FTR Now

Kerry Decision to be Released this Friday August 7th

Date: August 5, 2009

The Supreme Court of Canada (SCC) has announced that its decision in *Nolan v. Kerry (Canada) Inc.* will be released at 9:45 a.m. on Friday August 7, 2009. It is anticipated that the SCC decision will provide much needed guidance on a number of important issues, including:

- the use of pension fund assets to pay for plan expenses;
- the use of pension plan surplus to fund employer DC contribution obligations; and
- the standard of review from decisions of the Ontario Financial Services Tribunal, involving the application of common law and trust principles to the interpretation of pension plan and trust documentation.

We will be sending out a summary of the decision to all of our clients who are on our Pension & Benefits mailing list.

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