



May 5, 2021

**To:            Administrators of defined contribution pension plans registered or filed for  
                 registration under the *Pension Benefits Standards Act, 1985* and their consultants**

**Subject: Final Instruction Guide – Termination of a Defined Contribution Pension Plan**

The Office of the Superintendent of Financial Institutions (OSFI) is issuing the final version of the Instruction Guide for the Termination of a Defined Contribution Pension Plan (the Instruction Guide). The Instruction Guide sets out the filing and reporting requirements for a defined contribution pension plan that has terminated, in whole or in part, under the *Pension Benefits Standards Act, 1985*. These requirements do not apply to a termination report for a pension plan with a defined benefit component.

OSFI issued a revised draft Instruction Guide for consultation on November 2, 2020. The attached table in Annex 1 presents a summary of the comments received and how OSFI has addressed them.

Questions and comments concerning any of OSFI's requirements or expectations set out in the Instruction Guide may be sent to [pensions@osfi-bsif.gc.ca](mailto:pensions@osfi-bsif.gc.ca).

Yours truly,

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Managing Director  
Private Pension Plans Division



## Annex 1 – Summary of Comments Received and OSFI Response

Section(s)	Comment	OSFI Response
Sections 1.2, 5 and 7	The information about the termination report is shown in multiple places and sections 1.2, 5 and 7 should be consolidated.	The suggested change was made.
Section 4.4	<p>Form 3.1 of Schedule II of the PBSR requires a spouse to consent to certain portability options.</p> <p>Does Form 3.1 add value and would the Department of Finance consider removing the consent requirement from the legislation.</p>	<p>By signing Form 3.1 of Schedule II of the PBSR, the spouse or common-law partner acknowledges that the funds are being transferred from a pension plan to a fund where the member will be allowed to manage their own pension fund and have flexibility in determining the amount withdrawn each year (with certain prescribed minimum and maximum amounts).</p> <p>OSFI will forward the comments received on this form to the Department of Finance.</p> <p>No change to the Instruction Guide is required.</p>
Section 6	It would be helpful if the Instruction Guide outlined all the acceptable payment options when a member cannot be located and when a member does not respond to their plan termination package.	Additions were made to sections 4.3 and 6 of the Instruction Guide.