

Late/Non Remittance/Irregular Contribution Notification Checklist

In the event that employer and/or member contributions have not been remitted in accordance with applicable pension legislation, a notice must be provided to the Pension Supervisory Authority. Such notice should include the information on this checklist and may be provided in either electronic or paper format. Plan administrators remain responsible for taking necessary steps to rectify any instances of non-compliance with the applicable legislation.

Note that the applicable pension legislation defines:

- the prescribed period in which contributions shall be remitted,
- the subsequent period after which a notice of outstanding contributions is required,
- the party responsible for providing the notice (usually the fund holder or administrator) and
- the circumstances when notification is required

Please refer to the included tables for details of the applicable pension legislation.

PLAN INFORMATION

- Registration number and jurisdiction of registration
- Name of pension plan
- Plan type, if available (defined contribution, defined benefit, combination or other)
- For Multi-Employer or Multi-Unit Pension Plans¹, include the division name, division number, or name of participating employer for whom contributions were late or irregular, if available
- Fiscal year covered by plan's contribution schedule²
- The Reporting Period applicable for the purpose of the notice
- Fund holder / trust / insurance company or custodian name (as applicable)

CONTRIBUTION DETAILS

- Contribution type – identify all that apply for the purpose of the notice (member contributions, employer current service, and/or employer special payments)
- A statement that either:
 - No contributions were remitted by the end of the prescribed period (“late” contributions) or
 - Contributions were remitted but did not match the amount expected to be remitted. (“irregular” contributions) Amounts could be GREATER¹ or LESS than expected or
 - A contribution schedule was requested but none submitted for this pension plan
- Contributions expected to be remitted in the Reporting Period (excluding any contributions expected in respect of a previous Reporting Period)
- Contributions actually remitted in the Reporting Period (excluding any contributions received in respect of a previous Reporting Period)
- Provide details of any additional remittances or corrections made between the due date and the date this notice was prepared.
- Identify any previous Reporting Periods for which late contributions are still outstanding or irregular contributions have not been corrected. Provide details of any changes since the previous notice that was sent in respect of the previous Reporting Periods
- Comment box

CERTIFICATION

- Contact information of the party responsible for sending the notice, including institution / organization name, name of individual, phone number (with extension), address, and e-mail address
- Certification/Signature and Date completed/revised

¹ If required to be reported by the applicable legislation

² If a contribution schedule is required by the applicable legislation

Table 1: Notification of Late or Irregular Contributions – Requirements by Jurisdiction (August 2017)

Jurisdiction	Section(s) of the Act and/or Regulation requiring reporting to the regulator	Prescribed period for providing notice of late, irregular or non-remittance of contributions	Party responsible for completing notification	Party to whom the written notice is to be sent	Circumstances when notification required
Alberta	Act section 56(3), Regulation section 69	Within 15 days after the date the contribution was required to be remitted.	The notification must come from the fund holder or administrator of the funds, as set out in the plan text document. Notification is not required for collectively bargained multi-employer plan.	Superintendent	Non-remittance of contributions or irregular contributions
British Columbia	Act section 56, subsection (3) 65 of the Regulation	Subsection 56(3) of the PBSA states the time period for reporting of late or non-remittance of required contributions is 45 days (15 days after the expiry of the 30 day period). This timeline does not apply to multi-employer negotiated cost plans. Contributions Planner: Where, pursuant to a comparison made under subsection 55(5) of the PBSR, the member and participating employer contributions actually remitted are less than 90% of the amounts expected to be remitted, the fundholder to whom the contributions ought to have been remitted must, within 45 days after the end of the quarter referred to in subsection 55(5) of the PBSR, provide written notice to the superintendent, whether or not the contributions were subsequently remitted.	In the case of a single employer plan - to the fundholder. In the case of a collectively bargained multi-employer plan - to the administrator. In the case of a non-collectively bargained multi-employer plan - to the administrator or the fundholder as set out in the plan text document.	Superintendent	Non-remittance of contributions. Variance of actual contributions remitted is less than 90% of the amounts expected to be remitted to the fundholder.
Federal (no changes)	Act section 9.1(2)	Within 30 days after the expected date of the remittance.	The administrator, and if the administrator is the employer, the trustee or custodian of the pension fund. An administrator (as defined in section 7 of the PBSA) could be: - The employer - Board of Trustees or other similar body - Pension Committee	Superintendent	Non-remittance of contributions
Manitoba (no changes)	Act subsection 28(3.1)	Immediately following 60 days from the date the contribution was required to be remitted.	Administrator or fund holder to whom the sum was to be remitted. An administrator is: - for a multi-unit plan a board of trustees - for a jointly trustee plan a board of trustees with trustees representing members at least equal to those representing the employer - for a SMPPP a financial institution - for a plan with less than 50 members the employer -A board, agency or commission where an Act of the Legislature makes them responsible for the plans' administration - for a plan with 50 or members a pension committee	Superintendent	Non-remittance of contributions

