

Retirement Benefits Application



Seventh-day Adventist Church Retirement Plan for Canadian Employees
1148 King Street East, Oshawa ON • L1H 1H8 • Tel 905-433-0011 • Fax 905-433-0982

Spousal Declaration

Definition of Spouse according to Applicable Pension Legislation on reverse. (check one)

Legislation is applied according to the province of last employment.

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

SPOUSAL DECLARATION (check one)

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

Name of Spouse: _____
Last name First name Middle name

Date of Birth of Spouse (mm/dd/yyyy) : _____ Gender: _____

Please answer only **one** of the following:

- (1) I married my Spouse on _____ (mm/dd/yyyy)
- (2) The civil union (applicable in Quebec only) with my Spouse began on _____ (mm/dd/yyyy)
- (3) I have been living in a conjugal relationship with my Spouse since _____ (mm/dd/yyyy) 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.

I hereby declare that I have been living separate and apart from my Spouse since _____ (mm/dd/yyyy).

I hereby declare that I do not have a Spouse.

Certification Regarding Assignment of Pension

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

- 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 my 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 my marriage, conjugal relationship or Quebec civil union. A copy of such document dated _____ is attached.

SIGNATURE OF MEMBER

PRINT NAME

____ / ____ / ____
MM DD YYYY

SIGNATURE OF WITNESS

PRINT NAME

____ / ____ / ____
MM DD YYYY

**PLEASE ENSURE THAT THIS FORM IS COMPLETED AND WITNESSED AT THE SAME TIME AS YOU SIGN THE FORM.
YOUR WITNESS MUST BE SOMEONE OTHER THAN YOUR SPOUSE OR ANY NAMED BENEFICIARY**

Definition of Spouse

“Spouse” means, subject to the requirements for registration under Applicable Pension Law and Revenue Rules, in relation to a Member, the person who, at the earlier of the commencement of a Member’s pension and the date of the Member’s death meets one of the following eligibility requirements:

Alberta

- (i) The person who is married to the member and has not been living separate and apart from the Member for more than three consecutive years; or
- (ii) If there is no person to whom subparagraph (a) applies, the person who, immediately preceding the relevant time, lived with the Member in a marriage-like relationship
 - (A) for a continuous period of at least three years; or
 - (B) of some permanence, if there is a child of the relationship by birth or adoption.

British Columbia

- (i) the person who is married to the Member and, who, if living separate and apart from the Member at the relevant time, did not live separate and apart for longer than the preceding two year period immediately preceding the relevant time; or
- (ii) if there is no person under subparagraph (i), the person of the same or opposite gender who has lived and co-habited in a marriage-like relationship with the Member for the two year period immediately preceding the relevant time.

Federal

- (i) the person who has cohabited in a conjugal relationship with such Member for a continuous period of one year or more; or
- (ii) if there is no person described in (i), the person who is married to the Member or who is party to a void marriage with the Member.

Where a Member has a Spouse pursuant to paragraph (ii) from whom the Member is separated and a common-law partner pursuant to paragraph (i), Spouse means the common-law partner pursuant to paragraph (i).

For the purpose of entitlement to a pre-retirement death benefit, if there is no person described in paragraph (i), the person who is the spouse of the Member pursuant to paragraph (ii) shall be entitled to the pre-retirement death benefit.

Manitoba

- (i) the person who is married to the Member; or
- (ii) the common-law partner who, not being married to the Member, meets one of the following eligibility requirements:
 - (A) the person who, with such Member, registered a common-law relationship under section 13.1 of The Vital Statistics Act;
 - (B) the person who has resided with such Member in a conjugal relationship for at least three years if either of them is married; or
 - (C) the person who has resided with such Member in a conjugal relationship for at least one year if neither of them is married.

New Brunswick

- (i) the person who is married to the Member; or
- (ii) the person who is married to the Member by marriage that is voidable and has not been voided by a declaration of nullity; or
- (iii) the person who has gone through a form of marriage with the Member, in good faith, that is void, and has cohabited with the Member within the preceding year; or
- (iv) the person who is not married to the Member, but has cohabited with the Member continuously for a period of two years or more in conjugal relationship.

Newfoundland

- (i) the person who is married to the Member; or
- (ii) the person who is married to the Member by a marriage that is voidable and has not been voided by a judgement of nullity; or
- (iii) the person who has gone through a form of marriage with the Member, in good faith, that is void and is cohabiting or has cohabited with the Member within the preceding year; or

- (iv) in relation to a Member who has a Spouse, as described in (i), (ii), or (iii) above, means a person who is not the Spouse of the Member, who has cohabited continuously with the Member in a conjugal relationship for not less than three years; or
- (v) in relation to a Member who does not have a Spouse, as described in (i), (ii) or (iii) above, means a person who has cohabited continuously with the Member in a conjugal relationship for not less than one year.

Nova Scotia

- (i) the person who is married to the Member; or
- (ii) the person who is married to the Member by a marriage that is voidable and has not been annulled by a declaration of nullity; or
- (iii) the person who has gone through a form of marriage with the Member, in good faith, that is void, provided that the person is cohabiting with the Member in a conjugal relationship or if they have ceased to cohabit has cohabited with the Member in a conjugal relationship within the 12 month period immediately preceding the relevant time; or
- (iv) the person who is the Member’s domestic partner within the meaning of Section 52 of the Vital Statistics Act, or
- (v) the person who, not being married to the Member,
 - (A) has cohabited with the Member in a conjugal relationship for a period of at least three years, if either the Member or the person are married, or
 - (B) has cohabited with the Member in a conjugal relationship for a period of at least one year, if neither the Member nor the person are married.

Ontario

- (a) the person who is married to the Member; or
 - (b) the person who is not married to the Member and is living with the Member in a conjugal relationship:
 - (i) continuously for a period of not less than three years; or
 - (ii) in a relationship of some permanence, if they are both the parents of a child as set out in Section 4 of the Children’s Law Reform Act;
- provided that the person is not living separate and apart from the Member at that time.

Quebec

- (i) the person who is married to or in a civil union with the Member; or
- (ii) where the Member is neither married nor in a civil union, the person who has lived together with the Member in a conjugal relationship,
 - (A) continuously for a period of three years or more; or
 - (B) continuously for a period of one year or more if:
 - (1) at least one child is born, or to be born, of their union;
 - (2) they have adopted, jointly, at least one child while living together in a conjugal relationship; or
 - (3) one of them has adopted at least one child who is the child of the other, while living together in a conjugal relationship.

For the purposes of subparagraph (ii), the birth or adoption of a child prior to the period of conjugal relationship existing on the day as of which spousal status is established may qualify the person as a Spouse.

Saskatchewan

- (i) the person who is married to the Member; or
- (ii) if the Member is not married, the person with whom the Member is cohabiting at the relevant time and who has been cohabiting continuously with the Member as his spouse for at least one year prior to the relevant time.