

Valuation Guide

Transfer of Benefits between Spouses

Régie des rentes
Québec 

Direction des régimes de retraite

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Introduction

This document provides mathematical formulas for the various calculations that may be required to determine the value of the benefits accumulated in a supplemental pension plan that is subject to the *Supplemental Pension Plans Act*. It is published for information purposes only and in the all cases the provisions of the *Act* and the *Regulation respecting supplemental pension plans* prevail.

Part I shows the calculations that must be made to determine the **total** value of benefits at the end of the conjugal relationship in cases where that value is not known. The calculations are for that purpose only. To determine the value of the benefits **accumulated during marriage** and up to the end of the conjugal relationship in cases where that value is not known, a calculation must be made using the appropriate formula in Part II, without taking into account the total value determined using a formula in Part I.

The table of contents presents the various situations that are possible, first by dividing them as follows:

1. Pension benefits, followed by capital benefits;
2. Calculation at the date of institution of the action, followed by calculation at the end of the conjugal relationship.

Then the table of contents lists all the possibilities, beginning with the basic formula to be used where no special situation is encountered.

Please note that the table of contents lists more possibilities than the number of distinct formulas in the body of the document. Therefore, at the beginning of each formula, the various situations to which that formula applies are listed.

It must also be noted that the document gives separate formulas for pension benefits and for capital benefits even though the actual calculations are in fact often the same in both cases. This was done for convenience and to avoid any confusion. When the calculations are the same, the only difference between the two formulas is that one refers to “value” (for pension benefits) and “account balance” (for capital benefits).

Finally, the numbers at the end of each situation listed refer to the pertinent sections of the *Regulation respecting supplemental pension plans*.

Part I – Calculating total benefits values (total value)

Formula A

Pension benefits – Calculation at the end of the conjugal relationship
Value at the end of the conjugal relationship unknown – Mediation – 35.2

Total value of benefits =

$$\text{Value at the date of the application} \times \frac{\text{Total participation up to end of the conjugal relationship}}{\text{Total participation up to the date of the application}}$$

Formula B

Pension benefits – Calculation at the end of the conjugal relationship
Value at the end of the conjugal relationship unknown – No mediation – 44

Total value of benefits =

$$\text{Value at the date of institution of the action} \times \frac{\text{Total participation up to end of the conjugal relationship}}{\text{Total participation up to the date of institution of the action}}$$

Formula C

Capital benefits – Calculation at the end of the conjugal relationship
Account balance at the end of the conjugal relationship unknown – Mediation – 35.2

Total value of benefits =

$$\text{Account balance at the date of the application} \times \frac{\text{Total participation up to end of the conjugal relationship}}{\text{Total participation up to the date of the application}}$$

Formula D

Pension benefits – Calculation at end of the conjugal relationship
Account balance at end of the conjugal relationship unknown – No mediation – 44

Total value of benefits =

$$\text{Value at the date of institution of the action} \times \frac{\text{Total participation up to end of the conjugal relationship}}{\text{Total participation up to the date of institution of the action}}$$

Part II – Calculating benefits accumulated during marriage

Formula 1

Pension benefits – Calculation at the date of institution of the action

Basic rule – 40

or

Benefits include amounts transferred from another plan – Amounts transferred or participation in the disbursing plan unknown – 40

or

Previous partition – Value at the date of institution of the previous action* unknown – 42(2)

* institution or end of conjugal relationship, according to the date that was used at that time.

