



## IMPORTANT

You may want to get legal advice before completing the form.

You (the Plan Member and the spouse/former spouse of the Plan Member) may use this form as a joint declaration of the starting date of your spousal relationship (for example, if you do not have a marriage certificate) and/or the separation date (Family Law Valuation Date) of your spousal relationship.

If you and your spouse/former spouse have chosen to provide two Family Law Values under **Appendix A** of the **Application for Family Law Value (FSCO Family Law Form 1)**, you should not complete **Part D** of this form. [Note: "Family Law Value" means "imputed value" under the Ontario *Pension Benefits Act*.]

Send this form to the pension plan administrator (Plan Administrator) with your **Application for Family Law Value (FSCO Family Law Form 1)**. **DO NOT SEND THIS FORM TO THE FINANCIAL SERVICES COMMISSION OF ONTARIO (FSCO)**.

Information required in this form is set out in sections 21(2)4 to 21(2)7 of [Ontario Regulation 287/11](#).

## Part A Pension Plan Information

Identify the pension plan. The name and registration number of the pension plan will usually be found in pension plan brochures, member booklets and the annual pension statements given to the Plan Member. The Plan Administrator can also give you this information.

If you know the name of the employer, union, or professional association sponsoring the pension plan, the plan registration number or plan name, you can also search for information about the Plan Administrator on FSCO's website ([www.fSCO.gov.on.ca](http://www.fSCO.gov.on.ca)). Go to the [FSCO Pension Plan Information Access](#) web page and click on Pension Plan Information Access. Please note that not all pension plans are listed on FSCO's website.

If you need further assistance in obtaining information about a pension plan that is registered with FSCO, contact FSCO at (416) 226-7776 or toll-free at 1-800-668-0128 (extension 7776).

## Part B Plan Member and Plan Member's Spouse/Former Spouse Information

Identify who you are by filling in your names. You must be the Plan Member and the spouse/former spouse of the Plan Member who are identified in **Part C** and **Part D** of the **Application for Family Law Value (FSCO Family Law Form 1)**.

## Part C

### Confirmation of the Starting Date of our Spousal Relationship (Married or Common-Law)

**Complete** this Part if you and your spouse/former spouse are jointly declaring the starting date of your spousal relationship. **Do not complete** this Part if you are providing the following:

- a certified copy of your marriage certificate; or
- a certified copy of a court order, family arbitration award or domestic contract that specifies the starting date of your spousal relationship.

The “starting date” of your spousal relationship is explained in section 17 of Ontario Regulation 287/11.

You and your spouse/former spouse must provide the starting date of your spousal relationship (which may be a date that was determined by a court). For married spouses/former spouses, the starting date of your spousal relationship will be your marriage date unless you have agreed otherwise in a domestic contract or a different date was determined by the arbitrator in your family arbitration award. The starting date cannot be a date that is earlier than the date when you and your spouse/former spouse started living together in a common-law relationship, or later than your marriage date.

**IMPORTANT:** Any change to the starting date of your spousal relationship will require you to file a new **Application for Family Law Value (FSCO Family Law Form 1)** and must be accompanied by all required documents and the fee (if any).

## Part D

### Confirmation of our Separation Date (Family Law Valuation Date)

**Complete** this Part if you and your spouse/former spouse are jointly declaring your separation date (Family Law Valuation Date).

**Do not complete** this Part:

- if you are providing a certified copy of a court order, family arbitration award or domestic contract that specifies your separation date; or
- if you and your spouse/former spouse have chosen to provide two Family Law Valuation Dates under **Appendix A** of the **Application for Family Law Value (FSCO Family Law Form 1)**.

Family Law Valuation Date is defined in section 67.1(1) of the [Ontario Pension Benefits Act](#).

#### (a) Married Spouses

If you are/were married, the Family Law Valuation Date is your valuation date under Part 1 (Family Property) of the [Ontario Family Law Act](#). This date is the earliest of the following, in accordance with section 4(1) of the *Ontario Family Law Act*:

1. The date you separated from your spouse and there was no reasonable prospect that you would resume cohabitation.
2. The date your divorce was granted.
3. The date your marriage was declared a nullity.
4. The date one of you commenced an application based on subsection 5(3) (improvident depletion) that was subsequently granted.
5. The date before the date on which one of you died leaving the other spouse surviving.

(b) **Common-Law Spouses**

Your Family Law Valuation Date is the date you separated from your spouse and there was no reasonable prospect that you would resume cohabitation.

**IMPORTANT:** Any change to the date when you separated from your spouse/former spouse will require you file a new **Application for Family Law Value (FSCO Family Law Form 1)** and must be accompanied by all required documents and the fee (if any).

### Joint Declaration

You and your spouse/former spouse must sign, print your names and date this form in the presence of a witness. You may each have your own witness. Note that your witness:

- may not be your spouse/former spouse;
- must be at least 18 years of age;
- must **see you sign** this form; and,
- must also sign, print his/her name and date this form immediately after seeing you sign and date this form (this means that you and your witness must sign on the same date).