p> <p>101 (1) An agreement under section 100 is enforceable with respect to a designated multi-jurisdictional pension plan as if the agreement formed part of this Act and, in case of a conflict between the agreement and this Act or the regulations, the agreement prevails.</p> <p>Exception</p> <p>(2) Sections 84 and 85 prevail over an agreement under section 100.</p> <p>Restriction</p> <p>(3) An agreement under section 100 is not enforceable until it is published in The Ontario Gazette.</p>
			2012 c. 41 s. 2.	2010, c. 25, s. 181; 2016, c. 7, s. 204; 2016, c. 7, s. 205.	/...

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10.	Authority to enter into multi-jurisdictional agreement				<p>Status of agreement</p> <p>(4) An agreement under section 100 is not a regulation within the meaning of Part III (Regulations) of the Legislation Act, 2006.</p> <p>1997, c. 28, s. 217 - 01/07/1998; 2010, c. 1, Sched. 23, s. 13 - 01/10/2010</p>