Value accumulated during marriage =

$$\begin{array}{r} \text{Value at the date of} \\ \text{institution of the action} \end{array} \times \frac{\text{Participation during the marriage up to the date of} \\ \text{institution of the action}}{\text{Total participation up to the date of institution of} \\ \text{the action}}$$

Formula 2

Pension benefits – Calculation at the date of institution of the action

Benefits include amounts transferred from another plan – Amounts transferred and participation in the disbursing plan known – 41

Value accumulated during marriage =

$$\left[\begin{array}{l} \text{Value at the date of} \\ \text{institution of the action} \end{array} \right] - \left[\begin{array}{l} \text{Amounts transferred + interest from} \\ \text{the transfer to the date of institution of} \\ \text{the action} \end{array} \right] \times \frac{\text{Participation in the receiving plan during the} \\ \text{marriage up to the date of institution of the action}}{\text{Total participation in the receiving plan up to the} \\ \text{date of institution of the action}}$$

+

$$\left[\begin{array}{l} \text{Amounts transferred + interest from the} \\ \text{transfer to the date of institution of the} \\ \text{action} \end{array} \right] \times \frac{\text{Participation in the disbursing plan during the} \\ \text{marriage up to the date of institution of the action}}{\text{Total participation in the disbursing plan up to the} \\ \text{date of institution of the action}}$$

Formula 3

Pension benefits – Calculation at the date of institution of the action

Previous partition – Value at the date of institution of the previous action* known – 42(1)

Value accumulated during marriage =

$$\left[\begin{array}{l} \text{Residual value at the} \\ \text{date of institution of the} \\ \text{current action} \end{array} \right] - \left[\begin{array}{l} \text{Value at the date of institution of the current} \\ \text{action of the residual pension at the date of} \\ \text{institution of the previous action**} \end{array} \right] \times \frac{\text{Participation during the last marriage up to} \\ \text{the date of institution of the current action}}{\text{Participation since the institution of the} \\ \text{previous action* up to the date of institution} \\ \text{of the current action}}$$

* institution or end of conjugal relationship, according to the date that was used at that time.

** by supposing that the capital, excluding interest, had been remitted at the date of the previous institution.

Formula 4

Pension benefits – Calculation at the end of the conjugal relationship – Value at the end of the conjugal relationship known

Basic rule – 35.2 or 44 and 40

or

Benefits include amounts transferred from another plan – Amounts transferred or participation in the disbursing plan unknown – 35.2 or 44 and 40

or

Previous partition – Value at the date of institution of the previous action* unknown – 35.2 or 44 and 42(2)

* institution or end of conjugal relationship, according to the date that was used at that time.

Value accumulated during marriage =

$$\text{Value at the end of the conjugal relationship} \times \frac{\text{Participation during the marriage up to the end of the conjugal relationship}}{\text{Total participation up to the end of the conjugal relationship}}$$

Formula 5

Pension benefits – Calculation at the end of the conjugal relationship – Value at the end of the conjugal relationship known
 Benefits include amounts transferred from another plan – Amounts transferred and participation in the disbursing plan known – 35.2
 or 44 and 41

Value accumulated during marriage =

$$\begin{aligned}
 & \left[\text{Value at the end of the conjugal relationship} \right] - \left[\text{Amounts transferred + interest from the transfer to the end of the conjugal relationship} \right] \times \frac{\text{Participation in the receiving plan during the marriage up to the end of the conjugal relationship}}{\text{Total participation in the receiving plan up to the end of the conjugal relationship}} \\
 & + \\
 & \text{Amounts transferred + interest from the transfer to the end of the conjugal relationship} \times \frac{\text{Participation in the disbursing plan during the marriage up to the end of the conjugal relationship}}{\text{Total participation in the disbursing plan up to the end of the conjugal relationship}}
 \end{aligned}$$

Formula 6

Pension benefits – Calculation at the end of the conjugal relationship – Value at the end of the conjugal relationship known
Previous partition – Value at the date of institution of the previous action* known – 35.2 or 44 and 42(1)

Value accumulated during marriage =

$$\left[\begin{array}{l} \text{Residual value at the end} \\ \text{of the current conjugal} \\ \text{relationship} \end{array} \right] - \left[\begin{array}{l} \text{Value at the date of the end of the current} \\ \text{conjugal relationship of the residual pension at} \\ \text{the date of institution of the previous action **} \end{array} \right] \times \frac{\text{Participation during the last marriage up to} \\ \text{the end of the current conjugal relationship}}{\text{Participation since the institution of the} \\ \text{previous action* up to the end of the current} \\ \text{conjugal relationship}}$$

* institution or end of conjugal relationship, according to the date that was used at that time.

