

We confirm that each of us is aware of the following:

- (a) the benefits are valuable;
- (b) pension plans are complicated;
- (c) securing the interest in the benefit is important to each of us, particularly with respect to providing us with income in old age;
- (d) each of us has read this form and understands it;
- (e) no one has put any pressure on either of us to sign this form;
- (f) each of us realizes that
 - (i) this form only gives a general description of the legal rights either of us has under the *Family Law Act* and the *Pension Benefits Standards Act* and the regulations to those Acts, and
 - (ii) if either of us wishes to understand exactly what our legal rights are we must read the *Family Law Act*, and the *Pension Benefits Standards Act* and the regulations to those Acts, and/or seek legal advice;
- (g) there may be tax implications to this agreement that should be addressed;
- (h) if the pension/annuity has already commenced, the administrator/annuity issuer will make no adjustments to the payments already made under the pension/annuity. We will need to address between ourselves any compensation for payments made before the administrator/annuity issuer is able to implement the divisions of benefits;
- (i) we must provide further documents or evidence of entitlement as reasonably requested by the administrator/annuity issuer;
- (j) each of us is entitled to a copy of this form.

Each of us is signing this form to have the benefits divided under Part 6 of the *Family Law Act*.

Signed _____
(member/annuitant)

Signed _____
(spouse)

Date _____

Date _____

Signed _____
(witness)

Signed _____
(witness)

Name of witness _____

Name of witness _____

Address of witness _____

Address of witness _____

Comments and Instructions:

Dividing benefits under Part 6 of the *Family Law Act* requires an agreement between the parties, or an order, that provides for that division. The agreement or order must set out dates to be used for determining the portion of the benefits that are subject to division. This form can be used by the parties for that purpose and if signed by them constitutes an agreement under section 127 of the *Family Law Act* to divide the benefits.

When dealing with valuable assets, obtaining legal advice is usually considered prudent. This form is not a substitute for legal advice.