

Form 4

Application for a Statement of Benefits for Former De Facto (Common Law) Spouses

Date of benefits valuation: Date of the end of the conjugal relationship
Spousal situation: Former de facto spouses

You can use this form if:

- you were recognized de facto spouses (see instructions);
- you and your spouse are no longer living together;
- you both want to know the total value of the benefits accumulated in a pension plan as at the date of the end of your conjugal relationship.

Note: If you also want to know the value of the portion of those benefits accumulated during your conjugal relationship (and not just the total value of the benefits as at the date of the end of your conjugal relationship), you must obtain the agreement of the plan administrator, since the administrator does not have to calculate it. Contact the administrator before making your application to be sure that the administrator agrees to make the calculation. The administrator's address can be found on the statement the plan member receives at regular intervals or you can ask the employer for the administrator's address.

Important information

You cannot use this form to **apply for a simulation** of the effects of partition of the employment earnings recorded under the Québec Pension Plan.

You must send this form to the **pension plan's administrator**, not to the Régie des rentes du Québec.

You do not have to use this form to make your application; it is provided for your convenience.

You can use this form only if the plan member works in Québec and the plan is subject to the Québec *Supplemental Pension Plans Act*.

Covered plans include pension plans offered by employers in the private and municipal sectors and some plans in the parapublic sector, whose activities are under Québec's provincial jurisdiction. The following plans are **not** covered:

- public and parapublic plans administered by the Commission administrative des régimes de retraite et d'assurances (CARRA);
- public and private plans under federal jurisdiction (banks, interprovincial transport and telecommunications, federal public service, etc.);
- group RRSPs.

Regardless of where a pension plan member lives, the place where he or she **works** while accumulating benefits in a pension plan determines whether the Québec *Supplemental Pension Plans Act* applies. This is the case, for example, for a person who works in Québec, even if his or her pension plan is administered outside Québec or is registered with a supervisory agency outside Québec.

Civil union spouses

The Québec *Supplemental Pension Plans Act* gives civil union spouses the right to obtain a statement of benefits after the institution of proceedings to dissolve or annul their civil union. However, the manner in which that right may be exercised has not yet been determined.

Form 4

Please print.

Information on the identity of the pension plan member

Family name		Given name	
Member's identification number			
Name of pension plan			
Address (number, street, apartment)			
City	Province	Country	Postal code
Telephone home	area code	other	area code extension

Information on the identity of the former de facto spouse

Family name		Given name	
Address (number, street, apartment)			
City	Province	Country	Postal code
Telephone home	area code	other	area code extension

Declaration of the dates of the beginning and end of the conjugal relationship

We hereby declare that the dates of the beginning and end of our conjugal relationship are the following:

Beginning

year	month	day
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 End

year	month	day
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 Member's signature

 Former de facto spouse's signature

* To be eligible to obtain a statement of benefits, you must have lived together for at least 3 years, or 1 year if a child was born or will be born of your union, or if you adopted a child.

Member's declaration of single status

I hereby declare that at the end of our conjugal relationship I was neither married, nor legally separated, nor in a civil union with the spouse specified in this application or with any other person.

Member's signature:

Document to enclose (if the conjugal relationship lasted from 1 to 3 years)

- **Proof that a child was born or will be born of the union or was adopted**

Note: This document is not necessary if the conjugal relationship lasted more than 3 years.

Applicant's signature

I hereby apply for a statement of the benefits accumulated under the pension plan.

Member's or former de facto spouse's signature

Given and family name	Date year month day
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Do not send this form to the Régie des rentes du Québec.

Send the completed form, with the required document if necessary, to the pension plan administrator.

Instructions - Form 4

Application for a Statement of Benefits for Former De Facto (Common Law) Spouses

This application must be sent to the **pension plan's administrator** and not to the Régie des rentes du Québec. The administrator's address can be found on the statement that the plan member receives at regular intervals or you can ask the employer for the administrator's address.

Note: To be eligible for benefit partition, you must both sign a written agreement **in the 12 months** that follow the end of your conjugal relationship. Thus it is useless to apply for a statement in order to reach an agreement if the time limit has already expired.

Once the administrator receives this form, the statement of benefits must be sent to the member **and** his or her former de facto spouse within **60 days**.

Requirements to be recognized as de facto spouses

To be recognized as de facto spouses (same sex or opposite sex), you must fulfill the following requirements:

- you lived in a de facto union for at least **3 years**, or **1 year** if a child was born or will be born of your union, or if you adopted a child; and
- the pension plan member must not have a spouse by marriage or by civil union. If the member is married and has obtained a judgment of separation from bed and board,* he or she is still considered to be married in the eyes of the law.

* A separation from bed and board is a legal separation which is pronounced by a court. If the member is married and has obtained a judgment of separation from bed and board, he or she is still considered to be married, unless he or she later obtains a judgment of divorce or civil annulment of marriage.

The following sections of the form allow us to determine whether you fulfill these requirements:

- Declaration of the dates of the beginning and end of the conjugal relationship
- Member's declaration of single status
- Document to enclose (if the conjugal relationship lasted from 1 to 3 years)

Information on the identity of the pension plan member

The family name, given name and home address of the pension plan **member** must be given.

If possible, you should also give the member's social insurance number, employee number or any other information that will enable the plan administrator to identify him or her.

If you know the name of the pension plan, it should also be given to facilitate finding the member's account information. The name of the plan is shown on the documents that the member receives from the plan administrator.

If possible, you should also give the member's telephone number so that the person who processes this application can rapidly contact him or her if the need arises.

Information on the identity of the former de facto spouse

The family name, given name and home address of the pension plan member's **former de facto spouse** must be given.

If possible, you should also give the former de facto spouse's telephone number so that the person who processes this application can rapidly contact him or her if the need arises.

Declaration of the dates of the beginning and end of the conjugal relationship

You must both sign this section. It is used to determine the duration and period of your conjugal relationship in order to:

- establish if you lived together long enough to be recognized as de facto spouses (see the section **Requirements to be recognized as de facto spouses**);
- calculate the value of the benefits accumulated in a pension plan as at the date of the end of your conjugal relationship.

Instructions - Form 4 (continued)
Application for a Statement of Benefits for Former De Facto (Common Law) Spouses

Member's declaration of single status

This section allows us to determine if you are recognized de facto spouses (see the section **Requirements to be recognized as de facto spouses**).

Only the pension plan member must sign this section.

Document to enclose (if the conjugal relationship lasted from 1 to 3 years)

To be recognized as de facto spouses when your conjugal relationship lasted from 1 to 3 years, you must provide proof that a child was born or will be born of your union, or that you adopted a child (see the section **Requirements to be recognized as de facto spouses**).

To prove the birth or adoption of your child, you can provide a copy of his or her birth certificate (full size) issued by the Registrar of Civil Status. Any other document proving that you have a child and acceptable to the pension plan administrator can be provided.

Note : The abridged birth certificate is not accepted because it does not indicate the names of the child's mother and father.

To obtain your child's birth certificate (full size), consult the Registrar of Civil Status's Internet site (www.etatcivil.gouv.qc.ca), under the heading "Certificate and copy of an act".

Applicant's signature

The application can be signed either by the plan member or by his or her former de facto spouse. However, regardless of who makes the application, the statement of benefits will be issued in two copies. One will be sent to the plan member and the other to his or her former de facto spouse.