

# Guide to the Application for a Statement of Benefits – Married or Civilly United Spouses

## Valuation of benefits accrued under a public-sector pension plan

### General information

This guide is solely for the use of spouses subject to the rules pertaining to **partition of family patrimony**. It is provided for information purposes and does not supersede the provisions of the laws and regulations in effect. Be sure to read it carefully as it answers most questions concerning the Application for a Statement of Benefits. You should also consult our publication *In the Event of the Breakdown of your Union*, available on our website. This form is prescribed under section 150 of the *Act respecting the Government and Public Employees Retirement Plan* (CQLR, chapter R-10). You must use the form to file an application regarding one of the public-sector pension plans we administer. Your application will be valid for all public-sector pension plans in which you have accrued benefits.

The application for a Statement of Benefits for married or civil union spouses determines, as at the valuation date, the total value of the benefits that a person has accrued in each of his or her public-sector plans as well as the value of the amounts accrued during a marriage or civil union.

A member who is contributing or has contributed to a plan, a retiree, a spouse of one of those persons or an authorized representative can file an application for a Statement of Benefits for married or civilly united spouses.

The application can be made upon instituting proceedings for a legal separation, divorce, annulment of marriage, payment of a compensatory allowance or dissolution or annulment of a civil union. It is also possible to apply for a Statement of Benefits in the course of family mediation carried out by a mediator certified by the Ministère de la Justice.

The following persons are not subject to partition of family patrimony and therefore cannot receive a Statement of Benefits:

- spouses who married before 1 July 1989 and who expressed, by notarial deed, before 1 January 1991, their wish not to be subject to partition of family patrimony;
- married or civilly united spouses who renounced partition by notarial deed or judicial declaration and recorded the renunciation in the register of personal and movable real rights;
- married spouses who, before 15 May 1989, stopped living together and settled the consequences of their separation by means of a written agreement or otherwise, except in cases where they resumed living together;
- married spouses who, before 15 May 1989, filed an application for legal separation, divorce, annulment of marriage or payment for a compensatory allowance;
- de facto spouses.

### Employer's declaration

In order to process your application, we require information from the employer for whom you were working as at the valuation date. The Application to Request Participation Data from an Employer (form RSP-390A) allows you to ask your employer to complete and return the Attestation de l'employeur pour le partage des droits accumulés dans un régime de retraite du secteur public (form RSP-205; French only). The form must be completed, unless the person is no longer a plan member or is already receiving a retirement pension at the date on which the valuation is to be completed.

## Benefits valuation date

The benefits valuation date must correspond to one of the following:

- the **date on which the conjugal relationship ended**, which must be confirmed in a court judgment; **OR**
- the **date of the institution of proceedings** for divorce, legal separation, annulment of marriage, payment of a compensatory allowance, or a dissolution or annulment of a civil union. The date of the institution of proceedings is the date on which the proceedings are filed at the office of the Superior Court of Québec; **OR**
- the **date shown on a notarized joint declaration**, in cases where civil union spouses have had a dissolution of a civil union recognized before a notary. **Important:** this situation refers to spouses in a civil union, not a civil marriage. The civil union has existed in Québec since 24 June 2002.

In the case of spouses who did not institute proceedings, but are in family mediation with a certified mediator, the only date permitted for the purpose of determining the value of the benefits is the date on which the conjugal relationship ended.

Where the date on which the conjugal relationship ended is the date chosen by the spouses as the valuation date, it must be confirmed by the court as the date requested for the partition of benefits accrued under a pension plan. In the absence of a court judgment, or if the court judgment does not show the date on which the conjugal relationship ended, we will not be able to pay the benefits on that date; the date of institution of proceedings will be considered and we will have to carry out a second valuation.

Therefore, before applying for a Statement of Benefits, it is important that you ensure the benefits valuation date given is the same date that is or will be stipulated in the judgment or notarized joint declaration.

Married spouses must provide the date on which they resumed living together. That date must be provided by married spouses who, before 15 May 1989, had stopped living together and settled by means of a written agreement or otherwise the consequences of their de facto or legal separation, and who resumed living together before the current procedure for legal separation, divorce, marriage annulment or payment of a compensatory allowance.

## Deadline for issuing a Statement of Benefits

We will provide both spouses with a Statement of Benefits within 90 days of the date on which we receive this application for a Statement of Benefits (form RSP-388A), the Attestation de l'employeur pour le partage des droits accumulés dans un régime de retraite du secteur public (form RSP-205; French only) and all other required documents.

## Access to documents held by public bodies and the protection of personal information

The personal information collected in this form is necessary to study the application. Failure to provide the requested information in the mandatory sections may result in a delay or a refusal to process your application. Only our authorized personnel will have access to it when necessary to carry out their duties and it is only disclosed to other persons or agencies for verification in cases provided for by law. It can also be used for research, assessment, analysis or survey purposes. Pursuant to the *Act respecting Access to documents held by public bodies and the Protection of personal information*, you may consult your personal information and have it corrected.

