



ORG ID

Instructions

- Carefully read the attached Appendix A before completing this form.
Complete this form in as much detail as possible, attaching a separate sheet, if necessary to fully answer the questions below.
If your organization does not have a contact for one of the areas we have listed below, or if one person is the contact for more than one area, please note that, and explain, if necessary, on a separate sheet.
The persons for whom you provide contact details below should expect to receive communications and/or instructions from the Pension Corporation if your application for enrolment in the plan is accepted.
Contact the Pension Corporation if you have any questions.

Form with fields for ORGANIZATION NAME, WEB ADDRESS, MAILING ADDRESS, CITY, PROVINCE, POSTAL CODE, HUMAN RESOURCE CONTACT NAME, HUMAN RESOURCE CONTACT TITLE, EMAIL, PAYROLL CONTACT NAME, PAYROLL CONTACT TITLE, EMAIL.

1. Describe the function or purpose of your organization.

2. Provide the date and detailed authority for the establishment of your organization, such as under statute, by order, through incorporation or otherwise. Attach a copy of the legal authority under which your organization operates, such as the certificate of incorporation or registration as a company or society, order-in-council, letters patent or relevant sections of legislation.

3. Describe the ownership or control of your organization.

4. Explain the representation on, and the method of appointment to, your board of directors or governing authority.

5. List the sources of your operating revenue, along with the approximate percentage (direct and indirect) received from each source. Attach a copy of your most recent financial statements or a letter from the agency that is your primary funding source, confirming your public funding. If you expect any material changes, please provide a further explanation.

Freedom of Information and Protection of Privacy Act—Your personal information is being collected by the BC Pension Corporation for pension plan administrative services, including the evaluation of such services. This collection is authorized under sections 26(c) and (e) of the Freedom of Information and Protection of Privacy Act (BC). If you have any questions about this collection, contact the BC Pension Corporation's privacy team at penc.privacy@pensionsbc.ca or by phone at 778-698-6483.

Return all pages (including the appendix) to Policy Branch. Keep a copy for your records.



6. List any unions with which your employees are associated.

7. For what classes of employee are you applying to enrol in the plan? Please choose one and add details where required.

All classes of employees       All employees covered by a collective agreement. Provide complete names of collective agreements:

Other. Provide details: \_\_\_\_\_

8. Are any of the employees covered by this application considered to be "connected" or "related" to your organization under section 9.2 of the attached Appendix A (refer to the appendix for more information)?

NO OR  YES, generally these employees cannot be enrolled.

9. Are any of the employees covered by this application firefighters or police officers? Firefighters and police officers participate in the plan under group 5. See the plan website for further details.

NO OR  YES

10. Is your organization not-for-profit?

NO OR  YES

11. Provide your CRA business number (first nine digits only). This is required for tax purposes:

12. Indicate your requested enrolment effective date, and provide supporting rationale for that date (for example, to align with the start of your organization's next fiscal year, a particular pay period, a collective bargaining agreement to join the plan).

YYYY-MM-DD

RATIONALE

*Note: If your organization is approved to join the plan retroactively, you will be required to pay retroactive contributions to the plan. You may also be required to collect retroactive contributions from your employees. See the plan website for further details.*

13. Does your organization currently have a registered pension plan?

NO OR  YES, your employees may be eligible to purchase past service in the Municipal Pension Plan.

In order for your application to be processed, you must provide the following documents with this form:

- A copy of the authority under which your organization operates (certificate of incorporation or registration, order-in-council, or letters patent).
- A resolution of your board of directors or governing authority requesting enrolment.
- A copy of your most recent financial statements **or** a letter from your primary funding source confirming the information provided in question 5.

By signing this form, you agree to the terms of participation in the Municipal Pension Plan, as outlined in the attached Appendix A, effective from the date your application is approved by the board of trustees.

AUTHORIZED SIGNATORY NAME

SIGNATURE

DATE SIGNED  
YYYY-MM-DD

AUTHORIZED SIGNATORY TITLE

PHONE

EMAIL

### FOR PENSION CORPORATION USE ONLY

**Policy analyst:** Reviewed the application and supporting documentation, and is satisfied there is sufficient information for the board's consideration.

