

Mr. Menzi,

My name is Brian Jenkins. I am a pension actuary based out of Mississauga, Ontario. I have a larger chunk of business related to small pension plans -- a mixture of executive and small business type programs.

I read this morning that you are leading an review of federal legislation and regulation and pension plans.

There has been considerable problems with the CRA and pension tax policy that has a huge impact on a large number of my clients. With an ineffective Federal Court of Appeal, and Ministers of National Revenue who don't seem to care, people are having their pension plans stripped by CRA.

There are large issues with CRA arbitrarily changing the entire pension tax legislation/regulation implemented in the late 1980s, and basically undercutting the entire basis of the pension tax system that makes it impossible for any pension plan to exist (to which CRA decides on selective enforcement). Certainly, they do this under the cover of "very technical details" but the devastated Canadians are not details.

I do think that the seriousness of the federal tax people is a major issue to Canadians. It is the job of the Ministry of Finance, not CRA, to establish the tax rules and the tax philosophy. CRA is supposed to only implement what Finance establishes. The stripping of individuals' pensions, which has not started, will become epidemic if there is not a political will to intervene and stop these actions.

I do hope that I, and my clients, will have the ability to provide some input into your dealings so that the pension system in Canada can be maintained on a rational level, and Canadians are led to believe that the government policy is to rob them of the pension that they worked 30 or 40 years to earn.