

Superintendent of
Financial
Services



Surintendant des
services
financiers

IN THE MATTER OF the Pension Benefits Act, R.S.O. 1990,
c. P.8, as amended (the “*PBA*”);

AND IN THE MATTER OF a Proposal of the Superintendent of
Financial Services to make an Order under section 83 and 89 of the
PBA, respecting the **Dura Automotive Systems (Canada) Ltd.
Pension Plan for Stratford Bargaining Unit Employees**,
Registration Number **0240960**

TO: Pauline Frenette
Consultant
Morneau Sobeco Limited Partnership
895 Don Mills Road, Suite 700
One Morneau Sobeco Centre
Toronto ON M3C 1W3

Administrator

AND TO: Donna Stilson
Corporate Benefits Manager
Dura Automotive Systems (Canada) Ltd.
2791 Research Drive
Rochester Hills, MI, USA
48309

Employer

AND TO: Adam Sherman
Vice-President
PricewaterhouseCoopers Inc.
77 King Street West, Suite 3000, Box 82,
Royal Trust Tower TD Centre
Toronto, ON M5K 1G8

Monitor

AND TO: International Association of Machinists and Aerospace Workers
c/o Mr. Hugh O'Reilly
Cavalluzzo Hayes Shilton McIntyre & Cornish Barristers & Solicitors
474 Bathurst Street, Suite 300
Toronto, ON M5T 2S6

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DECLARATION

No request requiring a hearing was delivered to the Financial Services Tribunal within the time prescribed by subsection 89(6) of the *PBA* requesting a Notice of Proposal to make a Declaration that the Pension Benefits Guarantee Fund applies to **Dura Automotive Systems (Canada) Ltd. Pension Plan for Stratford Bargaining Unit Employees** (the "Plan").

I DECLARE pursuant to sections 83 and 89 of the Act that the Pension Benefits Guarantee Fund (Guarantee Fund) applies to the Plan for the following reasons:

REASONS:

1. The Plan is registered under the *PBA*, and
2. The Plan provides defined benefits that are not exempt from the application of the Pension Benefits Guarantee Fund by the *PBA* or the Regulations made thereunder, and
3. The plan was wound up effective **November 30, 2007**, and
4. There are reasonable and probable grounds that the funding requirements of the *PBA* and regulations cannot be satisfied. If funds become available from the estate of the employer, the administrator will be required to make an appropriate refund of any allocation amount received by the Plan from the Pension Benefits Guarantee Fund

DATED at Toronto, Ontario, this 30th day of August, 2010

Brian Mills
Director, Pension Plans Branch
by Delegated Authority from
the Superintendent of Financial Services