## For more information

### Online

[www.retraitequebec.gouv.qc.ca](http://www.retraitequebec.gouv.qc.ca)

### By telephone

Québec region: 418 643-4881  
Toll-free: 1 800 463-5533

To obtain a Statement of Benefits accrued under the spouse's pension plan, a separate application must be filed. In accordance with the regulations, Retraite Québec provides both spouses with a copy of each Statement of Benefits for which they have applied.

Please print.

### 1. Identification of the member who is contributing or has contributed to the plan, or the retiree

Please note that the identification number is an individual number that we use to identify each member of a public-sector pension plan. The identification number can be provided in place of a Social Insurance Number. It can be found on your Statement of Participation.

Social Insurance Number		Identification number	
		1 7	
Sex	Family name	Given name	
<input type="checkbox"/> F			
<input type="checkbox"/> M	Family name at birth (if different)	Date of birth	
		year	month day
Address (number, street, apartment or Post Office Box)			
City	Province	Country	Postal code
Telephone	Language of correspondence		
Home <small>area code</small>	Other <small>area code</small>	<input type="checkbox"/> French	
Work <small>area code</small>	Extension	<input type="checkbox"/> English	

### 2. Identification of the spouse

Social Insurance Number		Identification number	
		1 7	
Sex	Family name	Given name	
<input type="checkbox"/> F			
<input type="checkbox"/> M	Family name at birth (if different)	Date of birth	
		year	month day
Address (number, street, apartment or Post Office Box)			
City	Province	Country	Postal Code
Telephone	Language of correspondence		
Home <small>area code</small>	Other <small>area code</small>	<input type="checkbox"/> French	
Work <small>area code</small>	Extension	<input type="checkbox"/> English	

### 3. Identification of the applicant's authorized representative (if applicable)

Family name		Given name	
Name of legal firm or business name (if applicable)			
Address (number, street, apartment or Post Office Box)			
City	Province	Country	Postal Code
Telephone area code	Extension	Fax area code	

### 4. Confirmation of the mandate of the accredited mediator

Family name		Given name	
Address (number, street, apartment or Post Office Box)			
City	Province	Country	Postal code
Telephone area code	Extension	Fax area code	
I declare that I am an accredited mediator and that I have the spouses' mandate to carry out family mediation.			
Signature _____		Date <input type="text"/> year <input type="text"/> month <input type="text"/> day <input type="text"/>	

### 5. Benefits valuation date

**Important:** You must give one date only. Note that the date requested below for the notarized joint declaration is for the use of civil union spouses only.

Date the conjugal relationship ended:  year  month  day

**OR**

Date of the institution of proceedings:  year  month  day

**OR**

Date shown on the notarized joint declaration:  year  month  day

## 6. Documents to be enclosed

Please check below the documents enclosed with your application (be sure to provide clear and legible copies of all documents):

Certificate or copy of an act of marriage or civil union

Date on which you resumed living together, if applicable (refer to the guide):

year	month	day

If you are in mediation:

Confirmation of the mandate of a mediator certified by the Ministère de la Justice

If you are not in mediation, one of the following documents:

Application for divorce

Application for annulment of marriage

Application for legal separation

Application for payment for a compensatory allowance

Application for dissolution of a civil union

Application for annulment of a civil union

**OR**

Judgment, if rendered before 1989 or outside Québec

Please note that if a judgment was rendered or a notarial deed issued in Québec after 1989, you do not need to provide it to us because our authorized personnel can access it.

## 7. Other information

Please check the box that corresponds to your situation, if any:

A judgment was rendered.  A notarial deed was issued.

## 8. Declaration of the applicant or authorized representative

Your name

If you are the authorized representative, please check the box that indicates the person for whom you are filing this application:

Person who is contributing or has contributed to the plan, or the retiree  Spouse

**By sending this form, I hereby certify that the information is complete and accurate.**

### Important

You must send your employer the duly completed Application to Request Participation Data from an Employer (form RSP-390A) as soon as possible. If there is more than one employer concerned, you must send a copy of the form to each one.

Each employer must then complete and send us the Attestation de l'employeur pour le partage des droits accumulés dans un régime de retraite du secteur public (form RSP 205; French only) unless, at the date on which the valuation is to be completed, we were already paying the person mentioned in Section 1 a retirement or disability pension.



Send us this form and the required documents online at

[www.retraitequebec.gouv.qc.ca](http://www.retraitequebec.gouv.qc.ca).

**Your application will be processed faster and the postal delay will be eliminated.**

If you are unable to use the online service, please return the form and required documents to:  
Retraite Québec, case postale 5500, succursale Terminus, Québec (Québec) G1K 0G9