

IN THE MATTER OF the *Pension Benefits Act*, R.S.O. 1990, c. P.8, (the “Act”), in particular subsection 62.1(5);

AND IN THE MATTER OF the Pension Plan for Employees of Anthos Canada Inc, Registration Number 0560300 (the “Plan”).

NOTICE OF INTENDED DECISION

TO: Anthos Canada Inc.
1388 Cornwall Road, Unit D
Oakville ON L6J 7W5

Attention: Nancy Corkill
Vice President and CFO

Employer and Administrator

AND TO: Sylvie Bourbonnais
Mercer (Canada) Limited
120 Bremner Boulevard, Suite 800
Toronto ON M5J 0A8

Senior Associate

TAKE NOTICE THAT pursuant to section 62.1(5) of the Act, and by delegated authority from the Chief Executive Officer of the Financial Services Regulatory Authority of Ontario (the “Chief Executive Officer”), the Head, Pension Plan Operations and Regulatory Effectiveness (the “Head”) intends to make an order to consent to the payment in respect of the Plan to Anthos Canada Inc., in the amount of \$194,385.00 as at December 31, 2020, plus investment earnings thereon to the date of payment. Details of this intended decision are described below.

SI VOUS DÉSIREZ RECEVOIR CET AVIS EN FRANÇAIS, veuillez nous envoyer votre demande par courriel immédiatement à: contactcentre@fsrao.ca.

YOU ARE ENTITLED TO A HEARING BY THE FINANCIAL SERVICES TRIBUNAL (THE “TRIBUNAL”) PURSUANT TO SUBSECTION 89(6) OF THE ACT. A hearing by the Tribunal about this Notice of Intended Decision may be requested by completing the enclosed Request for Hearing Form (Form 1) and delivering it to the Tribunal within thirty (30) days after this Notice of Intended Decision is served on you. The Request for Hearing Form (Form 1) must be mailed, delivered, faxed or emailed to:

Address: Financial Services Tribunal
25 Sheppard Avenue West
Suite 100
Toronto, ON M2N 6S6
Attention: Registrar

Fax: 416-226-7750

Email: contact@fstontario.ca

TAKE NOTICE THAT if you do not deliver a written request for a hearing to the Tribunal within thirty (30) days after this Notice of Intended Decision is served on you, an order will be issued as described in this Notice of Intended Decision.

For additional copies of the Request for Hearing Form (Form 1), visit the Tribunal's website at www.fstontario.ca.

The hearing before the Tribunal will proceed in accordance with the *Rules of Practice and Procedure for Proceedings before the Financial Services Tribunal* ("Rules") made under the authority of the *Statutory Powers Procedure Act*, R.S.O. 1990, c. S.22. The Rules are available at the website of the Tribunal: www.fstontario.ca. Alternatively, a copy can be obtained by telephoning the Registrar of the Tribunal at (416) 590-7294, or toll free at 1-800-668-0128 extension 7294.

REASONS FOR INTENDED DECISION

1. Anthos Canada Inc is the employer and administrator as defined in the Plan (the "Employer").
2. The Plan provisions provide for the payment of Plan expenses from the pension fund. However, the Employer paid Plan expenses for the period from March 2019 to December 2020. The expenses paid by the Employer with interest to December 31, 2020 total \$194,385.00.
3. Evidence of the Plan expenses paid for the period from March 2019 to December 2020 by the Employer has been submitted to the Financial Services Regulatory Authority of Ontario.
4. Subsection 62.1(4) of the Act states that if an employer pays an amount in respect of a pension plan that should have been paid out of the pension fund, the application to the Chief Executive Officer for reimbursement for the payment must be made before the later of: (a) 24 months after the date on which the employer made the payment; and (b) six months after the date on which the administrator, acting reasonably, becomes aware of the payment.

5. The Employer's application for reimbursement was made on March 23, 2021. This date is within the 24 months after the date on which the Employer made the payments described in paragraph 2. Accordingly, the application has been filed within the time limits set out in subsection 62.1(4) of the Act.
6. Such further and other reasons as may come to my attention.

DATED at Toronto, Ontario, September 17, 2021.



Jennifer Rook
Head, Pension Plan Operations and Regulatory Effectiveness

By delegated authority from the Chief Executive Officer