



Finance and Treasury Board
Pension Regulation Division
PO Box 2531
Halifax, NS
B3J 3N5

Email: PRPP@novascotia.ca

Dear Sir/Madam:

RE: Consultation on draft Pooled Registered Pension Plan Regulations

The Association of Canadian Pension Management (ACPM) is a national, non-profit organization acting as the informed voice of plan sponsors, administrators and their service providers in advocating for improvement to the Canadian retirement income system. Our membership represents over 400 companies and retirement income plans that cover more than 3 million plan members.

Thank you for the opportunity to provide comments on the Nova Scotia draft proposed Pooled Registered Pension Plan Regulations (“Draft Regulations”). We encourage promoting uniformity in the regulation of Pooled Registered Pension Plans (“PRPPs”). With uniformity in licensing, registration, and supervision of PRPPs, the cost of offering and maintaining PRPPs should be lower and allow for a higher retirement income for participants in a PRPP. Without uniformity and harmonization, administration may become more complex, more costly, and ultimately reduce what would otherwise be the retirement income of a PRPP participant.

Keeping this in mind, we have a few substantive comments regarding the Draft Regulations. It is not clear from sections 11 to 19 whether a spouse on division of PRPP entitlement will have the ability or option to leave the spouse’s entitlement in the PRPP fund or whether the entitlement must be paid out. For example, subsection 17(2) implies that the spouse would need to request to have the entitlement transferred out of the PRPP to another locked in vehicle while subsection 18(2) implies that the payment must be made – i.e., the funds must be transferred out. We believe allowing the spouse the option to keep the entitlement in the PRPP would reduce administrative costs and align with the goals for PRPPs.

We also believe that the current calculation for determining the proportionate share on spousal division would fail to adequately account for years when a member’s contributions are varied (due to either changes in salaries or changes in the contribution rates). As a result, the proportionate share determined by this formula may not be proportionate or equitable. We believe that PRPP recordkeepers would be able to reconcile the actual contributions remitted to a PRPP during a period of marriage or cohabitation and to determine the value of such contributions with investment returns to the relevant date.

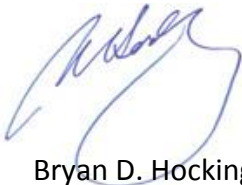
Once a valid order for division is provided, it would be a simple matter to establish a separate account in the name of the former spouse which can then be invested in the manner desired by the former spouse until he or she decides to withdraw the amounts from the program.

In addition to the above substantive comments, we noted a number of typographical errors in the Breakdown of Spousal Relationship provisions with respect to section references as follows:

- Section 11 states “in this Section and Sections 11 to 20” which should be references to Sections 12 to 19;
- Heading of Section 12 should read Application of Sections 11 to 19;
- Subsections 12(1), 12(2), 13(1), and 13(2), should read “Sections 11 to 19” in place of Sections 10 to 20;
- Subsection 16(1)(a) references subsection 14(1) which should be a reference to 15(1);
- Subsection 16(1)(b) references subsection 16(2) which should be a reference to subsection 17(2);
- Subsection 18(1)C(ii) references subsection 16(2) which should be a reference to subsection 17(2); and
- Section 19 references subsection 14(1) which should be a reference to 15(1).

ACPM appreciates the opportunity to comment on these issues. Should you have any questions or wish to discuss the content of this letter, please feel free to contact us at any time.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bryan D. Hocking", written over a faint circular stamp or watermark.

Bryan D. Hocking
Chief Executive Officer