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# PROSPECTS

Published by the Régie des rentes du Québec

## When someone close dies



Québec 

# IN THE EVENT OF DEATH WHAT DOES THE QUÉBEC PENSION PLAN OFFER?

*If you have worked all your life and have contributed to the Québec Pension Plan for most of your working life, it is likely that your family will be eligible to receive benefits under the Plan. These include a death benefit, a surviving spouse's pension and an orphan's pension. In the event of death, an application has to be filed within the time limit set by law. Death benefits and orphan's pensions are fixed amounts. Surviving spouse's pensions are based on your contributions to the Plan.*

## Are you eligible?

The death of a Québec Pension Plan contributor gives entitlement to pensions or benefits if the deceased had pensionable earnings for at least one third of the years in his or her contributory period (or working life), for a minimum number of years which can vary from 3 to 10. In Québec, all workers age 18 or over whose annual income is greater than 3 500 \$ contribute to the Québec Pension Plan. Since the Québec government has social security agreements with certain countries, participation by the deceased in the pension plan of another country can, in some cases, be taken into account in determining entitlement to benefits and the amount of such benefits. The same is true of contributions to the Canada Pension Plan.

Since survivors' benefits are not part of the deceased contributor's estate, survivors do not have to accept the estate in order to receive such benefits. As with any other amount paid by the Régie, death benefits, surviving spouse's pensions and orphan's pensions are, however, subject to both federal and provincial income tax. In the case of the death benefit, it is the estate that is taxed.

## Do you need to provide proof of death?

If the contributor was already receiving a retirement pension paid under the Québec Pension Plan, you do not need to provide proof of death unless the Régie requests it of you. Otherwise, a death certificate issued by the registrar of civil status certifying the date of the contributor's death and identifying him or her beyond all doubt must be submitted in the case of a death that occurred in Québec. If the death occurred elsewhere

in Canada, a proof of death issued by the province's demographic service is acceptable. If the contributor died in another country, similar documents issued by that country's authorities can also be considered to be proof.

Following a prolonged disappearance, or under special circumstances, an individual may be presumed to be dead by his or her relatives. As proof of the contributor's death, you must submit a declaratory judgment of death issued by the Superior Court. The court renders such judgments if requested by an interested party when a person's death can be considered to be certain but no body has been found, or when 7 years have elapsed since his or her disappearance.

**"If you have contributed to the Québec Pension Plan during your working life, your spouse and your children could be entitled to survivors' benefits following your death."**

## WHAT DOES "WORKING LIFE" MEAN?

Eligibility for survivors' benefits from the Régie des rentes du Québec is calculated on the basis of the number of years during which the deceased contributed to the Plan during his or her working life. The Régie considers that a person's working life begins either at age 18, or on 1 January 1966 for persons who were age 18 or over on that date, which is when the Plan took effect. In all cases, it ends when the contributor reaches age 70, retires, or dies.



# OUR WATCHWORDS: RELIABILITY, EMPATHY AND COURTESY

by Marie Bissonnette

Michel Tremblay and Suzanne Rioux,  
information clerks at the Régie des rentes du Québec

***If you believe that you are entitled to a death benefit, a surviving spouse's pension or an orphan's pension following the death of a loved one, you have 3 options: you can obtain a form (available at the Régie's offices, in funeral homes, etc.), complete it and mail it to or drop it off at a Régie office; you can call the Régie to have a form sent to you; or you can come to a Régie office to meet in person with a "front-line" clerk.***



Brigitte Ostiguy



Patrick McKay

***Mr. Michel Tremblay and Ms. Suzanne Rioux, respectively from Québec (city) and Montréal, are among the Régie's 135 information clerks, who spend each day helping clients deal with the Régie.***

Mr. Michel Tremblay and Ms. Suzanne Rioux, respectively from Québec (city) and Montréal, are among the Régie's 135 information clerks, who spend each day helping clients deal with the Régie. They often help people who are grieving the loss of a loved one. Their sole concern is to give their clients sound advice, to reassure them and to provide the courteous and considerate service to which all clients are entitled.

"It is not an exaggeration to say that we are 'on the front line' when someone dies. In fact, I have sometimes met clients on the day of a contributor's death", says Ms. Suzanne Rioux, an information clerk at the Montréal office. "Because of the death benefit, in particular, the Régie is often the first agency families contact to obtain help and information."

"Not all people react in the same way when they are bereaved. Some people are simply very sad, others may be bitter or angry, and many feel completely overwhelmed," notes Mr. Michel Tremblay, an information clerk at the Régie's Québec office.

