



## Information Bulletin – Statutory Filings for Trustees

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Trustees of a pension plan which will be approved by the Financial Services Commission (“FSC”) pursuant to the Pensions (Superannuation Funds and Retirement Schemes) Act, (“the Act”) are responsible for ensuring that certain documents pertaining to the pension plan are filed with the FSC and that members of the pension plan are provided with information within the time periods required by the Act and Regulations. Although many of the activities involved in the administration and investment of the pension plan may be outsourced or delegated, trustees must keep in mind that they are ultimately responsible for ensuring that actions are taken to achieve compliance with the regulatory requirements.

This bulletin is published by the FSC, as part of its continuing effort to assist trustees in discharging their duties. It does not represent a comprehensive statement of the law nor does it purport to do so. Trustees should therefore, when in doubt use the Act and Regulations to determine specific legislative requirements.

<b>SCHEDULE FOR FILING DOCUMENTS WITH THE FSC IN RELATION TO AN ON-GOING PENSION PLAN</b>	(i) Certified Financial Return (CFR) (ii) Financial Statements <i>RLR Regulation 12(1) &amp; 13 (a) and (b)</i>	<ul style="list-style-type: none"> <li>• Within 120 days after the plan's year end</li> </ul>
	<b>Retirement scheme only:</b> (i) Information Folder (ii) List of persons that sell or distribute contracts <i>RLR Regulation 13(1) (c) and (d)</i>	<ul style="list-style-type: none"> <li>• Within 120 days after the plan's year end</li> </ul>
	<b>Corporate trustees only:</b> (i) Annual report containing financial statements (ii) Certification of tax compliance <i>RLR Regulation 14</i>	<ul style="list-style-type: none"> <li>• Within 120 days after the corporate trustee's financial year end</li> </ul>
	Proposed amendments to constitutive documents (Trust Deed, Plan Rules, and schedules thereto) <i>Act S 35(4)</i>	<ul style="list-style-type: none"> <li>• Within 14 days of obtaining approval from the members and at least 90 days before the date on which the proposed amendment is to take effect</li> </ul>
	Annual Report <i>RLR Regulation 12(2) and 13(2)</i>	<ul style="list-style-type: none"> <li>• Within 9 months of the end of the plan year</li> </ul>
	Statement of Investment Policies and Principles <i>Investment Regulation 8(1)</i> Revised Statement of Investment Policies and Principles <i>Investment Regulation 9(4)</i>	<ul style="list-style-type: none"> <li>• Within 60 days of the pension plan being approved</li> <li>• Within 30 days of the Statement of Investment Policies and Principles being ratified by the trustees</li> </ul>
	Statement of compliance with the Act and investment regulations or a plan by which compliance will be achieved <i>Investment Regulation 37</i>	<ul style="list-style-type: none"> <li>• Within 90 days of the pension plan being approved</li> </ul>
<b>SCHEDULE FOR FILING NOTICES WITH THE FSC IN RELATION TO AN ON-GOING PENSION PLAN</b>	Notification of name change of the pension plan upon FSC's request <i>RLR Regulation 4(1)(a)</i>	<ul style="list-style-type: none"> <li>• Within 30 days of request</li> </ul>
	Notification of resignation, death or incapacity of a Trustee or Responsible Officer <i>RLR Regulation 10(1)(a)</i>	<ul style="list-style-type: none"> <li>• Within 7 days of occurrence</li> </ul>
	Change in particulars included in an application <i>RLR Regulation 17</i>	<ul style="list-style-type: none"> <li>• Within 14 days of change</li> </ul>
	Notification of the designation of the Administrator or Investment Manager <i>Act S 10(3)</i>	<ul style="list-style-type: none"> <li>• Within 14 days of making the designation</li> </ul>
	Notification of a material change not necessitating an amendment <i>Gov Regulation 13</i>	<ul style="list-style-type: none"> <li>•</li> </ul>
	Notification of the appointment of an actuary or auditor <i>Act S 12(2)</i>	<ul style="list-style-type: none"> <li>• Within 14 days of the appointment</li> </ul>
	Breach of Investment code of practice <i>Investment Regulations 3(g)</i>	Within 14 days of such occurrence

<b>SCHEDULE FOR PROVIDING INFORMATION TO PLAN MEMBERS</b>	Benefit Statement to active members	<ul style="list-style-type: none"> <li>• Within 4 months of the end of the plan year</li> </ul>
	Benefit Statement to deferred pensioners <i>Gov Regulation 12(2)(a)</i>	<ul style="list-style-type: none"> <li>• On request</li> </ul>
	To each participant on a change of status <i>Gov Regulation 12(2)(b)</i>	<ul style="list-style-type: none"> <li>• Within 60 days of the trustees being notified of the event</li> </ul>
	Request to examine or copy documents relating to the pension plan <i>Gov Regulation 12(6)</i>	<ul style="list-style-type: none"> <li>• Within 15 working days of the request</li> </ul>
	Material Change <i>Gov Regulation 13</i>	<ul style="list-style-type: none"> <li>•</li> </ul>
	Notice of decisions pertaining to a complaint  Notice of the reason for a delay in making the decision <i>Gov Regulation 17</i>	<ul style="list-style-type: none"> <li>• Within 14 days of making the decision</li> <li>• Immediately on the expiration of 3 months after the complaint was lodged</li> </ul>
	Notification of proposed amendment to Constitutive Documents <i>Gov Regulation 18(2)</i>	<ul style="list-style-type: none"> <li>• No earlier than 30 days and no later than 14 days prior to any participants' meeting</li> </ul>
	Submission of proposed amendment for members' approval <i>Act S 35(1)(b)</i>	<ul style="list-style-type: none"> <li>• At least 45 days before the proposed amendment will be submitted to the FSC</li> </ul>
<b>SCHEDULE FOR FILING DOCUMENTS WITH THE FSC IN RELATION TO A PENSION PLAN IN THE PROCESS OF BEING WOUND UP</b>	Annual Report ( <i>On request from participants</i> ) <i>Gov Regulation 14 (1)</i>	<ul style="list-style-type: none"> <li>• Within 9 months of the end of the plan year</li> </ul>
	Notice of winding-up by way of a petition <i>Act S 27(2)(a)(ii)(A)</i>	<ul style="list-style-type: none"> <li>• 90 days notice of intention to do so</li> </ul>
	Notice of winding-up voluntarily <i>Act S 27(4)</i>	<ul style="list-style-type: none"> <li>• No later than 90 days before the winding-up</li> </ul>

Questions regarding this Bulletin may be directed to:

Senior Director, Pensions  
The Financial Services Commission  
39-43 Barbados Avenue  
Kingston 5

Telephone (876) 906-3010  
Facsimile (876) 906-3018  
Email: [pensions@fscjamaica.org](mailto:pensions@fscjamaica.org)