POLICY ANALYST NAME

POLICY ANALYST SIGNATURE

DATE SIGNED  
YYYY-MM-DD

# MUNICIPAL PENSION PLAN EMPLOYER ENROLMENT APPLICATION

## APPENDIX A

In consideration of the acceptance of this application by the Municipal Pension Board of Trustees, the Employer agrees as follows:

### 1. Definitions

- 1.1 “Joint Trust Agreement” means the Municipal Pension Plan Joint Trust Agreement made the 2nd day of April, 2001 between Her Majesty the Queen in Right of the Province of British Columbia as represented by the Minister of Finance and Corporate Relations, the Union of British Columbia Municipalities and the Health Employers Association of British Columbia, of the first part, and the Municipal Employees’ Pension Committee constituted by the Hospital Employees’ Union, the Canadian Union of Public Employees, B.C. Division, the Health Sciences Association of British Columbia, the British Columbia Nurses’ Union, the British Columbia Police Association, the British Columbia Professional Fire Firefighters’ Association and the Council of Joint Organizations and Unions, of the second part, as amended from time to time.
- 1.2 “Pension Plan Rules” means the Municipal Pension Plan Rules as amended from time to time.
- 1.3 “Plan” means the Municipal Pension Plan.
- 1.4 Words and phrases having a prescribed meaning in the Joint Trust Agreement or the Pension Plan Rules when used in this appendix shall have the same meaning as provided for in the Joint Trust Agreement or Pension Plan Rules as the case may be unless the context requires another meaning.

### 2. Acknowledgement by the Employer

- 2.1 The Employer acknowledges the receipt of the Joint Trust Agreement, the Pension Plan Rules, and if the Board has specified any terms and conditions of eligibility in respect of the Employer’s designation as an employer under the Plan, those terms and conditions.

### 3. Employer Warranty and Representation

- 3.1 The Employer warrants and represents to the Board that:
  - (a) the Employer’s Enrolment Application and all attachments and documents submitted therewith by the Employer to the plan administrative agent contain current, accurate and complete information and data; and
  - (b) the Employer’s Enrolment Application has been duly authorized, executed and delivered by an authorized signatory of the Employer.

### 4. Employer Obligations

- 4.1 As an employer under the Plan, the Employer covenants and agrees that:
  - (a) The Employer shall be bound by:
    - (i) the Joint Trust Agreement;
    - (ii) the Pension Plan Rules;
    - (iii) the policies and procedures adopted by the Board;
    - (iv) the policies and procedures adopted by the plan administrative agent; and
    - (v) any terms and conditions of eligibility specified by the Board in respect of the Employer’s designation as an employer under the Plan,

all as may be amended from time to time, and the Employer must observe and perform all the obligations and duties imposed on the Employer by any provision thereof.

- (b) Without limiting the generality of paragraph 4.1 (a) the Employer shall:
- (i) provide to the plan administrative agent, in the manner and within the time limit specified by the plan administrative agent, complete, accurate and sufficient personal information and records respecting any member as may be necessary for the administration of the Plan;
  - (ii) collect and remit to the plan administrative agent all required member and employer contributions in accordance with the Pension Plan Rules failing which the Board through the plan administrative agent may collect arrears from the Employer and commence an action in debt therefore against the Employer;
  - (iii) provide each member with the information supplied by the plan administrative agent as required by the *Pension Benefits Standards Act*, and provide any other information and records in the manner, and within the time limits, established by the plan administrative agent;
  - (iv) enrol all employees who are eligible to become members of the Plan, or obtain and retain a form of written waiver signed by the employee who is eligible to enrol under the Pension Plan Rules declaring the employee's election not to become a member of the Plan; and
  - (v) in the event of the Employer's withdrawal from the Plan, or modification of its participation in the Plan, pay to the plan administrative agent:
    - A. such fees and expenses associated with the withdrawal from the Plan or modification of its participation in the Plan as the Board determines; and
    - B. such sum as the Board determines to be necessary to negate any adverse effect the withdrawal from the Plan or modification of its participation in the Plan has on the contribution rate to the basic account or the funded status of the inflation adjustment account.
- (c) The Employer must reimburse the Plan for and make the pension fund whole against all damages, claims, liabilities, costs, expenses, fines and penalties which arise from:
- (i) the Employer's failure to report information in the form or within the deadline specified by the plan administrative agent;
  - (ii) the Employer's submission to the plan administrative agent of incomplete, inaccurate or insufficient data; or
  - (iii) the Employer's failure to comply with any of its obligations under the Plan, including any agreement between the Board and the Employer.
- (d) The Employer shall comply with the provisions of all applicable federal and provincial statutes and regulations including without limitation the *Income Tax Act (Canada)*, the *Public Sector Pension Plans Act*, and the *Pension Benefits Standards Act*.
- (e) The Employer shall permit the Board, through the plan administrative agent, from time to time to conduct periodic audits and reviews of the Employer's business records as they pertain to the Employer's obligations under this appendix.

