

# Form 9

## Spousal Consent to Transfer to a LIF or to a Variable Benefit

### ► Why complete this form?

Complete this form if all of the following statements are true:

- You are the spouse of one of the following:
  - a member or former member of a pension plan
  - the owner of a locked-in retirement account (LIRA) or of a life income fund (LIF)
- You live with your spouse.
- Your spouse earned the pension while working in Nova Scotia for an organization that is regulated by the Province of Nova Scotia.
- Your spouse wants to make one of the following transfers:
  - a transfer of their pension benefits, LIRA, or LIF to the variable pension benefits provision of their defined contribution pension plan
  - a transfer of pension benefits or LIRA to a LIF
- You consent to the transfer of your spouse's pension moneys to a LIF or variable benefit.

**Before you complete this form**, you should have a private conversation with your own lawyer about how this consent affects your individual rights.

### 1 ► Give information about the pension plan, LIRA, or LIF

Name of plan / LIRA/ LIF: \_\_\_\_\_

Registration / account number: \_\_\_\_\_

Name of the administrator / financial institution: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Town or city: \_\_\_\_\_

Postal code: \_\_\_\_\_ Phone number: \_\_\_\_\_

### 2 ► Give information about the member, former member, or owner

Last name: \_\_\_\_\_

First name: \_\_\_\_\_ Middle name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Town or city: \_\_\_\_\_

Postal code: \_\_\_\_\_ Phone number: \_\_\_\_\_

Date of birth (yyyy/mm/dd): \_\_\_\_\_

### 3 ► Give information about the spouse

Last name: \_\_\_\_\_

First name: \_\_\_\_\_ Middle name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Town or city: \_\_\_\_\_

Postal code: \_\_\_\_\_ Phone number: \_\_\_\_\_

**4 ▶ Sign the certification and consent**

**I certify** that I am the spouse of \_\_\_\_\_, the member, former member, or owner named in this form.

**I understand** that that the member wants to do one of the following:

- transfer their pension benefits to a LIF
- transfer their LIRA to a LIF
- transfer their pension benefits to the variable pension benefits provision of their defined contribution pension plan
- transfer their LIRA or LIF to the variable benefits provision of their defined contribution pension plan

**I understand** that the member or former member needs my consent to do any of the actions listed in the previous paragraph and that by signing this form I give my consent.

**I understand** that transferring the pension benefit to a LIF or to the variable benefits account will allow my spouse to manage the pension fund and will allow some flexibility in determining when the money is spent.

**I understand** that a LIF or variable benefits account will allow my spouse to withdraw some of the money each year and that, as a result, there may be much less income available to me in later years.

**I understand** that any money in the LIF or in the pension plan may be used to buy a life annuity but that my spouse is not required to buy a life annuity at any time.

**I understand** that if funds are used to buy a life annuity, the life annuity must be a joint and survivor annuity.

<b>Signature of spouse:</b> _____	<b>Date (yyyy/mm/dd):</b> _____
<b>Signature of witness:</b> _____	<b>Date (yyyy/mm/dd):</b> _____

This consent must be signed before a witness who must be at least 18 years of age. They must see you sign the form above, date, and complete the Witness' Information below immediately after seeing you sign and date this form. **The witness cannot be your spouse.**

**5 ▶ Give information about the witness**

Last name: \_\_\_\_\_  
First name: \_\_\_\_\_ Middle name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Town or city: \_\_\_\_\_  
Postal code: \_\_\_\_\_ Phone number: \_\_\_\_\_

**6 ▶ Give this consent to the administrator of the pension plan or the financial institution that looks after the owner's LIRA or LIF.**

**Do not** give this consent to the Department of Finance and Treasury Board, Pension Regulation Division

**Note:** This consent comes into effect ONLY AFTER it is delivered to the administrator of the pension plan or the financial institution that looks after the owner's LIRA or LIF.

*It is an offence under the Criminal Code for anyone to knowingly make or use a false document with the intent that it be acted upon as genuine.*

*This form is approved by the Superintendent of Pensions under the Pension Benefits Act.*

**Questions?** email [pensionreg@novascotia.ca](mailto:pensionreg@novascotia.ca)

## **How we define spouse, former member, owner, financial institution, and consent**

### **Spouse**

- The person you are married to.
- The person you are married to, if the marriage hasn't been legally ended.
- The person you thought you were married to, if you are still living together.
- The person you thought you were married to, if you have lived together within the last 12 months.
- The person you are living with as a registered domestic partner under the Vital Statistics Act.
- The person you have been living with in a conjugal relationship for at least one year, if neither of you are married to someone else.
- The person you have been living with in a conjugal relationship for at least three years, even if one or both of you are married to someone else.

**Member** – member of a pension plan

**Former member** – a person who is entitled to pension benefits and

- is no longer employed by the organization that provides the pension
- is no longer a member of the pension plan

**Note:** A person who had the right to some pension benefits earned by a spouse and is no longer in a relationship with that spouse is NOT considered a former member.

**Owner** – the owner of a locked-in retirement account (LIRA) or a life income fund (LIF)

**Financial institution** – a bank, a credit union, an insurance company, or any organization that invests money in financial assets

**Consent** – permission or approval to do something