



Form 3

[Subsection 34(4) of *The Pension Benefits Act, 1992*]

SPOUSE’S WAIVER OF 60% POST-RETIREMENT SURVIVOR BENEFIT

I, _____
(print or type full name of spouse)

certify that I am the spouse (within the meaning of clause 2(1)(ff) of *The Pension Benefits Act, 1992*) of

(print or type full name of member or former member)

(hereinafter called “the pensioner”) who is a member or former member of a registered pension plan that is subject to the provisions of *The Pension Benefits Act, 1992*.

1. I understand that, in the absence of this waiver, on the death of the pensioner, I am entitled to a pension of at least 60% of the original amount of the pension payable to the pensioner;
2. I also understand and declare that, by signing this waiver:
 - (a) I am giving up my entitlement, on the death of the pensioner, to a pension of at least 60% of the original amount of the pension payable to the pensioner;
 - (b) I am permitting the pensioner to receive a pension that does not comply with section 34 of *The Pension Benefits Act, 1992*; and
 - (c) on the death of the pensioner, I may receive no pension or may receive a pension of less than 60% of the original amount of the pension payable to the pensioner.
3. I certify that this waiver is being signed freely and voluntarily without any compulsion on the part of the pensioner and outside the immediate presence of the pensioner.
4. I understand that this waiver is not valid if it is signed more than 90 days before pension commencement.
5. I understand that I may revoke this waiver at any time before pension commencement by providing written notice to the administrator of the pension plan or issuer of the contract, as the case may be.

In witness whereof, I sign this waiver at _____

this _____ day of _____ 20 _____ in the presence of

(print or type name of witness)

of _____
(address of witness)

(Signature of witness)

(Spouse’s signature)

COMMENTS AND INSTRUCTIONS
FORM 3
SPOUSE'S WAIVER OF 60% POST-RETIREMENT SURVIVOR BENEFIT

This waiver must be completed by the spouse of a member or former member (hereinafter called "the pensioner") of a pension plan, that is subject to the provisions of *The Pension Benefits Act, 1992* (the *Act*), where the spouse wishes to waive his or her entitlement to the post-retirement survivor benefit provided under section 34 of the *Act*.

The post-retirement survivor benefit provided under the *Act* ensures that, on the death of a pensioner, the surviving spouse will continue to receive a lifetime benefit of at least sixty per cent of the pension that was being paid to the pensioner. The pensioner may elect a pension that does not offer this survivor benefit only if the spouse completes and signs this waiver.

Under *The Pension Benefits Act, 1992*, a spouse is the spouse of a former member at the day on which the pension is payable to the former member. "Spouse" means:

- (a) a person who is married to a member or former member; or
- (b) if a member or former member is not married, a person with whom the member or former member is cohabiting as spouses at the relevant time and who has been cohabiting continuously with the member or former member as his or her spouse for at least one year prior to the relevant time.

This waiver must be completed and signed by the spouse if the pensioner has assets in:

- a registered pension plan;
- a locked-in retirement account contract; or
- a registered retirement income fund contract;

and the pensioner wishes to elect a form of pension that does not provide the spouse with a survivor benefit of at least sixty per cent of the pension payable to the pensioner.

The waiver must be:

- completed in its entirety;
- signed outside of the immediate presence of the pensioner;
- signed by the spouse and witnessed not earlier than 90 days prior to the date that the pension payments are to commence; and
- filed with:
 - (a) the administrator of the registered pension plan if the assets are still held by the plan; or
 - (b) the financial institution that issued the locked-in retirement account contract or the registered retirement income fund contract holding the assets of the pensioner.

The waiver may be revoked at any time prior to the commencement of the pension payments by providing notice in writing to the administrator of the registered pension plan or the issuer of the contract.

We strongly urge the spouse to seek independent legal advice before signing this waiver.