So how do you prepare yourself to deal with such situations? "First of all, you do not become a front-line clerk overnight," explains Mr. Tremblay. When they begin, clerks are assigned to telephone information in the Régie's client services and they focus on a spe-

cific category of pensions or benefits. Gradually, they learn about other benefits, and in the end they work with survivors' benefits. Once you have enough telephone experience, you can move to the front-line service and meet with clients in person. Even then you move ahead step by step before you work with survivors' benefits."

All client services clerks at the Régie receive basic training on the Québec Pension Plan itself, of course, but they also are trained in a client-centered approach. "Then, to finish our training and help us to better meet clients' expectations, we are regularly offered more specialized training sessions, which can take the form of lectures, seminars and so forth," explains Mr. Tremblay. "In many cases, courses are made to measure: the subjects are chosen on the basis of the clerks' comments and the needs they have expressed, which means that they are very closely connected to our day-to-day reality."

And in day-to-day reality, why would someone choose to meet a clerk instead of mailing in his or her application? "Although the Régie has made an effort to simplify procedures, and even though everything can easily be taken care of by phone, a lot of people do not like to fill out forms by themselves. They come to see us to get help and to make sure that they do not make any

mistakes," explains Mr. Tremblay. "A large proportion of questions deal with specific aspects such as the contributor's eligibility, the amounts of benefits or the time it takes to process an application," Ms. Rioux acknowledges. "However, some people feel really overwhelmed. I am thinking mostly of people who have never had to deal with government administration before or who do not know what their rights are. Often the help we give them goes far beyond the context of the Québec Pension Plan. We refer them to other public or private services such as the Chambre des notaires du Québec or the Québec Ministère du Revenu for information regarding their other concerns."

In 1996, the Régie published its Client Services Charter in order to confirm its orientations for the future and its intention to make client services a priority. In it, the Régie commits itself (and its employees) to offering reliable, courteous, personalized and accessible services, simple procedures, adequate information about rights and responsibilities, efficient management and competent employees. "In fact, we only made official what we were already doing in our daily work!" Ms. Rioux concludes.

The Régie's clients can always count on properly trained, reliable, sympathetic, and thoughtful employees.

# The death benefit A LUMP-SUM PAYMENT FOR FUNERAL EXPENSES

***Priority for the death benefit paid under the Québec Pension Plan is given to the person or benevolent society that actually paid the funeral expenses. However, an application must be filed, enclosing proof of payment, within 60 days following the death.***

To be entitled to the death benefit, the deceased must have contributed to the Plan for at least one third of his or her active life for a minimum number of years, which can vary from 3 to 10. If an application for a death benefit cannot be accepted due to insufficient contributions, an application for a surviving spouse's pension and applications for orphan's pensions cannot be accepted either.

## Reimbursing expenses

Since 1 January 1998, the death benefit paid under the Québec Pension Plan when an eligible contributor dies is the same for all, that is, 2 500 \$. If the amount being claimed is less than 2 500 \$, the amount remaining is paid, in order of priority, to one of the following persons: the heirs who have not renounced the estate, the liquidator of the estate, the surviving spouse, the descendants or the ascendants. If the deceased prepaid the funeral expenses, or if the benefit is not claimed within the time allotted, the same principle applies for the whole amount of 2 500 \$.



## ADMISSIBLE FUNERAL EXPENSES



**The person who pays the eligible contributor's funeral expenses can apply to be reimbursed (up to a maximum of 2 500 \$) for expenses related to: transporting the body, embalming, purchasing a coffin, funerary urn and niche, exposing the body at a funeral home, the funeral service, the burial or cremation, the services of a funeral director, publishing a death notice, the gravestone, telephone or telegram expenses for contacting the immediate family, thank you cards and taxes for all of the above.**

## WHAT HAPPENS TO YOUR CONTRIBUTIONS TO PRIVATE PENSIONS PLANS WHEN YOU DIE ?

***The Québec Pension Plan is a public retirement savings plan that provides basic financial protection to workers after retirement or in the event of disability, and to their families in the event of death. In addition to this public plan, there are supplemental (private) pension plans under which employers and employees agree to make periodic contributions to a pension fund. The amounts accumulated and the interest earned are then returned to workers in the form of retirement pensions or to their spouses or heirs in the form of pensions or death benefits.***

### Death before retirement

Since 1 January 1990, the law has provided that the spouse of a member of a supplemental pension plan who dies before retiring, (or if there is no spouse, the beneficiary), is entitled to a benefit. Since this provision is not retroactive, the benefit is calculated in 2 portions. Each portion is generally paid in a lump sum:

1. For benefits accumulated since the *Supplemental Pension Plans Act* came into force in 1990, the amount of the benefit must be at least equal to what the member would have received if he or she had stopped contributing to the plan on the day of his or her death.
2. For benefits accumulated before 1990, the benefit must be equal to or greater than the amounts paid by the member before 1990 plus the interest accumulated between the time it was paid and the member's death.



