

## Canada Post Corporation Registered Pension Plan Spousal relationship breakdown checklist

Like your house, car or bank account, your pension is a family asset under provincial property law. In the event of a marriage or common-law relationship breakdown, the Pension Centre requires specific information from you and your spouse, former spouse or former common-law partner to accurately administer your pension. Use this checklist to guide you through the details, documents and actions that are required.

If you are the spouse, former spouse or former common-law partner of a member, please contact the Pension Center for more information.

Please consult a family law lawyer before making any decisions regarding your pension. The Pension Centre can provide the information you need to make an informed decision, but cannot provide you with legal or financial advice.

Inform the Pension Centre as soon as possible in the event of a marriage or common-law relationship breakdown so we can provide you with accurate pension information. Waiting until your termination of employment or retirement to report it can cause **important delays in processing and paying your pension**.

At the time of termination of employment or retirement, you are required to complete a *Declaration of Marital Status* form.

### **On your initial call to report your spousal relationship breakdown, the Pension Centre will require:**

- Your name, employee ID, and date of birth.
- Province of residence at separation.
- Your spouse, former spouse or former common-law partner's name and date of birth.
- The start and end date of your marriage or common-law relationship.
- Also, you are required to update your marital status record in Employee Self Serve (ESS) or by calling AccessHR.
- Based on the information you provide, the Pension Centre will send you a personalized marriage breakdown information kit. This kit contains preliminary information and general marriage breakdown settlement options.

### **Once the allocation of family assets is finalized, you are required to forward to the Pension Centre:**

- Certified copies of any legal documents. We require the full court order or written agreement describing the agreed upon arrangements on the division of pension at source (an excerpt is not sufficient). This is most commonly a separation agreement, but it could be any written agreement between you and your spouse, former spouse or former common-law partner assigning, or not, a share of the pension.
- A written request to divide the pension, if the legal documents provide for the distribution of property. This request must be submitted by you, your current spouse, former spouse, former common-law partner, or lawyer.
- Where applicable, a certification from counsel should state that the document is still in full force and effect and that in respect of a court order, all appeals from that order have been finally determined or the time for appealing has expired.
- If the request for division is not made jointly by you and your spouse, former spouse or former common-law partner, the Pension Centre must notify the non-requesting party and provide that person with a copy of the court order or agreement submitted in support of the request.

**The following are examples of legal documents you may have:**

- Separation Agreement	- Consent Order
- Court Order	- Projet d'accord
- Divorce Order	- Consentement (Convention) sur les mesures accessoires
- Divorce Certificate	- Agreement on corollary relief measures
- Family Arbitration Award	- Decree Nisi
- Minutes of Settlement	- Decree Absolute
- Marriage Certificate	

If there are no legal documents that deal with the division of family property, we will accept a sworn affidavit, prepared by a lawyer or notary, that confirms there is no requirement to divide your pension at source due to your marriage or common-law relationship breakdown, and there is no change to your full entitlement to your pension benefit. The sworn affidavit must include:

- your name and date of birth
- name and date of birth of spouse/former spouse/former common-law partner
- date of marriage or start of cohabitation
- date of separation or divorce, and
- confirmation that there are no divorce order regarding the marriage (where applicable), no separation agreement between the two parties, and that there are no other orders or agreements regarding pension entitlement or pension division.

**Other information:**

- It is not sufficient to indicate that your pension is to be split, XX% between Date A and Date B, as there are several calculation methods available, each of which offers its own benefits.
- The Pension Centre is not in a position to determine the commuted value of the pension benefits at the date of spousal relationship breakdown. If necessary, you will need to use the services of an independent actuary at your own expense.
- If you are a resident of British Columbia, court orders and separation agreements that require pension division in accordance with the British Columbia *Family Law Act* must be handled in accordance with the detailed rules for pension division set out in this *Act*.
- If you are a resident of Ontario, the valuation and distribution (division) of pensions pursuant to spousal relationship breakdown must be handled in accordance with the family law provisions set out in the Ontario *Family Law Act* and the Ontario *Pension Benefits Act*.
- If you are retired and already in receipt of pension benefits, the only payment option permitted by law is to split the pension payments. To do so, you may need to use the services of an independent actuary, at your own expense. Your spouse, former spouse or former common-law partner will receive a percentage of your pension as a monthly pension.

<b>Mail all documents to:</b>	<b>Pension Centre phone inquiries:</b>
Canada Post Pension Centre PO Box 2073 Mississauga ON L5B 3C6	1-877-480-9220 1-866-370-2725 (TTY) 613-683-5908 (Outside North America)
Note: indicate your employee number on all documents	

For additional information or questions, please call the Pension Centre.

The official Plan text governs the actual benefits from the Plan and is the final authority in any case of dispute.