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## **FILING OF ANNUAL INFORMATION RETURN AND SCHEDULE**

The Annual Information Return must be filed with the Superintendent of Pensions by the administrator not later than six months after the end of the plan fiscal year to which it applies.

The Return must be accompanied by a fee as specified in Regulation 17 of the Pension Benefits Act payable to the "Minister of Finance". The fee schedule is as follows:

FILING FEE:	*Number of Plan Members on Payroll	Fee Payable
	0 - 20	\$ 107.05
	21 - 1499	\$ 5.35 per member
	1500 and over	\$ 8,029.21
LATE FILING FEE: (Applicable if filed 6 months after fiscal year end of Plan)	*Number of Plan Members on Payroll	Fee Payable
	0 - 20	\$ 160.58
	21 - 1499	\$ 8.02 per member
	1500 and over	\$12,043.81

If the return is filed late or it is not filed at all, Canada Revenue Agency can impose financial penalties under subsection 162(7) of the Income Tax Act and under subsection 147.1(11),(12), it can revoke the registration of the plan.

\* The fee is determined according to the number of active plan members employed in all provinces, except Prince Edward Island, at the end of the plan fiscal year under review. However, if any one of the active plan members is subject to Federal Legislation, i.e., in included employment, the fee is determined according to the total active plan members at the end of the plan fiscal year under review.

Included employment is employment in connection with the operation of any work, undertaking or business that is within the authority of Federal Legislation.

## **INSTRUCTIONS FOR COMPLETING THE ANNUAL INFORMATION RETURN**

- SECTION 5** Enter the date of the plan year-end and the number of months in the current reporting period.
- SECTION 8(b)** Pension plan amendments, including, if applicable, a new or revised collective agreement, decree or other document that has a direct bearing upon the terms or conditions of the pension plan, must be filed with the Department within sixty days after the making of such amendment, revision or collective agreement.
- SECTION 8(c)** All members, former members and other persons affected by the amendment must be informed within 60 days after the amendment is registered.
- SECTION 10 & 11** Plan members on lay-off, suspension, disability or leave of absence (where contributions are not being made on their behalf) should be included as active plan members on payroll for the purposes of sections 10 and 11 of the Return. Use an asterisk (\*) and indicate at the bottom of section 11 the appropriate number of active members who fall into these categories.
- SECTION 12** Member contributions
- Required - required member contributions for current service actually remitted.
  - Voluntary - contributions made by members additional to those required to be made under the terms of the plan. Do not include monies transferred from another pension plan in this item, but identify them in Section 13 as amounts transferred in.
- Employer contributions
- Special payments apply to plans which have defined benefit provisions.
  - Actual Current Service Contributions are those remitted for current service.
  - Contributions may be paid from surplus or from termination credits arising when employer contributions are released for non-vested terminations.
- SECTION 13** Amounts may be transferred in from other RPPs, DPSPs and RRSPs. Payment of benefits is the total amount of benefits paid to beneficiaries. Transfer of benefits to other plans is the total amount of all transfers to other plans including RPPs, RRSPs And RRIFs.

## CERTIFICATION

When signing the Return on Page 3, you are certifying that the contributions paid to the pension plan fund have been at least equal to those required, that the information provided in the Return and Schedule is true and correct, and that the plan and investments thereof have been administered in accordance with applicable pension benefits legislation. Please note that even though an agent for the administrator may complete the Return and Schedule, the administrator is responsible for all the information reported.

## INSTRUCTIONS FOR COMPLETING THE CANADA REVENUE AGENCY SCHEDULE

1. For purposes of this question, an active member is an employee who accrues benefits in a defined benefit plan, or who makes contributions, or on whose behalf the employer makes contributions to a money purchase plan.

According to Regulation 8500(3) a connected person is generally one who:

- owns directly or indirectly, 10% or more of the issued shares of any class of the capital stock of the employer or a related corporation;
- does not deal at arm's length with the employer; or
- is a specified shareholder of the employer by reason of subsection 248(1) of the *Income Tax Act*.

2. After question 1, specified multi-employer plans (SMEPs), no further questions

A SMEP has the following characteristics:

- the plan is a MEP; (see definition below)
- employers participate in the plan under a collective bargaining agreement and contributions are according to a negotiated formula;
- employer contributions are based on hours worked by employees or some other similar measure;
- all or nearly all (90% is acceptable) of the employers are taxable entities; and
- it is expected that at least 15 non-related employers will contribute to the plan in the year, or at least 10% of the active members of the plan will be employed in the year by more than one participating employer.

Under certain conditions on application by the plan administrator, the Minister of National Revenue may designate a plan to be a SMEP under 8510(2)(b). For a complete definition of a SMEP, please refer to section 8510 of the *Income Tax Regulations*.

After question 1, multi-employer plans (MEPs) go to question 5.

A MEP is a plan for which, at the beginning of the year, it is reasonable to expect that at no time in the year will more than 95% of the active plan members be employed by a single employer or by a related group of participating employers. For a complete definition of a MEP, please refer to section 8500(1) of the *Income Tax Regulations*.

3. See definition of connected person in Section 1 above.
4. If the sponsor providing the plan is a corporation, indicate if the corporation underwent a change of control during the plan year. When the sponsor is not a corporation, check the box for "Not Applicable".

## PROBLEMS COMPLETING THE INFORMATION RETURN OR SCHEDULE

If you are encountering problems completing the Information Return, explain the problem in writing or, if you prefer, call a member of the staff of the Pension Regulation Division at (902) 424-8915. We will be pleased to assist you. If you are having problems completing the Canada Revenue Agency Schedule, please contact the Canada Revenue Agency Registered Plans Division, General Enquiries Section at (613) 954-0419.

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### PLEASE FORWARD THIS RETURN AND SCHEDULE WITH THE REQUIRED FEE TO:

Department of Labour and Advanced Education  
Pension Regulation Division

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