



SECTION: Enforcement

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TITLE: Enforcement Matters to be Published -
Charges are Laid under the *PBA*

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Enforcement Matters to be Published in PCO Bulletin

Beginning with this issue of the *PCO Bulletin* we will be announcing any charges that are laid under the *PBA* (unless otherwise indicated, references are to the *PBA*, 1990 and Regulation 909).

Forum Sports Inc., Guelph, Ontario

On November 30, 1995 charges were laid against Forum Sports Inc. ("Forum"), PN 0587329, as administrator of the Revised Pension Plan for Employees of Forum Sports Inc. and a director and officer of Forum. The charges relate to:

- failure to remit funds to the pension plan in accordance with subsection 55(2) of the Act,
- failure to file Annual Information Returns ("AIRs") for the years ended January 31, 1991 and January 31, 1994 in accordance with subsection 20(1) of the Act and subsection 18(1) of the Regulation, and
- failure to provide members with their annual written statements in accordance with subsection 27 of the Act and subsection 40(1) of the Regulation.

A trial date is set for April 30, 1996 in the Ontario Court (Provincial Division) in Guelph, Ontario.

Pritchard Andrews Company of Ottawa Limited, Ottawa, Ontario

On December 1, 1995 charges were laid against Pritchard Andrews Company of Ottawa Limited ("Pritchard Andrews"), PN 0591388, as administrator of the company's pension plan, and a director and officer of Pritchard Andrews. The charges relate to:

- failure to file AIRs for the 1990 - 1994 fiscal years in accordance with subsection 20(1) of the Act and subsection 18(1) of the Regulation, and
- failure to file triennial valuation reports in 1990 and 1993 pursuant to subsection 14 of the Regulation.

A trial date is set for February 29, 1996, Ontario Court (Provincial Division) in Toronto at 60 Queen Street West in Courtroom N at 9:00 a.m.

Peoples Jewellers Limited, Toronto, Ontario

On February 14, 1996 charges were laid against Peoples Jewellers Limited, ("Peoples"), PN 0597666, as administrator of the company's Executive Pension Plan, and a former director and officer and a former officer of Peoples. The charges relate to:

- failure to remit contributions to the pension plan in accordance with subsection 55(2) of the Act,
- failure to invest in accordance with section 62 of the Act and subsection 67(9) of the Regulation involving an investment made with the assets of the pension fund in the securities of Peoples contrary to subsection 70(1) of the Regulation,
- failure to exercise the care, diligence and skill in the administration and investment of the pension fund under subsection 22(1) of the Act and failure to use in the administration of the plan and the fund all the relevant knowledge and skill it possessed or ought to have possessed under subsection 22(2) of the Act and the failure by the individual defendants to abide by those standards pursuant to subsection 22(8) of the Act,
- failure to file a triennial valuation report in 1990 in accordance with subsection 20(2) of the Act and subsection 14 of the Regulation,
- failure to file AIRs for the years 1987 to 1992 in accordance with subsection 20(1) of the Act and subsection 18(1) of the Regulation,
- failure to file financial statements in accordance with subsection 20(2) of the Act and subsection 76(1) of the Regulation, and
- failure to file a statement of investment policies and goals in accordance with subsection 20(2) of the Act and subsection 67(5) of the Regulation.

The first appearance will be on March 29, 1996 at 9:00 a.m. in Courtroom C, Ontario Court (Provincial Division), 60 Queen Street West in Toronto.