** by supposing that the capital, excluding interest, had been remitted at the date of the previous institution.

Formula 7

Pension benefits – Calculation at the end of the conjugal relationship – Value at the end of the conjugal relationship unknown –
Mediation

Basic rule – 35.2 and 40

or

Benefits include amounts transferred from another plan – Amounts transferred or participation in the disbursing plan unknown – 35.2
+ 40

or

Previous partition – Value at the date of institution of the previous action* unknown – 35.2 and 42(2)

* institution or end of conjugal relationship, according to the date that was used at that time.

Value accumulated during marriage =

$$\text{Value at the date of the application} \quad \times \quad \frac{\text{Participation during the marriage up to the end of the conjugal relationship}}{\text{Total participation up to the date of the application}}$$

Formula 9

Pension benefits – Calculation at the end of the conjugal relationship – Value at the end of the conjugal relationship unknown –
Mediation

Previous partition – Value at the date of institution of the previous action* known – 35.2 and 42(1)

Value accumulated during marriage =

$$\left[\begin{array}{l} \text{Residual value at the date} \\ \text{of the current application} \end{array} \right] - \left[\begin{array}{l} \text{Value at the date of the current application of} \\ \text{the residual pension at the date of institution of} \\ \text{the previous action **} \end{array} \right] \times \frac{\text{Participation during the last marriage up to} \\ \text{the end of the current conjugal relationship}}{\text{Participation since the institution of the} \\ \text{previous action* up to the date of the current} \\ \text{application}}$$

* institution or end of conjugal relationship, according to the date that was used at that time.

** by supposing that the capital, excluding interest, had been remitted at the date of the previous institution.

Formula 10

Pension benefits – Calculation at the end of the conjugal relationship – Value at the end of the conjugal relationship unknown –
No mediation

Basic rule – 44 and 40

or

Benefits include amounts transferred from another plan – Amounts transferred or participation in the disbursing plan unknown – 44
and 40

or

Previous partition – Value at the date of institution of the previous action* unknown – 44 and 42(2)

* institution or end of conjugal relationship, according to the date that was used at that time.

Value accumulated during marriage =

$$\text{Value at the date of institution of the action} \times \frac{\text{Participation during the marriage up to the end of the conjugal relationship}}{\text{Total participation up to the date of institution of the action}}$$

Formula 11

Pension benefits – Calculation at the end of the conjugal relationship – Value at the end of the conjugal relationship unknown –
No mediation

Benefits include amounts transferred from another plan – Amounts transferred and participation in the disbursing plan known – 44 and 41

Value accumulated during marriage =

$$\begin{aligned}
 & \left[\text{Value at the date of institution of the action} \right] - \left[\text{Amounts transferred + interest from the transfer to the date of institution of the action} \right] \times \frac{\text{Participation in the receiving plan during the marriage up to the end of the conjugal relationship}}{\text{Total participation in the receiving plan up to date of institution of the action}} \\
 & \qquad \qquad \qquad + \\
 & \qquad \qquad \qquad \times \frac{\text{Participation in the disbursing plan during the marriage up to the end of the conjugal relationship}}{\text{Total participation in the disbursing plan up to the date of institution of the action}}
 \end{aligned}$$

Formula 12

Pension benefits – Calculation at the end of the conjugal relationship – Value at the end of the conjugal relationship unknown –
No mediation

Previous partition – Value at the date of institution of the previous action* known – 44 and 42(1)

Value accumulated during marriage =

$$\left[\begin{array}{l} \text{Residual value at the date} \\ \text{of institution of the} \\ \text{current action} \end{array} \right] - \left[\begin{array}{l} \text{Value at the date of institution of the current} \\ \text{action of the residual pension at the date of} \\ \text{institution of the previous action**} \end{array} \right] \times \frac{\text{Participation during the last marriage up to} \\ \text{the end of the current conjugal relationship}}{\text{Participation since the institution of the} \\ \text{previous action* up to the date of institution} \\ \text{of the current action}}$$

* institution or end of conjugal relationship, according to the date that was used at that time.