# Surviving spouse's pension IT ALL DEPENDS ON YOUR MARITAL STATUS

## Married, de facto or separated

To be deemed to the deceased's surviving spouse and to be eligible for a surviving spouse's pension, you must have been:

- married, or
- the de facto spouse if the deceased was not married or was legally separated, or
- legally separated before 1 July 1989 and no other person can qualify as the de facto spouse, or legally separated between 1 July 1989 and 31 December 1993, have renounced partition of earnings and no other person can qualify as the de facto spouse.

The Régie des rentes du Québec will deem you to be the de facto spouse if you lived in a conjugal relationship with the deceased:

- during the 3 years preceding his or her death;
- for at least 1 year and a child was born or will be born of your union;
- for at least 1 year and you adopted a child together.

If you are receiving a surviving spouse's pension and you decide to remarry, you will not lose your entitlement to the pension. Should your second qualified spouse die, you can choose the highest of the 2 surviving spouse's pensions to which you are entitled. In no case can a person receive 2 surviving spouse's pensions at the same time.

If the contributor dies within 365 days following your marriage, you will have to prove to the Régie that his or her death could not have been foreseen at the time of your marriage to be entitled to a surviving spouse's pension. However, this does not apply if you were already living in a conjugal relationship for a period that adds up to a total of at least 3 years, before and after your marriage (or 1 year if you have a child together).

A surviving spouse's pension is paid by the Régie des rentes du Québec to the person whom the Régie considers to be the contributor's spouse, provided the deceased contributed sufficiently to the Plan during his or her working life. The amount of the pension varies depending on the total contributions made by the contributor, the surviving spouse's age, whether there are any dependent children, whether the surviving spouse is disabled and whether he or she is receiving a retirement or disability pension (see table).

Surviving spouse's pension Maximum monthly payments depending on your situation*	
Situation	Maximum
Under age 45, no dependent children	365,55 \$
Under age 45, one or more dependent children	591,97 \$
Under age 45, disabled with or without dependent children	616,04 \$
Between age 45 and 55, with or without dependent children	616,04 \$
Between age 55 and 65, with or without dependent children	678,89 \$
Age 65 or over, with or without dependent children, not receiving a retirement pension**	446,87 \$

\* Valid until 31 December 1998  
 \*\* If you are age 65 or over and you are receiving the maximum retirement pension, you may not be entitled to a surviving spouse's pension.

*Information clerks often help people who are grieving the loss of a loved one. Their sole concern is to give their clients sound advice, to reassure them and to provide the courteous and considerate service to which they are entitled.*

## Death after retirement

Under the Act, when the beneficiary of a retirement pension paid under a supplemental pension plan dies, his or her spouse is generally entitled to at least 60% of the pension that the deceased was receiving. However, eligibility for this pension varies depending on the plan and on the spouse's status at the time of the member's retirement and death.

## Additional security for your loved ones

The pensions and benefits provided for under supplemental pension plans help ensure the financial security of your loved ones following your death. At the end of 1997, more than one million Quebecers were contributing to a supplemental pension plan.

## Combined pension

As the beneficiary of a surviving spouse's pension, you may also be eligible for a retirement pension or a disability pension. If so, the Régie pays both pensions in a single monthly amount. New calculations are made and the total combined pension is not necessarily equal to the sum of the 2 pensions being combined.

# Orphan's pension

## FINANCIAL ASSISTANCE UNTIL AGE 18

***Each child of an eligible contributor to the Plan can benefit from the financial support of an orphan's pension until he or she reaches the age of majority, which is 18 in Québec. The pension is paid to the person or agency that provides for the needs of the child, or directly to the child if he or she is age 16 or over and supports himself or herself. The orphan's pension is a fixed amount that is indexed annually. In 1998, it is 53,91 \$ a month.***

To better reflect the reality of today's families, several factors are used to determine a child's eligibility for an orphan's pension. The Régie considers a contributor's child to be: a biological or adopted child, a stepchild who was living with the contributor, a child for whom the contributor took the place of the father or mother and who had been living with the contributor for at least 6 months, providing that no adult other than the person or his or her spouse was supporting the child, or a child whom the contributor supported. A child who is born within 300 days after the death of an eligible contributor can benefit from an orphan's pension if he or she meets the other conditions.

