



IMPORTANT

You may want to get legal advice before completing the Application Form.

Complete the Application Form if you are the spouse/former spouse (married or common-law) of a Retired Member who is identified in **Part D** of the **Statement of Family Law Value (FSCO Family Law Form 4E)**, and you want to receive your share of the Retired Member's pension. The Retired Member does not have to complete any Part of the Application Form.

Use:

- the information provided by the Plan Administrator in the **Statement of Family Law Value (FSCO Family Law Form 4E)**; and
- the information provided in your court order, family arbitration award or domestic contract that was made on or after January 1, 2012, and sets out your share of the pension.

If you received a **Statement of Family Law Value (FSCO Family Law Form 4A, 4B, 4C or 4D)**, do not complete this Application Form. Instead, complete the **Application to Transfer the Family Law Value (FSCO Family Law Form 5)**.

You cannot use the Application Form if:

- you have not received your **Statement of Family Law Value** from the Plan Administrator;
- you do not have a certified copy of a court order, family arbitration award or domestic contract that was made on or after January 1, 2012, and provides for the division of the Retired Member's pension; or
- the Retired Member's pension is no longer in the pension plan.

Send your completed Application Form to the Plan Administrator. The Plan Administrator is identified in **Part B** of the **Statement of Family Law Value (FSCO Family Law Form 4E)**. **DO NOT SEND THE APPLICATION FORM TO THE FINANCIAL SERVICES COMMISSION OF ONTARIO (FSCO)**.

Information required in the Application Form is set out in section 67.4 of the [Ontario Pension Benefits Act](#) and section 35 of the [Ontario Regulation 287/11](#).

Part A

Pension Plan Information

Complete the information about the pension plan. You can find this information in **Part B** of the **Statement of Family Law Value (FSCO Family Law Form 4E)**.

Part B Former Spouse of the Retired Member Information

Provide information about yourself, including your social insurance number. The Plan Administrator requires this information for tax reporting purposes and to report your pension income to the Canada Revenue Agency.

If you have authorized your lawyer or someone else to communicate and receive information from the Plan Administrator on your behalf under the **Contact Person Authorization (FSCO Family Law Form 3)**, provide the name of this person.

If you are acting on behalf of the former spouse of the Retired Member under a power of attorney for property or a court order, identify who you are and provide your contact information.

Part C Retired Member Information

Complete the information about the Retired Member. You can find the Retired Member's employee or pension plan identification number under **Part C** of the **Statement of Family Law Value (FSCO Family Law Form 4E)**.

Part D Pension Division Information

Check the box that applies to you and fill in the required information based on your court order, family arbitration award or domestic contract.

The "Family Law Value" is the "imputed value" under the Ontario *Pension Benefits Act*. Your court order, family arbitration award or domestic contract may refer to the imputed value. If it does, it is the same as your Family Law Value.

The amount you report in this Part must be the same as the amount reported in your court order, family arbitration award or domestic contract.

The Family Law Valuation Date identified in **Part D** must be the same date as the Family Law Valuation Date that is noted under **Part A** of the **Statement of Family Law Value (FSCO Family Law Form 4E)**. If you are providing a different Family Law Valuation Date, you will have to get a new Family Law Value calculation by completing another **Application for Family Law Value (FSCO Family Law Form 1)**, which must be accompanied by all required documents and the fee (if any).

If the Plan Administrator finds a conflict or discrepancy between the wording of the court order, family arbitration award or domestic contract and the information that you provide under this Part, the Plan Administrator may not be able to pay your share of the pension until the matter is resolved.

The court order, family arbitration award or domestic contract should specify whether or not you will be entitled to any indexation that will be applied to the Retired Member's pension payments.

Note: The court order, family arbitration award or domestic contract cannot entitle you to an amount that exceeds 50 percent of the Family Law Value related to the pension payable to the Retired Member. The Plan Administrator may not pay you more than the maximum share permitted by law.

Part E Selected Division Option

Before you complete this Part, you need to refer to **Part E** of the **Statement of Family Law Value (FSCO Family Law Form 4E)** to find out what options are available to you.

Below is a description of each option:

Division of the Retired Member's Pension

- (i) Division of the lifetime pension: You will receive your share of the Retired Member's pension as specified in your court order, family arbitration award or domestic contract. **If the Retired Member dies before you, you may be entitled to receive a survivor benefit** in accordance with the election made by the Retired Member at the time of retirement and the terms of the pension plan.
- (ii) Division of the bridging/supplemental benefit (if any): You will receive your share of the Retired Member's temporary bridging/supplemental benefit as specified in your court order, family arbitration award or domestic contract.

Transfer to a Registered Retirement Savings Plan (RRSP), a Registered Retirement Income Fund (RRIF) or cash payment.

This option is only available for payment resulting from shortened life expectancy of the Retired Member and/or payment of surplus (if any).

Combination Option

You can only choose this option if the pension plan provides this option and the Retired Member is receiving a pension that is paid in a joint and survivor form.

With this option, you will receive a pension that is paid for your lifetime that is independent from the pension that is paid to the Retired Member. This pension will have a value at the Family Law Valuation Date equal to your share of the Family Law Value of the Retired Member's pension and the Family Law Value of your survivor benefit.

If you choose this option, you must complete **Part G** of the Application Form and waive your right to receive a survivor benefit after the death of the Retired Member.

Part F Required Documents

You must provide the Plan Administrator with a certified copy of a court order, family arbitration award or domestic contract that contains the Family Law Valuation Date and provides for the division of the Retired Member's pension.

By checking the box for a court order or family arbitration award, you are also certifying that you are providing the Plan Administrator with the final document that is not subject to appeal or review by a court.

You must also provide the Plan Administrator with any other applicable documents that are listed under "**Next Steps**" in the **Statement of Family Law Value (FSCO Family Law Form 4E)**. List the additional documents that you are including with your Application Form in this Part.

Part G

Waiving My Right to the Survivor Benefit Payable to Me After the Death of the Retired Member in Order to Select the Combination Option Pension

You must complete this Part if you chose the combination option under **Part E** of the Application Form.

You must sign, print your name and date the Application Form in the presence of a witness. Note that your witness:

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

If you are acting on behalf of the former spouse of the Retired Member under a power of attorney for property or a court order, you may sign on his/her behalf.

Part H

Confirmation and Direction

You must sign, print your name and date the Application Form in the presence of a witness. Note that your witness:

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

If you are acting on behalf of the former spouse of the Retired Member under a power of attorney for property or a court order, you may sign on his/her behalf. A contact person cannot sign the Application Form unless the contact person has also been granted power of attorney for property, or is authorized to do so by a court order.

Once the Plan Administrator receives your completed Application Form, including all required documents, you will receive your share of the Retired Member's pension within 60 days.