** by supposing that the capital, excluding interest, at the date of the institution of the previous institution.

Formula 13

Capital benefits – Calculation at the date of institution of the action

Basic rule – Account balance at the date of marriage known – 39(1)(a)

or

Balance includes amounts transferred from another plan – Amounts transferred or participation in the disbursing plan unknown –

Account balance at the date of marriage known – 39(1)(a)

or

Previous partition – Account balance at the date of the last marriage known – 43 and 39(1)(a)

Account balance at the date of institution of the action

—

Account balance at the date of marriage + interest from
the marriage to the date of institution of the action

Value accumulated during marriage

Formula 14

Capital benefits – Calculation at the date of institution of the action

Account balance at the date of marriage unknown – 39(2)

or

Early benefit paid during the marriage – Amount unknown – 39(2)

or

Transfer made during marriage for payment of a temporary income – Amount unknown – 39(2)

or

Balance includes amounts transferred from another plan – Amounts transferred or participation in the disbursing plan unknown –

Account balance at the date of marriage unknown – 39(2)

or

Previous partition – Account balance at the date of the last marriage unknown- Account balance at the date of institution of the previous action* unknown – 42(2)

* institution or end of conjugal relationship, according to the date that was used at that time.

Value accumulated during marriage =

$$\text{Account balance at the date of institution of the action} \times \frac{\text{Participation during the marriage up to the date of institution of the action}}{\text{Total participation up to the date of institution of the action}}$$

Formula 15

Capital benefits – Calculation at the date of institution of the action

Early benefit paid during the marriage – Amount known – 39(1)(b)

or

Transfer made during marriage for payment of a temporary income – Amount known – 39(1)(b)

$$\frac{\text{Account balance at the date of institution of the action}}{\text{Adjusted value at the date of marriage}^*}$$

Value accumulated during marriage

* Adjusted value at the date of marriage =

$$\left[\begin{array}{l} \text{Account balance at the date of marriage +} \\ \text{interest from the marriage to the date of} \\ \text{institution of the action} \end{array} \right] \times \left[\frac{\text{Account balance at the date of institution of the action}}{\text{Account balance at the date of institution of the action} + \text{Amount of the early benefit or transfer + interest from the date of payment to the date of institution of the action}} \right]$$

Formula 16

Capital benefits – Calculation at the date of institution of the action

Balance includes amounts transferred from another plan – Amounts transferred and participation in the disbursing plan known – 41

Value accumulated during marriage =

$$\left[\begin{array}{l} \text{Account balance at the} \\ \text{date of institution of} \\ \text{the action} \end{array} \right] - \left[\begin{array}{l} \text{Amounts transferred + interest from} \\ \text{the transfer to the date of institution of} \\ \text{the action} \end{array} \right] \times \frac{\text{Participation in the receiving plan during the} \\ \text{marriage up to the date of institution of the action}}{\text{Total participation in the receiving plan up to the} \\ \text{date of institution of the action}}$$

+

$$\left[\begin{array}{l} \text{Amounts transferred + interest from the} \\ \text{transfer to the date of institution of the} \\ \text{action} \end{array} \right] \times \frac{\text{Participation in the disbursing plan during the} \\ \text{marriage up to the date of institution of the action}}{\text{Total participation in the disbursing plan up to} \\ \text{the date of institution of the action}}$$

Formula 17

Capital benefits – Calculation at the date of institution of the action

Previous partition – Account balance at the date of the last marriage unknown – Account balance at the date of institution of the previous action* known – 42(1)

