

Kenneth E. Burns

Ken practices exclusively in the firm's pension and employee benefits law practice group. He advises pension and benefit plan sponsors on a range of legal and regulatory issues affecting their plans. He advises on pension plan governance and compliance monitoring projects, regulatory applications and the handling of pension disputes. He works with managers in the drafting and maintenance of pension documents, including plan texts, trust declarations, statements of investment policies, as well as investment manager and other service provider contracts. Ken is frequently involved in assisting parties in mergers and acquisitions on the pension and benefits issues arising in the course of planning and executing their transactions.

Recognition And Ranking

- *Chambers Global*: recognized in the Pensions & Benefits (Canada) category
- *Best Lawyers in Canada*: recognized for employee benefits law
- *Martindale-Hubbell International Law Directory CV Peer Review* rated

Professional Activities

- Canadian Bar Association, Pension and Benefits Section, 2012-2013 National Executive Member
- Canadian Bar Association (BC) Pension and Benefits Section, Past Section Chair
- Association of Canadian Pension Management British Columbia Regional Council, 2013 Chair and a member of the National Policy Committee
- Association of Canadian Pension Management, Member
- International Foundation of Employee Benefit Plans, Member
- International Pension and Employee Benefits Lawyers' Association, Member
- Canadian Pension and Benefits Institute, Member
- Editorial board of "Pension Planning", a quarterly journal by Federated Press, Member

Bar Admissions

- British Columbia (1998)
- Northwest Territories (2000)
- Alberta (2006)

Education

- University of Western Ontario (B.A., 1990)
- McGill University (M.B.A., 1994)
- University of Western Ontario (LL.B., 1997)



Kenneth E. Burns

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Practices

- Pension and Employee Benefits
- Mergers and Acquisitions: Pension and Benefits Issues
- Administration, Pension Governance & Investment

Experience

- Acting for the board of a public sector multi-employer pension plan in negotiations with government over changes to legislation governing the plan
- Acting for a mining company in the design and set up of new pension and benefit plans prior to the opening of operations in northern Canada
- Chairing a client company's pension committee, and providing professional oversight for several of the company's pension plans
- Setting up pension governance and legislative compliance monitoring systems for various clients
- Representing a multi-employer pension board in litigation to recover withdrawal liability obligations of a former participating employer
- Assisting a forest products company in negotiating the pension and benefits disclosure requirements in a complex lending agreement
- Negotiating pension and benefit terms in corporate mergers and acquisitions on behalf of numerous large and small clients
- Helping a financial institutions set up a program to offer tax-free savings accounts to the public
- Drafting submissions to pension regulators on behalf of numerous clients
- Advising on and setting up letters of credit to secure supplemental pension plans for various employers
- Setting up retirement compensation arrangements for employers in the forest, mining and retail industries
- Advising a US airline and a US mining company on ways to best mirror 401(k) plans for employees in Canada
- Drafting an opinion to a forestry company on best practices in winding down a pension plan
- Helping a Canadian multi-national company establish a savings plan for expatriate employees
- Drafting template custodial documents for a trust company
- Negotiating funding relief for a plan sponsor with the federal pension regulator
- Assisting an energy company in selecting and moving its pension fund to a new pension fund holder
- Assisting a consortium of pension funds on joint investments in private equity funds
- Drafting statements of investment policies and procedures for an insurance company's defined contribution plan
- Advising a US head office on the oversight of its Canadian subsidiary's pension obligations
- Drafting and amending pension trust agreements for various employers and multi-employer plan boards of trustees
- Advising a mining company on the implementation of phased retirement provisions in its pension plan

Conferences

- "Pension Reform: Western Canada Update", (October 25, 2011)
- "Understanding Your Investment Management Contract", (September 11-14, 2011)
- "Employment Benefits Generally", (May 25, 2011)
- "Recent Developments in Pension Plan Law and ACPM Advocacy Initiatives", (April 2011)
- "Are MEPPs in Your Future? – Developing the multi-employer plan model for use in non-union situations", (September 2010)



Kenneth E. Burns (Cont.)

- "BC's Pension System Review Consultation: What Action Should the Government take to Increase Pension Coverage", (April 2010)
- "Background Legal and Legislative Context (Relating to Pension Plan Investments)"; and "Legal and Legislative Context Workshop on Investment Management Contracts", (August 2009)
- Canadian Pension and Benefits Institute Kelowna Conference, (October 2008)
- "Cross Canada Review of Pension Legislation and Regulatory Changes", (2008)
- "Managing Pension Risks in Corporate Transactions", (December 2007)
- "Legal Developments of the Past Year", (May 2007)
- "Mergers and Acquisitions: A Pension Lawyer's Perspective", (March 2007)
- "Liability and the Plan Administrator", (January 2007)
- "Plan Management and Disclosure", (January 2007)
- "Legal Developments of the Past Year", (October 2006)
- "Managing Pension Risks in Corporate Transactions", (May 2006)
- "Mergers & Acquisitions – Identifying & Addressing Pension and Benefit Legal Risks", (May 2005)
- "Communicating Pensions & Benefits – Legal Issues", (April 2005)

News / Publications

- Lawson Lundell Recognized in Chambers Global 2012, (March 19, 2012)
- Ken Burns quoted in Business in Vancouver, (November 29, 2011), Interview
- Ken Burns interviewed on CKNW, (August 5, 2011), Interview
- Ken Burns quoted in The Globe and Mail, (July 19, 2011), Interview
- The hidden costs of switching to a cheaper pension plan, The Globe and Mail, (July 18, 2011), Interview
- To Fund or Not to Fund for Solvency - Who Gets the Breaks?, Pension Planning, Federated Press, Volume XVI, No. 2, (May 12, 2011), Co-author
- "Rogers Communications Inc. v. Buschau- the Final Episode?" Pension Planning, Volume XV No.2, Federated Press, (2009), Co-author with Megan Kaneen
- "Managing Pension Risks in Corporate Transactions", (December 2007)
- Significant Changes to Alberta Employment Pensions Legislation, (August 18, 2006)
- Significant Changes to Alberta Employment Pensions Legislation, Pension Planning, Federated Press, (August 2006)
- "Managing Pension Risks in Corporate Transactions", (May 2006)
- Alberta Proposes New Regulations Affecting Registered Pension Plans, (January 26, 2006)
- Mergers and Acquisitions: Identifying and Addressing Pension and Benefit Legal Risks, (April 18, 2005)

