

# Guide to the Application for Payment of the Value of Accrued Benefits Under a Public-Sector Pension Plan

Married, Civilly United and De Facto Spouses

## General information

This guide is for married spoused, civilly united, de facto spouses and persons authorized to represent them. It is provided for information purposes only and does not supersede the applicable legislation. We suggest that you read it carefully, since it contains answers to most questions you may have regarding this application form.

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 it for all public-sector pension plans that we administer.

You must apply for a statement of benefits using form RSP-387A or RSP-388A before you can apply for payment of the value of benefits accrued under a public-sector pension plan.

The application for payment of the value of accrued benefits applies to:

- **married spouses, for the purposes of the partition of family patrimony**, further to a judgment granting them a legal separation, divorce, annulment or payment of a compensatory allowance;
- **civilly united spouses, for the purposes of the partition of family patrimony**, further to a judgment granting them the annulment or dissolution of the civil union. Spouses who have had their civil union dissolved by a notarial deed can also apply for the payment of benefits;
- **de facto spouses**, after they have both signed an agreement on the partition of the benefits accrued by the active member, non-active member or retiree. This agreement between de facto spouses must be signed within 12 months following the date on which they stopped living together and made before a notary or lawyer, or by means of a joint declaration under oath.

The active member, non-active member, retiree, spouse or an authorized representative can apply for payment of the value of benefits.

## Identification of the authorized representative

In section 3, you must provide information about the lawyer, notary or accredited mediator mandated by the applicant to represent him or her. Retraite Québec may contact the representative to obtain information and send him or her a copy of the correspondence produced during the processing of the application. Note that **you do not necessarily need representation** to apply for the payment of benefits.

## Documents to be enclosed

The documents to be enclosed with your application are listed in section 4. The application for the payment of benefits and related documents are required to process your application for the payment of the benefits. During our analysis of these documents, we will contact you if we need additional information or, in exceptional cases, an original document.

## General information (continued)

- For **married spouses and spouses in a civil union**

You must send us the certificate of non-appeal or the certificate of divorce from the legal proceedings. If your judgment was rendered outside Québec, you must enclose a copy with your application. However, if a judgment was rendered or a notarial deed was issued in Québec after 1989, you do not have to enclose it, because our authorized personnel has access to it.

- For **de facto spouses**

You must send us the agreement between the de facto spouses concerning the partition of the benefits accrued in a public-sector pension plan made before a lawyer or notary or by means of a joint declaration under oath. The agreement must be signed within 12 months following the date you stopped living together. If you stopped living together after 31 August 1990, but before 1 January 2019, you have 12 months following the latter date to reach an agreement on the partition of benefits.

### Confirmation of amounts awarded to the spouse

Once we receive the application for payment of the value of benefits, Retraite Québec will send the spouse a written confirmation of the amounts awarded to him or her so that the necessary arrangements can be made with a financial institution. The confirmation will also be sent to the active member, non-active member or retiree who will thus be informed of the amount of the reduction in value of his or her pension benefits or, if applicable, of the pension he or she is already receiving.

### Payment methods

The amounts awarded to the spouse will be transferred to the financial institution of his or her choice in one of the following investment vehicles:

- An annuity contract;
- A locked-in retirement account (LIRA). The contract must be made in accordance with the standard contract registered at Retraite Québec by the financial institution chosen;
- A life income fund (LIF). The provisions of the LIF must be in accordance with the standard contract registered at Retraite Québec by the financial institution chosen;
- A registered retirement savings plan (RRSP) or a registered retirement income fund (RRIF). Transfer to an RRSP or RRIF is possible only when the amounts awarded originate from the right of the active member, non-active member or retiree to a refund of contributions.

Within 60 days of the mailing of the letter confirming the amounts awarded, the applicant or representative must have taken the steps required for the transfer and provided us with a copy of the contract signed with the financial institution, and the Canada Revenue Agency form T2151, Direct Transfer of a Single Amount Under Subsection 147(19) or Section 147.3.

We will transfer the amounts awarded to the spouse within 120 days following the expiry of the 60-day period. If the spouse does not indicate his or her choice and does not take the steps required within the time limit prescribed, Retraite Québec will transfer the amounts to the financial institution with which it has reached an agreement for that purpose and will inform the spouse accordingly.

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

The personal information collected on this form is needed to study your application. Failure to provide the requested information in the mandatory sections may result in a delay or a refusal to process your application. Only authorized employees have access to the information 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



An identification number is assigned to each member of a public-sector pension plan. This number, which is indicated on your Statement of Participation, can be used instead of your Social Insurance Number.

Please print.

**1. Information on the active member, non-active member or retiree**

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	
area code			
Home	Other	<input type="checkbox"/> French	
area code	area code	<input type="checkbox"/> English	
Work	Extension		

**2. Information on 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	
area code			
Home	Other	<input type="checkbox"/> French	
area code	area code	<input type="checkbox"/> English	
Work	Extension		

### 3. Information about the authorized representative, if applicable

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

### 4. Documents to be enclosed

Please indicate below which document you have enclosed with this application, based on your situation, and provide a clear and legible copy.

#### For married or civilly united spouses

- Certificate of divorce
- Certificate on non-appeal of the judgment (for judgments other than judgments of divorce)

If your judgment was rendered in Québec after 1989, the Ministère de la Justice will send us a copy. However, **if your judgment was rendered outside Québec or before 1989**, you must enclose a copy with your application.

- Judgment rendered outside Québec or before 1989, if applicable

#### For de facto spouses

- Agreement between de facto spouses signed by both spouses and made before a notary or lawyer or by means of a joint declaration under oath

**Important:** The documents checked must be enclosed for the application to be processed.

### 5. 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 declare that the information provided is complete and accurate.**



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