Value accumulated during marriage =

$$\left[\begin{array}{l} \text{Account balance at the} \\ \text{date of institution of the} \\ \text{current action} \end{array} \right] - \left[\begin{array}{l} \text{Account balance at the date of institution of} \\ \text{the previous action* – capital remitted at the} \\ \text{date of the last partition**+ interest from the} \\ \text{date of institution of the previous action* to} \\ \text{the date of institution of the current action} \end{array} \right] \times \frac{\text{Participation during the last marriage up to} \\ \text{the date of institution of the current action}}{\text{Participation since the institution of the} \\ \text{previous action* up to the date of institution} \\ \text{of the current action}}$$

* institution or end of conjugal relationship, according to the date that was used at that time.

** excluding interest

Formula 18

Capital benefits – Calculation at the end of the conjugal relationship – Account balance at the end of the conjugal relationship known

Basic rule – Account balance at the date of marriage known – 35.2 or 44 and 39(1)(a)

or

Balance includes amounts transferred from another plan – Amounts transferred or participation in the disbursing plan unknown –

Account balance at the date of marriage known 35.2 or 44 and 39(1)(a)

or

Previous partition – Account balance at the date of the last marriage known – 35.2 or 44 and 43 and 39(1)(a)

$$\frac{\text{Account balance at the end of the conjugal relationship} - \text{Account balance at the date of marriage} + \text{interest from the marriage to the end of the conjugal relationship}}{\text{Value accumulated during marriage}}$$

Formula 19

Capital benefits – Calculation at the end of the conjugal relationship – Account balance at the end of the conjugal relationship known
Account balance at the date of marriage unknown – 35.2 or 44 and 39(2)

or

Early benefit paid during the marriage – Amount unknown – 35.2 or 44 and 39(2)

or

Transfer made during marriage for payment of a temporary income – Amount unknown – 35.2 or 44 and 39(2)

or

Balance includes amounts transferred from another plan – Amounts transferred or participation in the disbursing plan unknown –
Account balance at the date of marriage unknown – 35.2 or 44 and 39(2)

or

Previous partition – Account balance at the date of the last marriage unknown – Account balance at the date of institution of the
previous action* unknown – 35.2 or 44 and 42(2)

* institution or end of conjugal relationship, according to the date that was used at that time.

Value accumulated during marriage =

Account balance at the end of the conjugal
relationship

X

Participation during the marriage up to the end of the conjugal
relationship

Total participation up to the end of the conjugal relationship

Formula 20

Capital benefits – Calculation at the end of the conjugal relationship – Account balance at the end of the conjugal relationship known
 Early benefit paid during the marriage – Amount known – 35.2 or 44 + 39(1)(b)

or

Transfer made during marriage for payment of a temporary income – Amount known – 35.2 or 44 and 39(1)(b)

$$\frac{\text{Account balance at the end of the conjugal relationship}}{\text{Adjusted value at the date of marriage*}} = \text{Value accumulated during marriage}$$

* Adjusted value at the date of marriage =

$$\left[\begin{array}{l} \text{Account balance at the date of marriage +} \\ \text{interest from the marriage to the end of the} \\ \text{conjugal relationship} \end{array} \right] \times \left[\frac{\text{Account balance at the end of the conjugal relationship}}{\text{Account balance at the end of the conjugal relationship} + \text{Amount of the early benefit or transfer + interest from the payment to the end of the conjugal relationship}} \right]$$

Formula 22

Capital benefits – Calculation at the end of the conjugal relationship – Account balance at the end of the conjugal relationship known
 Previous partition – Account balance at the date of the last marriage unknown – Account balance at the date of institution of the
 previous action* known – 35.2 or 44 and 42(1)

Value accumulated during marriage =

$$\left[\begin{array}{l} \text{Account balance at the} \\ \text{end of the conjugal} \\ \text{relationship} \end{array} \right] - \left[\begin{array}{l} \text{Account balance at the date of institution of the} \\ \text{previous action* – capital remitted at the date} \\ \text{of the previous partition**+ interest from the} \\ \text{date of institution of the previous action* to the} \\ \text{end of the conjugal relationship} \end{array} \right] \times \frac{\text{Participation during the last marriage up to} \\ \text{the end of the current conjugal relationship}}{\text{Participation since the institution of the} \\ \text{previous action* up to the end of the current} \\ \text{conjugal relationship}}$$

* institution or end of conjugal relationship, according to the date that was used at that time.

