

## **PBSA, 1985 Valuation Reports – Annual Filings**

July 7, 2010



Priscilla H. Healy

---

The federal Superintendent released at the end of June a final Directive as to the filing of valuation reports. The Directive was slightly revised from the draft issued in May, 2010.

The intention of the Directive, released in conjunction with regulations to the PBSA, 1985 released on June 25, 2010, and in contemplation of Bill C-9, expected to be passed into law shortly, is to increase benefit security.

Issued under the authority of section 12 of the *Federal Pension Benefits Standards Act, 1985* the Directive requires annual valuation reports as at the end of the plan year starting in 2009 except:

- As to valuation reports as at a date on or before December 31, 2009, where the solvency ratio was 1 or greater;
- As to valuation reports as at a date on or before December 31, 2009, where the solvency ratio was 1.20 or greater; and
- As to valuation reports for designated plans.

For such valuation reports, the next valuation report must value the plan as of a date not later than 3 years after the date of the report.

As a transitional measure, the Directive provides that for valuation reports as of December 31, 2009 or January 1, 2010 (except where the solvency ratio is 1.20 or greater and reports for designated plans), the next valuation report must be as at the end of the plan year that is not later than January 1, 2012 (or 2 years after the date of the report).

\*\*\*\*

This article is intended for general information purposes only and should not be relied upon as legal advice.

*Priscilla H. Healy is a Consultant at Fogler, Rubinoff LLP in the area of Pensions & Benefits. She can be reached at 416.864.7607 or [phealy@foglers.com](mailto:phealy@foglers.com).*