When a child is already receiving an orphan's pension, he or she cannot receive another orphan's pension, even if the other parent dies. If a pension for a disabled person's child was being paid before the death of the child's mother or father, an orphan's pension will replace it.



***An orphan's pension can be paid until a child's 25th birthday (but no later than 31 December 2000) if the child became entitled to the pension before 1 January 1994.***

### A POSTHUMOUS PENSION: THINK ABOUT IT

**A person between age 60 and 65 who dies before receiving a retirement pension may be entitled to a disability pension paid under the Québec Pension Plan if certain criteria are met, particularly having contributed sufficiently to the Plan during his or her working life. If a contributor who meets these criteria dies, the heirs could be entitled to a posthumous disability pension if they apply within 8 months following the death.**

**Under certain conditions, you can also receive a posthumous retirement pension for a contributor who died after his or her 65th birthday. You must file an application no later than 11 months following the death.**

### The personalized Statement of Participation WHERE DO YOU REALLY STAND?

Who does not stop one day and think seriously about retirement and the estate he or she will leave behind? These are crucial subjects that generally raise many questions. Is it realistic for you to take early retirement within the next 10 years? And if you should die before then or after retiring, would your family have sufficient income?

To help workers of all ages answer these questions, plan intelligently for retirement and ensure financial security for their loved ones, the Régie des rentes du Québec offers a personalized Statement of Participation to anyone who requests one. The statement helps you assess your current situation and make projections for the future. You will find the details of the employment earnings on which you have contributed to the Québec Pension Plan, which will enable you to estimate the income you can expect to have after retirement and the survivors' benefits to which your family may be entitled when you die.

If you would like a personalized Statement of Participation, complete an Application for a Statement of Participation in the Québec Pension Plan and mail it to: Régie des rentes du Québec, Service des cotisations, Case postale 5200, Québec, G1K 7S9. (A copy of the form is on the back cover of **Prospects**).



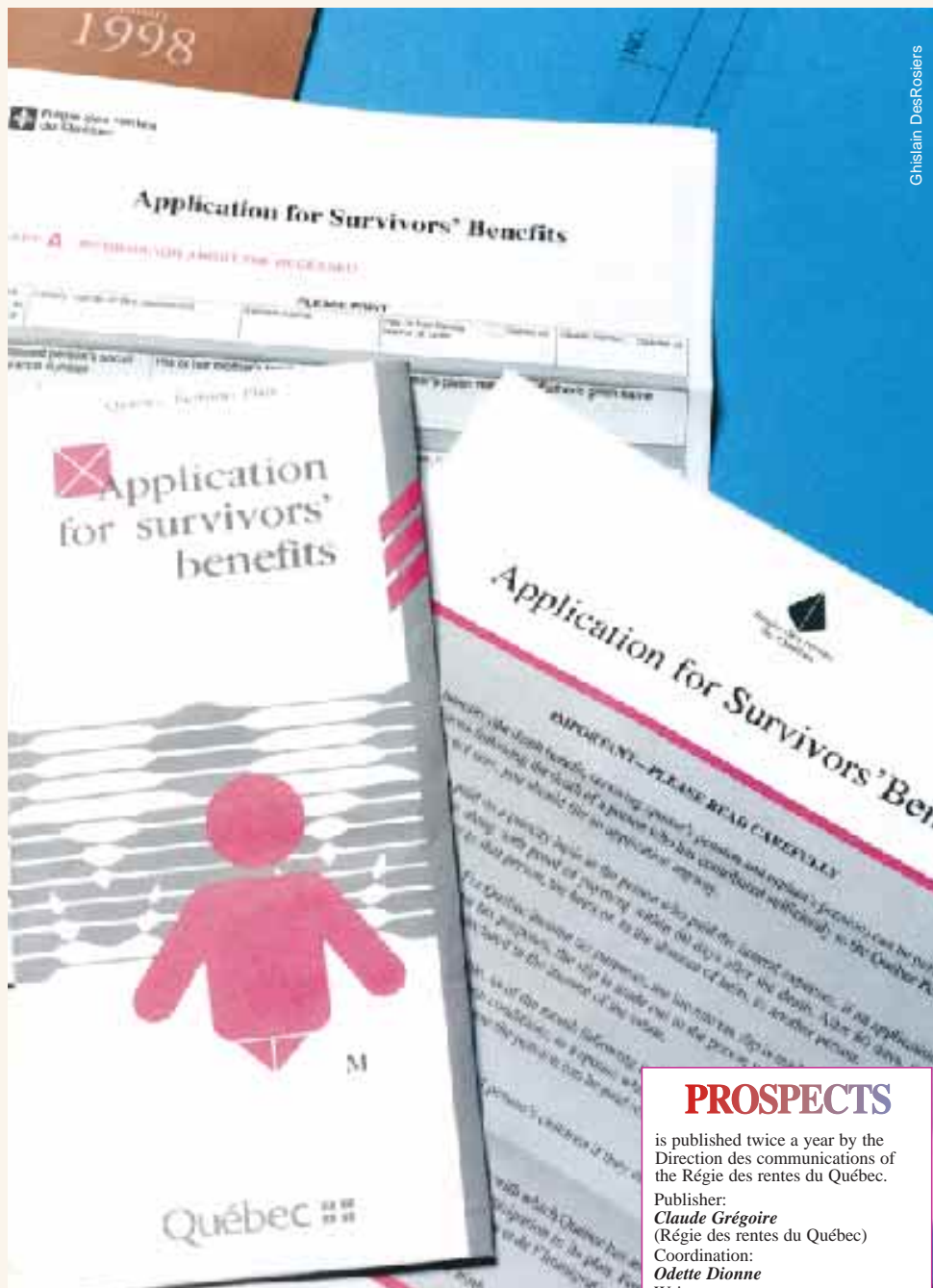
# Death benefit, surviving spouse's pension, orphan's pension