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New Brunswick (no changes)	Act subsections 49(7) & 49(8)	Within 60 days after the date on which the contributions were due to be remitted.	The administrator or if there is an agent of the administrator responsible for receiving contributions under the plan, the administrator and the agent shall give written notice.	Superintendent	Non-remittance of contributions
Newfoundland & Labrador (no changes)	Act section 31	Immediately following 30 days from the date the contribution was required to be remitted.	Administrator of the plan or, where the employer or trustee is the administrator of the plan, the fundholder.	Superintendent	Non-remittance of contributions or irregular contributions
Nova Scotia	Act section 79 Reg 98	The administrator or agent and the trustee must give the notice to the Superintendent when a contribution is not paid when due. The notice must be given no later than 60 days after the date the required contribution became due.	The administrator or agent and the trustee responsible for receiving contributions under the pension plan, the administrator and the agent shall give written notice.	Superintendent	Non-remittance of contributions
Ontario (no changes)	Act sections 56(2) & 56.1(3), Regulation section 6.2(5)	Within 60 days after the day on which the required contribution became due.	Administrator or the agent of the administrator who is responsible for receiving contributions under the pension plan.	Superintendent	Non-remittance or variance of contributions NOTE: FSCO takes the position that a variance of 10% or more in the amount of required contributions remitted versus the amount set out in the Summary of Contributions (Form 7), should be accompanied by an explanation for the variance from the employer, and if the explanation provided is not satisfactory, the variance must be reported to the Superintendent.
Quebec	Act section 51	Within 60 days following the due date of the unpaid contributions.	Pension committee or, in the case of an insured pension plan, the insurer. Any pension plan having no more than 25 members and beneficiaries may be administered by the employer. In the case where the employer would be the administrator of the plan, the employer would be the party responsible for completing notification.	Retraite Québec	Non-remittance of contributions.
	Act section 154.2	As soon as the delegates, representatives and service providers note any situation that might adversely affect the financial interests of the pension fund and that requires correction.	Delegates, representatives and service providers must first report to the pension committee. If the pension committee fails to take immediate corrective measures, they must report it to Retraite Québec	Retraite Québec	Situation noted that might adversely affect the financial interests of the pension fund and that requires correction.

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Saskatchewan (no changes)	Act section 42	Within 30 days after the date the contribution was required to be remitted.	<p>In the case of a specified multi-employer plan, the administrator must notify the superintendent of a failure to remit any contributions. The administrator of a SMEP is a board of individuals who are trustees of the plan, at least half of whom are representatives of the members.</p> <p>In the case of any other plan, the fund holder must notify the superintendent of a failure to remit any contributions.</p>	Superintendent	Where the employer has failed to remit any contributions before the expiration of 30 days after the end of the prescribed period.

Table 2: Contribution Remittance Timeframes – Requirements by Jurisdiction (August 2017)

Jurisdiction	Section of the Act and/or Regulation setting out when contributions are to be remitted	Member/Employee Contributions	Employer Contributions to Defined Contribution Plan/Provision	Employer Normal Cost	Unfunded Liability Payments	Experience Deficiency Payments	Solvency Deficiency Payments
Alberta	Act sections 56 and 51, Regulation section 68	Within 30 days after the end of the month in which contributions were received by the participating employer or were deducted by the employer from the active member's remuneration.	If calculated in reference to the participating employer's profits, within 90 days after the end of the employer's fiscal year to which profits relate. If not, then within 30 days after the end of the month for which they are payable.	Within 30 days after the end of the month for which they are payable. NOTE: Other than for a jointly sponsored plan, when a valuation is being prepared, payment will be determined by the required amount of contributions as determined by the new valuation minus any amount remitted during the valuation preparation time (filing date – review date) plus interest.	Within 30 days after the end of the month for which they are payable.. • NOTE: Other than for a jointly sponsored plan, when a valuation is being prepared, payment will be determined by the required amount of contributions as determined by the new valuation minus any amount remitted during the valuation preparation time (filing date – review date) plus interest.	Not applicable	Within 30 days after the end of the month. NOTE: Other than for a jointly sponsored plan, when a valuation is being prepared, payment will be determined by the required amount of contributions as determined by the new valuation minus any amount remitted during the valuation preparation time (filing date – review date) plus interest.
British Columbia	Section 56 of the PBSA and sections 57(2)(b), 58(2)(c) and 64 of the PBSR	Within 30 days after the end of the month for which the contributions are due.	If calculated with reference to the employer's profits, within 90 days after the end of the employer's fiscal year. (A minimum of 1% of earnings required monthly). If not calculated with reference to the employer's profits, within 30 days after the end of the month for which they are payable.	Within 30 days after the end of the month for which the contributions are due. For multi-employer or negotiated cost plans only. Under section 57(2)(b) of the Regulation, the payments must be made monthly. Under a target benefit provision, under section 58(2)(c) of the Regulation, payment must be made monthly.	Within 30 days after the end of the month for which the contributions are due. For multi-employer or negotiated cost plans only. Under section 57(2)(c) of the Regulation, the payments must be made monthly.	Not applicable	Within 30 days after the end of the month for which the contributions are due.
Federal (no changes)	Regulation subsection 9(14)	Not later than 30 days after the end of the period in respect of which the member contributions were deducted.	Monthly and not later than 30 days after the end of the period in respect of which the amount is required to be paid.	Monthly and not later than 30 days after the end of the period in respect to which the installment is paid.	Monthly and not later than 30 days after the end of the period in respect to which the installment is paid.	Not applicable	Monthly and not later than 30 days after the end of the period in respect to which the installment is paid.
Manitoba (no changes)	Regulation sections 4.2, 4.3 and 4.18	Within 30 days after the end of the month in which contributions received by the employer or deducted by the employer from a member's remuneration are received	If calculated with reference to the employer's profits, within 90 days after the end of the employer's fiscal year. If not calculated with reference to the employer's profits, within 30 days after the end of the month for which they are payable.	Within 30 days after the end of the month.	Within 30 days after the end of the month.	Not applicable	Within 30 days after the end of the month.
New Brunswick (no changes)	Regulations subsections 35(2) & 35(3)	Within 15 days after the last day of the month in which the contribution or amount was received or withheld.	Within 30 days after the last day of the month in which the normal cost was incurred.	Within 30 days after the last day of the month in which the normal cost was incurred.	Within 30 days after the last day of the month in which the payment relates, if payment of the special payments at a later date would result in a reduction of pension	Within 30 days after the last day of the month in which the payment relates, if payment of the special payments at a	Within 90 days after the last day of the month in which the normal cost was incurred if solvency payment is less than 100%.

