

Ontario Court of Appeal Affirms Monsanto Decision; Delay in Proclamation of Pension Legislation Announced

The Ontario Court of Appeal released its decision in the Monsanto case on November 22, 2002. A lower court had concluded that the Superintendent of Financial Services was correct to require that Monsanto distribute a portion of the plan surplus on a partial wind-up of its pension plan. The Court of Appeal has confirmed this ruling. A decision will need to be made by Monsanto whether to appeal the decision even further, to the Supreme Court of Canada.

In reaction to the ruling, the Ontario government has decided to delay proclamation of relevant passages of Bill 198, pending further consultation.

Please refer to our description of Bill 198 (dated November 11, 2002) below.

November 26, 2002