Retirement Benefits Application

Spousal Information Section

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Seventh-day Adventist Church
Église Adventiste du Septième Jour

Retirement Plan for Canadian Employees
Plan de retraite pour les employés canadiens

Spousal Information – must be completed by ALL applicants

Definition of Spouse according to Applicable Pension Legislation on reverse.

Legislation is applied according to the province of last Church employment. (check one below)

☐ AB ☐ BC ☐ Federal (NT, NU, PE & YT) ☐ MB ☐ NB ☐ NL ☐ NS ☐ ON ☐ QC ☐ SK

Complete number 1 **OR** number 2:

☐ 1. I hereby declare that I currently have a Spouse, as defined by my Applicable Pension Legislation.

Please enter your Spouse's information below:

Last Name: _____ Previous/ Maiden Names: _____

First Name: _____ Middle Names: _____

Preferred First Name: _____ SIN (Canada): _____

Date of Birth: _____ SSN (USA): _____
(mmmm dd, yyyy – please spell out month for all date fields)

Please answer only ONE of A, B or C (also answer D if applicable):

A. I married my Spouse on _____

B. The civil union (applicable in Quebec only) with my Spouse began on _____

C. I have been living in a conjugal relationship with my Spouse since _____ and

☐ there is a child
☐ there is no child, involved in the determination of whether or not I have a Spouse, as set out under the definition of Spouse in my Applicable Pension Legislation.

D.I hereby declare that I have been living separate and apart from my Spouse since _____

☐ 2. I hereby declare that I do not have a Spouse.

Certification Regarding Assignment of Pension (must check one)

☐ No part of my pension benefit under the Plan has been assigned by an agreement or a court order as a result of the breakdown of a marriage, conjugal relationship or Quebec civil union.

☐ A portion of my pension entitlement under the Plan has been assigned by an agreement or a court order as a result of the breakdown of a marriage, conjugal relationship or Quebec civil union. A copy of such document dated _____ is attached to this form.

Member Certification

I understand that it is my responsibility to promptly advise the Seventh-day Adventist Church Retirement Plan for Canadian Employees in writing of any changes to my spousal status.

Member's Signature: _____ Date: _____

Applicable Pension Legislation and Definition of Spouse

The Applicable Pension Legislation governs your member rights and obligations under the Plan. The Applicable Pension Legislation generally refers to the legislation of the province where you report to work, regardless of where you live. If you do not report to an employer work establishment, then the Applicable Pension Legislation is the legislation of the province from which your remuneration is paid. If you are uncertain as to which Applicable Pension Legislation applies to you, please contact the Retirement Department at 905-433-0011 or by email at retirement@adventist.ca.

To determine the applicable definition of Spouse, please refer to the definition of Spouse for your Applicable Pension Legislation.

Note: A future marriage, civil union or conjugal relationship breakdown may affect the right of a Spouse to receive spousal pre-retirement death benefits and/or a post-retirement survivor pension, or the Spouse's eligibility. Final spousal entitlement will be determined on the earlier of the date of your death (or the day preceding your death, for a Quebec member) and pension commencement as applicable.

Spouse means:

Federal

(a) if there is no person described in (b), a person who is married to you or who is party to a void marriage with you; or

(b) a person who is cohabiting with you in a conjugal relationship on the relevant date, having so cohabited with you for at least one year.

Note: Where you have a spouse from whom you are separated, and a common-law partner with whom you are co-habiting at the relevant time, your common-law partner will be entitled to benefits on death or pension commencement.

Alberta

(a) a person who is married to you and has not been living separate and apart from you for a continuous period longer than 3 years; or

(b) if there is no person to whom (a) applies, a person who has lived with you in a marriage-like relationship

(i) for a continuous period of at least 3 years immediately preceding the relevant time; or

(ii) of some permanence, if you are the natural or adoptive parents of a child of the relationship.

British Columbia

(a) a person who is married to you, and who, if living separate and apart from you has not been living separate and apart from you for longer than the 2 year period immediately preceding the relevant time; or

(b) if (a) does not apply, a person who is living and cohabiting with you in a marriage-like relationship, and who has been living and cohabiting in that relationship for a period of at least 2 years immediately preceding the relevant time.

