I am an active member of a pension plan that will provide me with an indexed pension at retirement. Prior to my retirement, could the plan be amended to entirely eliminate the existing inflation protection provision?

No. An amendment that would have the effect of eliminating the obligation to index benefits already accrued or to freeze increases at the effective date of the amendment would be a void amendment under section 14(1) of the PBA. However, an amendment that would have the effect of deleting the indexation provision in its entirety for future benefit accruals would be acceptable for registration under the PBA.

In the latter instance, the amendment would affect active members only. Benefits accrued on and after the effective date of the amendment would not be indexed. The amendment would have no effect on the existing contractual requirement to provide ongoing cost-of-living increases for all benefits accrued to the effective date of the amendment (active members’ benefits, pensions in pay and deferred vested benefits).