

Division of Pension on Relationship Breakdown

This information is used to calculate a benefit and may be subject to independent verification. Please ensure dates of cohabitation and separation are agreed upon by both parties before requesting the calculation, as agreements/waivers signed using incorrect dates are not acceptable.

Please print clearly in BLUE INK

1. Personal Information

Member's last name _____ First name _____ Middle initial _____ Member's date of birth (yyyy/mm/dd) _____ Member ID number _____

Spouse/Common-law Partner's last name _____ First name _____ Middle initial _____ Spouse/Partner's date of birth (yyyy/mm/dd) _____

IMPORTANT: At date of separation, the above person was a legal **Spouse**, or the above person was a **Common-law Partner**.

2. Relationship Time Frame

NOTE: If a relationship breakdown occurs after June 30, 2004, any period of cohabitation immediately prior to the relationship is also subject to a division of pension.

Earliest Date cohabitation or marriage began: _____
Month _____ Day _____ Year _____

Date you first began living separate: _____
Month _____ Day _____ Year _____

Date of reconciliation (if applicable): _____
Month _____ Day _____ Year _____

Date of final separation: _____
Month _____ Day _____ Year _____

3a. Contact Information – Member

NOTE: We require written authorization (signed and witnessed by the Member) before we will communicate directly with legal representatives.

Plan Member (employee)

Member's street address _____

City/town _____ Province _____ Postal code _____

Telephone _____ E-mail _____

IMPORTANT: check box to keep this address confidential

Plan Member's Legal Representative

Name of legal representative _____

Street address _____

City/town _____ Province _____ Postal code _____

IMPORTANT: check box to have legal representative copied on all correspondence

3b. Contact Information – Spouse or Common-Law Partner

Information will be shared with your former Spouse or Common-law Partner. Please provide contact details.

Spouse or Common-law Partner

Spouse or Common-law Partner's street address _____

City/town _____ Province _____ Postal code _____

Telephone _____ E-mail _____

IMPORTANT: check box to keep this address confidential

Spouse or Common-law Partner's Legal Representative

Name of legal representative _____

Street address _____

City/town _____ Province _____ Postal code _____

IMPORTANT: check box to have legal representative copied on all correspondence

4. Authorization

Name of applicant: _____

signature

date

RELATIONSHIP BREAKDOWN

By submitting this *Division of Pension on Relationship Breakdown* form you will begin the process of splitting your pension with your Spouse or Common-law Partner.

You have three options if your relationship ends **before you retire**.

1. *50/50 credit split*: One half of the commuted value of your pension benefit earned during your period of marriage or common-law relationship will be transferred to a locked-in retirement account (LIRA) or another registered pension plan on behalf of your ex-spouse/partner (or paid in lump sum to the ex-spouse/partner in the case of a small pension). Your credited service earned during the period of marriage or common-law relationship will be reduced by one-half, and your contributions with interest up to the date of the division will be reduced by one-half.
2. *Split the difference*: If your former Spouse or Common-law Partner also belongs to a pension plan, you may divide the net difference between your pension benefit and your former Spouse or Common-law Partner's benefit, if you both agree in writing. Your credited service earned during the period of marriage or common-law relationship will be reduced proportionally, and your contributions with interest up to the date of separation will also be reduced proportionally.
3. *Opt out*: If both you and your former Spouse or Common-law Partner agree, you may opt out of dividing your pension benefit by submitting a written agreement to *The Winnipeg Civic Employees' Benefits Program*. The agreement must acknowledge
 - each party entered into it voluntarily,
 - both received independent legal advice, and
 - both received a statement from *The Winnipeg Civic Employees' Benefits Program* showing the value of your pension benefit earned during the period of marriage or common-law relationship.

Note: While your credited service is reduced under Option 1 and Option 2, your eligibility service is not affected. This reduces the amount of your pension at retirement, but does not affect when you qualify for early retirement benefits.

You have two options if your relationship ends **after you retire**.

1. *50/50 credit split*: Your former Spouse or Common-law Partner will receive a lifetime pension from *The Winnipeg Civic Employees' Pension Plan* equal to one-half of the portion of pension you earned during your marriage or common-law relationship. Your pension will be reduced by this amount.
2. *Opt out*: The mandatory division of your pension benefit may be waived if you and your former Spouse or Common-law Partner both agree to it in writing. The agreement must acknowledge
 - each party entered into it voluntarily,
 - both received independent legal advice, and
 - both received a statement from *The Winnipeg Civic Employees' Benefits Program* showing the value of your pension benefit earned during the period of marriage or common-law relationship.If waived, your former Spouse or Common-law Partner would continue to be entitled to the survivor benefit chosen at retirement if you predecease him/her.

COMMON-LAW RELATIONSHIPS

With respect to a division of pension, a common-law relationship is not recognized unless the *Plan Member* has registered a common-law partner on the prescribed form with *The Winnipeg Civic Employees' Benefits Program*, where the date cohabitation ceased was prior to July 1, 2004,

or

the common-law relationship between a *Plan Member* and a common-law partner ended after June 30, 2004.

A common-law partner is defined by *The Pension Benefits Act* as:

- a) a person who, with member or former member, registered a common-law relationship under section 13.1 of *The Vital Statistics Act*, or
- b) a person who, not being married to the member or former member, cohabited with him or her in a conjugal relationship
 - i) for a period of at least three years, if either of them is married, or
 - ii) for a period of at least one year, if neither of them is married.