

November 2, 2011

Mr. Philip Howell  
Chief Executive Officer and Superintendent of Financial Services  
Financial Services Commission of Ontario  
5160 Yonge Street,  
Box 85,  
Toronto, ON M2N 6L9

Dear Mr. Howell:

**Re: New Family Law Forms**

I am writing to you on behalf of our Ontario Regional Council, to encourage you to finalize as soon as possible the new forms to be used for pension division on marriage breakdown pursuant to O Reg 287/11.

As you know, on January 1, 2012 new regulations under the *Pension Benefits Act* (Ontario) will apply to the division of pension entitlements on marriage breakdown. The regulations depend significantly on forms that are approved for use by the Superintendent. Following significant consultations, FSCO has released proposed forms and has indicated on its website that it intends to finalize and post final versions by December 31, 2011.

It will not serve the interests of plan members, their spouses or plan administrators if the final versions are posted only shortly before December 31. In particular, plan administrators need a reasonable amount of time to familiarize themselves with the final version of the forms before the new system goes live on January 1, train their staffs, develop communications materials for members and make significant systems changes. These cannot be completed if the regulatory variables are not finalized. In particular, it is not feasible to make systems changes while the forms are in proposed rather than final form.

As with all significant regulatory changes, it is important that the affected stakeholders have sufficient time to make necessary adjustments before a change comes into effect. The amount of time required will vary depending on the nature of the change. In this instance, in the event FSCO cannot finalize the forms significantly before December 31, we encourage you to provide appropriate transitional support to plan administrators while they make necessary changes.

It has taken a long time for Ontario to reach the cusp of this important regulatory initiative. We encourage you to give plan administrators sufficient time to make the necessary changes to enable them to continue to serve their members under the new regime.

Yours sincerely,



Bryan Hocking  
Chief Executive Officer