## JUST ONE APPLICATION FORM

**Applications for a death benefit, a surviving spouse's pension and an orphan's pension can all be made on one form at the same time. Depending on the type of application, your situation and the situation of the deceased contributor, you may have to enclose supporting documents with your application.**

Surviving spouse's and orphan's pensions are paid as of the month following the one in which the contributor died, provided the application is filed with the Régie within 12 months following the death. Once that period has elapsed, retroactive payments are limited to 12 months. For a posthumous disability pension, the application must arrive at the Régie no later than 8 months following the death. An application for a death benefit (for funeral expenses) must be filed by the person who paid the expenses within 60 days following the contributor's death and proof of payment must be enclosed. After 60 days, payment will be made to the heirs, if they apply first.

For all survivors' benefits, if the identification of the surviving spouse is not contested and there is no confusion, it takes the Régie less than 30 days to process an application. The decision includes the reasons that the Régie has for accepting or rejecting the application. If it is accepted, you will be informed of the month in which payment of your pension begins, the monthly amount to which you are entitled for the current year, the retroactive payment that you will receive, if any, etc. At the beginning of the year, you will receive a Relevé 2 slip indicating the amounts that you received during the preceding year as a beneficiary of the Québec Pension Plan, which you must enclose with your income tax return.



Ghislain DesRosiers

### Where can you obtain information?

Application forms are available at the Régie's client services centres, at Communication-Québec offices, in most funeral homes and at Caisses Desjardins. You can also obtain information by calling or meeting with a clerk at one of the Régie's offices. You do not need to make an appointment in advance. You can also visit the Régie's Internet site any time. The address is <<http://www.rrq.gouv.qc.ca>>.

### FOR FURTHER INFORMATION:

CALL THE RÉGIE DES RENTES DU QUÉBEC AT THE FOLLOWING NUMBERS:

(418) 643-5185 • QUÉBEC  
(514) 873-2433 • MONTRÉAL  
1 800 463-5185 • ELSEWHERE IN THE PROVINCE

### PROSPECTS

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Régie des rentes  
du Québec

# HOW MUCH WILL YOUR RETIREMENT BE?

To find out, apply for your Statement of Participation!

Complete the form below. Be sure to sign it.

Send the form to:

Régie des rentes du Québec  
Service aux cotisants  
Case postale 5200  
Québec G1K 7S9

A

# MOVE!

Québec

This is NOT a pension application form.  
Please print.

**APPLICATION FOR A STATEMENT OF PARTICIPATION  
IN THE QUÉBEC PENSION PLAN**

Family name

Sex

Male  M  
Female  F

Given name

Social insurance number

Address (number, street, boul., apt., etc.)

Date of birth

year month day

City

Province

Postal code

Telephone number at home  
area code

Telephone number at work  
area code

Language of correspondence

French  F  
English  E

BE SURE TO SIGN

Date \_\_\_\_\_ Contributor's signature \_\_\_\_\_

Did you directly receive in your own name  
family allowances for children under 7 years old  
who were born after 31 December 1958?  
(If you did, your pension may be higher.)

Child's given name

Date of birth  
year month day

Allowances received for the period

from 19  to 19

If more space is needed,  
attach another sheet.