Case In Point

Significant Decision on Pre-Retirement Death Benefits Rendered by Ontario Court of Appeal

Date: November 7, 2012

On October 31, 2012, the majority of the Ontario Court of Appeal departed from the pension industry's widely held interpretation of section 48 of the *Pension Benefits Act* when it awarded the pre-retirement death benefit payable under an Ontario registered pension plan to a member's designated beneficiaries rather than to the member's common law spouse.

This decision, Carrigan v. Carrigan Estate, is of critical importance to all administrators of pension plans with Ontario members. For a detailed discussion of the case, see our *FTR Now* of November 7, 2012 "Ontario Court of Appeal Decision Rewrites the Pension Pre-Retirement Death Benefit Regime."