** excluding interest

Formula 23

Capital benefits – Calculation at the end of the conjugal relationship – Account balance at the end of the conjugal relationship
unknown – Mediation

Basic rule – 35.2 and 39(2)

or

Early benefit paid during the marriage – 35.2 and 39(2)

or

Transfer made during marriage for payment of a temporary income – 35.2 and 39(2)

or

Balance includes amounts transferred from another plan – Amounts transferred and participation in the disbursing plan unknown –
35.2 and 39(2)

or

Previous partition – Account balance at the date of institution of the previous action* unknown – 35.2 and 42(2)

* institution or end of conjugal relationship, according to the date that was used at that time.

Value accumulated during marriage =

$$\text{Account balance at the date of the application} \times \frac{\text{Participation during the marriage up to the end of the conjugal relationship}}{\text{Total participation up to the date of the application}}$$

Formula 25

Capital benefits – Calculation at the end of the conjugal relationship – Account balance at the end of the conjugal relationship unknown – Mediation

Previous partition – Account balance at the date of institution of the previous action* known – 35.2 and 42(1)

Value accumulated during marriage =

$$\left[\text{Account balance at the date of the application} \right] - \left[\text{Account balance at the date of institution of the previous action*} - \text{capital remitted at the date of the previous partition**} + \text{interest from the date of institution of the previous action* to the date of the application} \right] \times \frac{\text{participation during the last marriage up to the end of the current conjugal relationship}}{\text{participation since the institution of the previous action* up to the date of the current application}}$$

* institution or end of conjugal relationship, according to the date that was used at that time.

** excluding interest

Formula 26

Capital benefits – Calculation at the end of the conjugal relationship – Account balance at the end of the conjugal relationship

unknown – No mediation

Basic rule – 44 and 39(2)

or

Early benefit paid during the marriage – 44 and 39(2)

or

Transfer made during marriage for payment of a temporary income – 44 and 39(2)

or

Balance includes amounts transferred from another plan – Amounts transferred or participation in the disbursing plan unknown – 44 and 39(2)

or

Previous partition – Account balance at the date of institution of the previous action* unknown – 44 and 42(2)

* institution or end of conjugal relationship, according to the date that was used at that time.

Value accumulated during marriage =

$$\text{Account balance at the date of institution of the action} \times \frac{\text{Participation during the marriage up to the end of the conjugal relationship}}{\text{Total participation up to the date of institution of the action}}$$

Formula 28

Capital benefits – Calculation at the end of the conjugal relationship – Account balance at the end of the conjugal relationship unknown – No mediation

Previous partition – Account balance at the date of institution of the previous action* known – 44 + 42(1)

Value accumulated during marriage

$$\left[\begin{array}{l} \text{Account balance at the} \\ \text{date of institution of the} \\ \text{action} \end{array} \right] - \left[\begin{array}{l} \text{Account balance at the date of institution of the} \\ \text{previous action* – capital remitted at the date} \\ \text{of the previous partition**+ interest from the} \\ \text{date of institution of the previous action* to the} \\ \text{date of institution of the action} \end{array} \right] \times \frac{\text{Participation during the last marriage up to the} \\ \text{end of the current conjugal relationship}}{\text{Participation since the institution of the} \\ \text{previous action* up to the date of institution of} \\ \text{the action}}$$

* institution or end of conjugal relationship, according to the date that was used at that time.

** excluding interest