



EPPA Update 04-02

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Merger of two or more fund holders and the impact on registered pension plans.

This update is a reminder to all pension plan sponsors of their obligations under the *Employment Pension Plans Act* when two or more financial institutions merge and at least one of the institutions is a fund holder of the registered pension plan.

If the merger of the two financial institutions results in a change to the legal corporate name of the fund holder for the pension plan, then a revised and restated funding agreement that identifies the new legal name of the fund holder must be filed with the Superintendent of Pensions. Alternatively, it is acceptable to submit an amendment to the current funding agreement that is already filed with the Superintendent.

A review of the plan text should also be undertaken to determine if an amendment to that document is required. Specifically, if the plan text defines a particular financial institution as fund holder of the plan, and as a result of the merger that organization is no longer the fund holder, then an amendment changing that definition would be required.

If the merger of the financial institutions does not affect the legal corporate name of the fund holder of the plan, then there is no filing requirement imposed on the plan sponsor.

For further information please contact:

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