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					benefits or an increase in the amount of the contributions a member is required to make. Within 90 days in circumstances other than those described above.	later date would result in a reduction of pension benefits or an increase in the amount of the contributions a member is required to make. Within 90 days in circumstances other than those described above.	Within 120 days after the last day of the pension plan year if solvency ratio is moiré than 100%.
Newfoundland & Labrador (no changes)	Regulations section 8	Within 30 days after the end of the month in which contributions received or deducted.	If calculated with reference to the employer's profits, other than minimum required contributions: Within 90 days after the end of the fiscal year. If not calculated with reference to the employer's profits, or that are minimum required contributions: Within 30 days after the end of the month payable.	Within 30 days after the end of the quarter in which contributions are payable, <u>except</u> : For multi-employer plans or plans where employer contributions are based on a fixed rate per hour of employment: Within 30 days after the end of the month in which contributions are payable (or earlier if specified in a collective agreement).	Within 30 days after the end of the quarter in which contributions are payable.	Not applicable	Within 30 days after the end of the quarter in which contributions are payable.
Nova Scotia	Regulation section 92	Within 30 days following the month in which the sum was received or deducted.	In monthly installments, not later than 30 days following the month for which contributions are payable.	In monthly installments, not later than 30 days following the month for which contributions are payable.	By equal monthly instalments throughout the fiscal year of the plan, within 30 days following the end of each month.	Not applicable	By equal monthly instalments throughout the fiscal year of the plan, within 30 days following the end of each month.
Ontario (no changes)	Act section 55 and Regulation sections 4(4),5(1) and 6(3)	Within 30 days after the end of the month in which contributions received by the employer or deducted by the employer from a member's remuneration are received.	In monthly instalments, within 30 days after the end of the month for which contributions are payable.	In monthly instalments, within 30 days after the end of the month for which contributions are payable.	By equal monthly instalments no later than the end of the same month in which the payment is due.	Not applicable	By equal monthly instalments no later than the end of the same month in which the payment is due.
Quebec (no changes)	Act sections 41 and 43	No later than the last day of the month following the month in which they are collected.	Employer contributions must be paid in as many monthly payments as there are months in the fiscal year of the plan, and not later than the last day of the month following the month for which a payment is made.	Employer contributions must be paid in as many monthly payments as there are months in the fiscal year of the plan, and not later than the last day of the month following the month for which a payment is made.	Employer contributions must be paid in as many monthly payments as there are months in the fiscal year of the plan, and not later than the last day of the month following the month for which a payment is made.	Not applicable	Employer contributions must be paid in as many monthly payments as there are months in the fiscal year of the plan, and not later than the last day of the month following the month for which a payment is made. Except

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							for the portion the employer is relieved of paying under section 42.1 of the Act or that relates to a special amortization payment.
Saskatchewan (no changes)	Regulations section 37	Within 30 days after the end of the month in which the contributions were received by the employer from a member or were deducted from the member's remuneration.	If calculated within reference to the employer's profits, within 90 days after the end of the fiscal year. If not calculated with reference to the employer's profits, within 30 days after the end of the month for which those contributions are payable.	Within 30 days after the end of the month with respect to which they are payable.	Within 30 days after the end of the month with respect to which they are payable.	Not applicable	Within 30 days after the end of the month with respect to which they are payable.