

CUPE NATIONAL PENSION TRAINING (MAY 13,2022)

TRUSTEE ROLES, RESPONSIBILITIES AND ACCOUNTABILITY

A snapshot of legislative/ regulatory scheme on pension advisory committees (PAC) in Canada (as of March 30, 2022)

Province	What are the conditions for the establishment of a PAC?	What is the composition of a PAC?	What is the purpose of PAC and what powers does it have?	What are the duties of the administrator?
Federal	<ul style="list-style-type: none"> • Plan is employer-administered • Plan has at least 50 members • Majority request establishment of PAC 	<ul style="list-style-type: none"> • 1 plan member • 1 retired member, if plan has 50 or more retired members and majority of retired members so request 	Function of PAC is: (a) to promote awareness and understanding of the pension plan; (b) to review, at least once every year, the financial, actuarial and administrative aspects of the plan; (c) to perform the prescribed administrative functions; and (d) to perform any other functions that are specified by the pension plan or the employer.	<ul style="list-style-type: none"> • Provide PAC with information necessary to carry out its duties • Assist with the election of PAC members
Alberta				
British Columbia				

Manitoba	Manitoba does not specify rules for creating a PAC, but the regulations provide that the administrator has to provide a copy of SIP to the "pension advisory committee constituted in accordance with the terms of the plan."			
Ontario	<ul style="list-style-type: none"> Plan has at least 50 members A majority of members or retired members vote to establish PAC Plan is not: <ul style="list-style-type: none"> Administered by a pension plan committee Multi employer pension plan Jointly sponsored pension plan 	<ul style="list-style-type: none"> Between 4 to 15 members Each class of employees is entitled to at least 1 rep (if there is only 1 class, that class can appoint 2 reps) Retired members can appoint at least 2 reps Former members may appoint 1 or more reps 	<p>Purpose of PAC is:</p> <ul style="list-style-type: none"> (a) to monitor the administration; (b) to make recommendations to the administrator; and (c) to promote awareness and understanding of the pension plan. <p>Powers are to examine and make copies from the records about the administration of the pension plan and pension fund (excluding records of service, benefits, salary and other personal information, except with consent)</p>	<p>The regulations impose substantial responsibilities on the administrator to assist the PAC, including:</p> <ul style="list-style-type: none"> Distributing the notice to establish a committee; Assisting with organizing PAC meetings; and Providing PAC with necessary records.
Prince Edward Island (NOTE: this information is based on <i>Pension Benefit Act, SPEI 1990, c. 41, which was enacted in 1990 but has</i>	<ul style="list-style-type: none"> A majority of members or retired members vote to establish PAC Plan is not: <ul style="list-style-type: none"> Administered by a pension plan committee Multi employer pension plan 		<p>Purpose of PAC is:</p> <ul style="list-style-type: none"> (a) to monitor the administration; (b) to make recommendations to the administrator; and (c) to promote awareness and understanding of the pension plan. 	

not been proclaimed and is therefore not in force).			Powers are to examine and make copies from the records about the administration of the pension plan and pension fund (excluding records of service, benefits, salary and other personal information, unless consented)	
Quebec	Quebec does not have a PAC per se; pension plans have to be registered and administered by a committee that includes active and non-active member representatives, who act as trustees.	<ul style="list-style-type: none"> • At least 1 person who is not (a) a plan member or (b) a person to whom a loan from the pension fund can be given • 1 representative from active members • 1 representative from non-active members • Each of the above groups can also designate an additional non-voting member 	The committee's role is to, among others: <ul style="list-style-type: none"> • Act as trustee; • Invest the plan's assets; • Submit recommendations for amendment of plan; • Establish the plan's bylaws for operation and governance; and • Examine and make copies from the records about the administration of the pension plan and pension fund (excluding records of service, benefits, salary and other personal information, unless consented). 	Each member's term is 3 years.
Saskatchewan	<ul style="list-style-type: none"> • Plan has at least 50 members • A majority of members or retired members vote to establish PAC • Plan is employer-administered 	<ul style="list-style-type: none"> • Representatives of the members • A representative of former members currently receiving pension, if there are 50 or more of them and if the majority of former members request it 	Purpose of PAC is: <ul style="list-style-type: none"> (a) to promote awareness and understanding of the pension plan; (b) to make recommendations to the administrator; and (c) to review periodically the financial, actuarial 	Employer/administrator has to provide PAC with information needed to perform its duties

			and administrative aspects of the plan; and (d) to carry out any other duties that are specified by the plan or the employer.	
New Brunswick	<ul style="list-style-type: none"> Plan is not: <ul style="list-style-type: none"> Administered by a pension plan committee Multi employer pension plan 	<ul style="list-style-type: none"> At least 3 plan members 	<p>Purpose of PAC is:</p> <ul style="list-style-type: none"> (a) to monitor the administration; (b) to make recommendations to the administrator; and (c) to promote awareness and understanding of the pension plan. <p>Power of PAC is to examine and make copies from the records about the administration of the pension plan and pension fund (excluding records of service, benefits, salary and other personal information, except with consent)</p>	<ul style="list-style-type: none"> Within 30 days of plan registration, give notice to all members/ union of their right to create PAC Make necessary records and information available to PAC
Newfoundland and Labrador	<ul style="list-style-type: none"> Plan is employer-administered Plan has at least 50 members Majority request establishment of PAC 	<ul style="list-style-type: none"> At least 1 plan member At least 1 former plan member in receipt of pension benefit 	<p>Purpose of PAC is to provide advice on financial, actuarial and administrative aspects of the plan + other matters as requested by employer or administrator</p>	

<p>Nova Scotia</p>	<ul style="list-style-type: none"> • A majority of members or retired members vote to establish PAC • Plan is not: <ul style="list-style-type: none"> • Administered by a pension plan committee • Multi employer pension plan • Jointly sponsored pension plan 	<ul style="list-style-type: none"> • Each class of employees is entitled to at least 1 rep (if there is only 1 class, that class can appoint 2 reps) • Retired members entitled to appoint at least 2 reps • Former members may appoint 1 or more reps 	<p>The purpose of PAC is to:</p> <ul style="list-style-type: none"> (a) monitor the administration; (b) make recommendations to the administrator; and (c) promote awareness and understanding of the pension plan. <p>The power of PAC is to examine and make copies from the records about the administration of the pension plan and pension fund (excluding records of service, benefits, salary and other personal information, except with consent)</p> <p>The PAC's term is 3 years</p>	<p>The regulations impose substantial responsibilities on the administrator to assist the PAC, including:</p> <ul style="list-style-type: none"> • Distributing the notice to establish a committee; • Organizing the vote; • Assist with organizing PAC meetings; and • Provide PAC with record assist with establishment.
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