



SECTION: Refund of Contributions to Plan Members

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TITLE: Refund of Additional Voluntary Contributions to Active Members
- PBA, 1990 ss. 63(2)

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Taken from the "Your Questions Answered" column published in the PCO Bulletin. Please see the disclaimer at the beginning of the directory.

Note: Due to legislative changes, references to the "Commission" should now read the "Superintendent." See also Policy R400-100 for conditions applicable to deemed "additional voluntary contributions".

May active members of a pension plan receive a refund of additional voluntary contributions?

Yes, provided that the terms of the pension plan give active members the right to a refund of additional voluntary contributions with interest, those assets may be paid out of the plan fund in accordance with subsection 63(2) of the PBA. There is no requirement to obtain the Commission's consent to a refund of additional voluntary contributions.

However, if a contributory pension plan is amended to retroactively provide benefits on a non-contributory basis, required member contributions made to the effective date of the amendment are usually "deemed" to be additional voluntary contributions. Under these circumstances, "deemed" additional voluntary contributions may not be refunded to plan members without the consent of the Commission.