## 5. Employer Withdrawal

- 5.1 The Employer acknowledges and agrees that it shall be subject to the Board's employer withdrawal policy in effect from time to time. A copy of the policy is available on the Plan's website at [mpp.pensionsbc.ca](http://mpp.pensionsbc.ca)

## 6. Plan Communications

- 6.1 The Employer shall ensure that any communication it makes concerning the Plan shall be in a form and content provided by or approved by the plan administrative agent. An individual making any inquiry concerning the Plan shall be referred to the Plan member web site or the plan administrative agent as appropriate.

## 7. Employer Eligibility

- 7.1 This section 7 is only applicable if the Employer is applying for enrolment in the Plan under paragraph 2 (1) (c) of the Pension Plan Rules, including under any of the subparagraphs 2 (1) (c) (i), (ii), (iii), (iv), (v), and (vi).
- 7.2 If the Employer is applying for enrolment under subparagraph 2 (1) (c) (i) (A) of the Pension Plan Rules, the Employer acknowledges that it is a condition of the Employer's enrolment as an employer under the Plan that the Employer shall at all times hold governing authority (i.e., regulatory, police, taxing or expropriation power) granted through legislative enactment or municipal order.
- 7.3 If the Employer is applying for enrolment under subparagraph 2 (1) (c) (i) (B), (ii), (iii) or (iv) of the Pension Plan Rules, the Employer acknowledges that it is a condition of the Employer's enrolment as an employer under the Plan and the Employer agrees that it shall at all times meet at least two of the three following criteria:
- (a) the Employer is:
    - (i) recognized as carrying out a public purpose or function; or,
    - (ii) is required to carry out a public purpose or function as determined by legislation;
  - (b) the Employer is listed as a public sector employer in legislation; or
  - (c) the Employer is financed in part by public funds.
- 7.4 If the Employer is applying for enrolment under subparagraph 2 (1) (c) (v) of the Pension Plan Rules, the Employer acknowledges that it is a condition of the Employer's enrolment as an employer under the Plan that the Employer be and remain a bargaining agent for employees or employers that operate within the public sector.
- 7.5 If the Employer is applying for enrolment under subparagraph 2 (1) (c) (vi) of the Pension Plan Rules, the Employer acknowledges that it is a condition of the Employer's enrolment as an employer under the Plan that the Employer be and remain an entity that is wholly owned and controlled ("controlled entity") directly by the government of British Columbia, a municipality and/or an integral part thereof specified under subsection (c) (i) (A) (a "controlling entity") or that is wholly owned and controlled by one or more controlling entities indirectly through one or more other controlled entities.
- 7.6 If the Employer is applying for enrolment under paragraph 2 (1) (c) of the Pension Plan Rules, but not under subparagraph 2 (1) (c) (i) (B), (ii), (iii), (iv), (v), or (vi), the Employer acknowledges that it is a condition of the Employer's enrolment as an employer under the Plan and the Employer agrees that it shall at all times meet:
- (a) two of the three criteria described above in subsection 7.2; or
  - (b) if the Employer does not satisfy paragraph (a), the terms and conditions of eligibility specified by the Board in respect of the Employer's designation as an employer under the Plan.
- 7.7 The enrolment of the Employer as an employer under the Plan shall only be on behalf of the employees who are employed exclusively in an undertaking of the Employer that meets the criteria described above in subsection 7.2, 7.3, 7.4, 7.5, or 7.6 as applicable, and who otherwise qualify as an eligible employee under the Pension Plan Rules.

