

RADAR

June 22, 2023



Message From the Editor

- There are no key items of concern to highlight this week.
- This issue covers the two-week period from June 9, 2023 to June 22, 2023.

GENERAL

Federal – Employment Standards

On June 22, 2023, Bill C-47, *Budget Implementation Act, 2023, No. 1* received royal assent.

Among other matters, the bill amends the *Canada Labour Code* to increase the maximum length of leave related to the death or disappearance of a child from 104 weeks to 156 weeks. It also removes an exception to this provision where the child was 14 years of age or older at the time of the crime and the child was a party to the crime that caused the child's death.

Source: [Bill C-47, Budget Implementation Act, 2023, No. 1](#)

Federal – French Language

On June 20, 2023, Bill C-13, *An Act for the Substantive Equality of Canada's Official Languages* received royal assent. The main provisions of the bill come into force on a day to be fixed by order of the Governor in Council.

Among other matters, the bill:

- enacts the *Use of French in Federally Regulated Private Businesses Act* that

- provides for rights and duties respecting the use of French as a language of service and a language of work in relation to federally regulated private businesses in Québec and then, **at a later date**, in regions with a strong francophone presence
 - allows employees of federally regulated private businesses to make a complaint to the Commissioner of Official Languages with respect to rights and duties in relation to language of work and allows the Commissioner to refer the complaint to the Canada Industrial Relations Board in certain circumstances
- makes related amendments to the *Canada Labour Code*

Note about Québec

With respect to communications with or services provided to consumers in Québec or in relation to workplaces in Québec, Québec's *Charter of the French language* applies instead of this Act to a federally regulated private business if the federally regulated

private business chooses to be subject to Québec's *Charter of the French language*. A federally regulated private business must, in accordance with the regulations, give notice of the day on which it will become or cease to be subject to Québec's *Charter of the French language*.

Source: [Bill C-13, An Act for the Substantive Equality of Canada's Official Languages](#)

HEALTH SOLUTIONS

All – Dental Care

As discussed above, on June 22, 2023, Bill C-47, *Budget Implementation Act, 2023, No. 1* received royal assent.

Among other matters, this bill implements *The Dental Care Measures Act (An Act respecting certain matters in relation to the Canadian Dental Care Plan)* that would require T4/T4A reporting of dental coverage offered to employees and plan members. This

requirement would ensure that the Dental Care Plan is limited to Canadians with an unmet need for dental care who don't have access to private insurance.

The intent is for this to apply only in respect of the 2023 and subsequent taxation years.

Source: [Bill C-47, Budget Implementation Act, 2023, No. 1](#)

WEALTH SOLUTIONS

All/Quebec – Actuarial – AIS

On June 15, 2023, the Canada Revenue Agency updated the instructions of the Form T1200, Actuarial Information Summary (AIS), to include additional lines under sections S and U. The CRA has updated the instructions of the AIS, to include additional lines under sections S and U.

Retraite Québec indicates that several changes have been made, including "Part V – Information required by Retraite Québec". In that section, the changes made consist of:

- the addition of line 188.2 regarding the amounts recorded under section 42.2 of the Supplemental Pension Plans Act
- the addition of lines 199.2 to 199.4 regarding the stabilization provision

- the renumbering of lines 188 and 199 as lines 188.1 and 199.1 respectively

Source: [What's New](#)

[Update to the Actuarial Information Summary](#)

All/Federal – Miscellaneous

As discussed above, on June 22, 2023, Bill C-47, *Budget Implementation Act, 2023, No. 1* received royal assent. Among other matters, this bill amends the:

- *Income Tax Act* and Regulations to:
 - **Borrowing** [Effective April 7, 2022]
 - establish a new borrowing limit applicable to defined benefit provisions of registered pension plans (other than individual pension plans) t

- permit master trusts to borrow amounts on behalf of beneficiaries that are defined benefit registered pensions plans
- **Interest (DB Plans)** [Effective January 1, 2021]
 - allow a reasonable rate of interest to be added to a return of contributions made to avoid the revocation of plan registration
- **Correcting DC Contributions in Error** [Effective January 1, 2021]
 - enable the fixing of contribution errors in defined contribution pension plans
 - require that the contributions or refunds be reported to the CRA for the purpose of correcting the RRSP deduction limit by creating a new pension adjustment correction (PAC) while preserving the existing pension adjustment reversal (PAR) and creates
- **Pension Benefits Guarantee Fund (PBGF)** [Applies to 2022 and subsequent taxation years]
 - exempt the PBGF (and any corporation established solely for investing the assets of the PBGF) established under the *Pension Benefits Act* of Ontario) from the payment of income tax under Part 1 of the *Income Tax Act*
 - include the PBGF (and any corporation established solely for investing the assets of the PBGF) in the list of prescribed persons who are permitted to invest in tax exempt pension corporations
- **Specified Foreign Property** [Applies to taxation years and fiscal periods that end after August 9, 2022] - exempt an interest in a superannuation and pension plans that are resident for income tax purposes in Australia or New Zealand from the “specified foreign property” reporting requirements
- **Variable Payment Life Annuities (VPLAs)** [Effective January 1, 2020] - amends the definition “money purchase provision” to

recognize benefits paid from a VPLA fund (Note: Provisions to provides for VPLAs under the federal *Pension Benefits Standards Act, 1985* will not come into effect until proclamation. See below.)

- other technical housekeeping amendments
- *Excise Tax Act* to:
 - permit a pension entity, in specific circumstances, to claim the pension entity rebate or an input tax credit, or to make the pension entity rebate election, after the end of the two-year limitation period
- *Pension Benefits Standards Act, 1985* to:
 - **VPLAs** [Comes into force upon proclamation] - create a new framework for VPLAs in respect of federally regulated defined contribution pension provisions – DC RPPs (will also be provided for pooled registered pension plans – PRPPs)
 - **Statements Provided to Survivors** [Effective June 22, 2023] - providing annual statements and wind-up statements to “survivor’s entitled to pension benefits under the plan” (s.28(1)(b.1) and 28(2.1))
 - various technical housekeeping amendments

Source: [Bill C-47, Budget Implementation Act, 2023, No. 1](#)

New Brunswick – Financial Planners

On June 16, 2023, Bill 29, *Financial Advisors and Financial Planners Title Protection Act* received royal assent.

This bill establishes the *Financial Advisors and Financial Planners Title Protection Act* (Act) to regulate financial advisers and financial planners in New Brunswick.

A person who commits an offence under the Act, is liable on conviction for each offence to a fine of not more than:

- individuals - \$50,000 or to imprisonment for a term of not more than one year, or to both

- a person other than an individual - \$250,000

In addition, a person may be ordered to pay an administrative penalty of not more than:

- individuals - \$25,000
- a person other than an individual - \$100,000

Source: [Bill 29, Financial Advisors and Financial Planners Title Protection Act](#)

Contact Us

If you would like further information on any of these topics, please contact your Aon consultant at canada.retirement@aon.com.

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