Manitoba

(a) a person who is married to you;

(b) a person who, with you, has registered a common-law relationship under Section 13.1 of the *Vital Statistics Act*; or

(c) a person who is not married to you and who has been cohabiting with you in a conjugal relationship

(i) for a period of at least 3 years, if either you or the other person is married; or

(ii) for a period of at least 1 year, if neither you nor the other person is married.

Note: In Manitoba, the spouse does not have entitlement to a pre-retirement survivor or a joint and survivor pension if, at the time of death or retirement, as applicable, the member was living separate and apart from the spouse or common-law partner by reason of a breakdown of their relationship.

New Brunswick

(a) the person who is married to you;

(b) the person who is married to you by marriage that is voidable and has not been avoided by a declaration of nullity;

(c) the person who, in good faith, has gone with you through a form of marriage that is void and has cohabited with you within the preceding year, or

(d) the person who, not being married to you, is cohabiting in a conjugal relationship with you and has been cohabiting is a conjugal relationship with you for a continuous period of at least two years.

Newfoundland and Labrador

(a) the person who is not married to you and who

  (i) has cohabited continuously with you in a conjugal relationship for a period of not less than 1 year, provided that you are not married to another person; or

  (ii) has cohabited continuously with you in a conjugal relationship for a period of not less than 3 years, provided that you are marred to another person; and is cohabiting or has cohabited with you within the preceding year; or

(b) if there is no person described in (a):

  (i) a person who is married to you;

  (ii) a person who is married to you by a marriage that is voidable and has not been voided by a judgement of nullity; or

  (iii) a person who has gone through a form of marriage with you, in good faith, that is void and is cohabiting or has cohabited with you within the preceding year.

Nova Scotia

(a) a person who is married to you;

(b) a person who is married to you by a marriage that is voidable and had not been annulled by a declaration of nullity;

(c) a person who has gone through a form of marriage with you, in good faith, that is void and is cohabiting with you or, if you have ceased to cohabit, you have cohabited within the 12-month period immediately preceding the date of entitlement;

(d) a person who is registered as your domestic partner within the meaning of Section 52 of the *Vital Statistics Act*, or

(e) a person who is not married to you but with whom you have been cohabiting in a conjugal relationship

  (i) for a period of at least three years, if either of you is married; or

  (ii) for a period of at least one year, if neither of you is married.

Note: In Nova Scotia, a person who meets the definition of spouse may not be entitled to a post-retirement survivor pension or a pre-retirement death benefit if such person has waived entitlement to such benefit or is otherwise not entitled to such benefit through a court order or a written agreement that provides for the division of the pension benefit.

Ontario

(a) a person who is married to you; or

(b) a person who is not married to you and is living with you in a conjugal relationship,

  (i) continuously for a period of not less than 3 years; or

  (ii) in a relationship of some permanence, if you are both the parents of a child as set out in section 4 of the *Children's Law Reform Act.*

Note: In Ontario, for the purposes of a pre-retirement death benefit or a post-retirement survivor pension, the term "spouse" does not include a person who is living separate and apart from you on the date of your death or the date that payment of the first installment of your pension is due, as applicable.

Prince Edward Island

No current pension legislation in effect.

Quebec

(a) a person who is married to or in a civil union with you;

(b) if you are not married or in a civil union, a person who has been living in a conjugal relationship with you, for a period of not less than 3 years, or for a period of not less than 1 year if:

  (i) at least one child is born, or to be born, of your union;

  (ii) you have adopted, jointly, at least one child while living together in a conjugal relationship; or

  (iii) one of you has adopted at least one child who is the child of the other, while living together in a conjugal relationship.

The birth or adoption of a child prior to the current period of conjugal relationship may qualify the person as a spouse.

Note: In Quebec, except in limited cases, a married spouse is not entitled to death/survivor benefits as a "spouse" if, on the relevant date, you and your spouse are separated from bed and board (by judgement).

Saskatchewan

(a) a person who is married to you; or

(b) if you are not married, a person with whom you are cohabiting as spouses and who has been cohabiting continuously with you as your spouse for at least 1 year.