7.8 The Employer shall give the administrative agent prompt written notice should the Employer cease to meet the criteria described above in subsection 7.2, 7.3, 7.4, 7.5, 7.6 or 7.7, as applicable.

## 8. Revocation of Enrolment

8.1 The Board reserves the right to revoke the Employer's enrolment as an employer under the Plan on 30 days written notice to the Employer in any of the following circumstances:

- (a) if the Employer is enrolled under subparagraph 2 (1) (c) (i) (B), (ii), (iii) or (iv) of the Pension Plan Rules, the Employer ceases to meet two of the three criteria described in subsection 7.2 of this appendix;
- (b) if the Employer is enrolled under subparagraph 2 (1) (c) (v) of the Pension Plan Rules, the Employer ceases to be a bargaining agent for employees or employers that operate within the public sector;
- (c) if the Employer is enrolled under subparagraph 2 (1) (c) (vi) of the Pension Plan Rules, the Employer ceases to be a controlled entity as described in subsection 7.5 of this appendix;
- (d) if the Employer is enrolled in the Plan under paragraph 2 (1) (c) of the Pension Plan Rules, but not under subparagraph 2 (1) (c) (i), (ii) (B), (iii), (iv), (v), or (vi), and under the conditions set out above in paragraph 7.4 (a), the Employer ceases to meet two of the three criteria described in subsection 7.2 of this appendix;
- (e) if the Employer is enrolled in the Plan under paragraph 2 (1) (c) of the Pension Plan Rules, but not under subparagraph 2 (1) (c) (i), (ii) (B), (iii), (iv) (v), or (vi), and under the conditions set out above in paragraph 7.4 (b), the Employer ceases to meet any of the terms and conditions of eligibility specified by the Board in respect of the Employer's designation as an employer under the Plan; or
- (f) the Employer is in breach of any other provision of this appendix.

## 9. Eligible Employees

9.1 If the Employer is applying for enrolment under paragraph 2 (1) (c) of the Pension Plan Rules:

- (a) enrolment of the Employer shall only be on behalf of employees who are deemed to be employed in British Columbia under the provisions of the B.C. *Pension Benefits Standards Act*; and
- (b) in no case shall the Employer enrol employees engaged in "included employment" as defined in the *Pension Benefits Standards Act*, 1985 (Canada) (the "Federal PBSA") in the Plan unless the Plan is then exempt from the application of the Federal PBSA under section 28.1 of the Federal PBSA regulations, or the employment of the employees has been excepted from the definition of "included employment" pursuant to a regulation made pursuant to paragraph 4 (6) (b) of the Federal PBSA.

9.2 The Employer shall not enrol in the Plan any individual employed by the Employer who is considered:

- (a) "connected" with the Employer, as determined under subsection 8500 (3) of the Income Tax Regulations; or
- (b) "related" to the Employer, as determined under subsection 251 (2) of the *Income Tax Act*; unless that individual is employed under a collective agreement that applies to one or more individuals who are so not connected with or related to the Employer.<sup>1</sup>

9.3 "Employees" include any individual with whom the employer has an employer/employee relationship. Please review the *Employer Instruction Manual* for more information.

<sup>1</sup>A "connected" person is generally someone who has at least 10% ownership of the Employer, either directly or indirectly, and a "related" person is generally someone who is related to the owner(s), either by blood, marriage, common-law partnership or adoption. Refer to subsection 8500 (3) of the Income Tax Regulations and subsection 251 (2) of the *Income Tax Act* for more detailed information on connected or related persons. This note is for information purposes only and does not form part of the appendix.