

**COMMENTS AND INSTRUCTIONS**

This form must be completed by the spouse or common-law partner of:

- a member of a pension plan, or
- a member-owner of a Life Income Fund (LIF)
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who wishes to make an application for a one-time transfer of up to 50% of the balance in one or more of his or her pension plans or LIFs to a prescribed Registered Retirement Income Fund.

**Prior to completing this form, the spouse or common-law partner should consider obtaining independent legal advice concerning his or her individual rights and the effect of this waiver as well as qualified financial advice about the financial consequences.**

This form must be:

- completed in its entirety;
- signed by the spouse or common-law partner, and witnessed while the member-owner is not present;
- filed with the administrator;
- used for benefits earned under a pension plan subject to *The Pension Benefits Act* of Manitoba and Regulation; and
- before money is transferred to another vehicle permitted under the Regulation, provided to the administrator of the vehicle receiving the money.

For further information please contact the administrator.

**Definitions****Administrator**

Means in relation to a pension plan, the person or body of persons responsible for administering the plan, and in relation to a Locked-in Retirement Account (LIRA), LIF or Prescribed RRIF, the financial institution responsible for administering the fund.

**Common-law partner of a member or former member-owner means**

(a) a person who, with the member or former member, registered a common-law relationship under section 13.1 of *The Vital Statistics Act*, or

(b) a person who, not being married to the member or former member, cohabited with him or her in a conjugal relationship

(i) for a period of at least three years, if either of them is married, or

(ii) for a period of at least one year, if neither of them is married.

**Member**

Means an employee or former employee who is accruing or entitled to a pension under a pension plan, but is not yet retired and receiving a pension under the plan.

**Member-owner**

Means the individual identified in the LIF contract as the annuitant who as a former member of a pension plan transferred a pension benefit credit directly or indirectly to that LIF.

**Prescribed RRIF**

Means a personal retirement income fund as defined in the Income Tax Act (Canada) that is also subject to certain rules set out in Manitoba's Pension Benefits Act and Regulations. Funds in a prescribed RRIF are not locked in.

**One-time Transfer**

Means the unlocking of up to 50 percent of the balance of a member's pension plan or member-owner's LIF and a one-time transfer of that balance to a prescribed Registered Retirement Income Fund (RRIF).

**Spouse**

Where used in relation to another spouse means the person who is married to that other spouse, and "spouses" mean two persons who are married to each other.

**FORM 4  
CONSENT TO ONE-TIME TRANSFER OF  
MANITOBA LOCKED-IN MONEY**

*The Pension Benefits Act, Section 21.4, Pension Benefits Regulation, Division 4 of Part 10*

I, \_\_\_\_\_, am the spouse or common-law partner  
(as described above) of \_\_\_\_\_  
(name of member or member-owner)

The member or member-owner earned benefits under a pension plan subject to *The Pension Benefits Act* of Manitoba (Act) and Regulation, and was employed in Manitoba on the day he or she ceased to be an active member of the plan.

I understand that under the Act

- the member or member-owner may make a one-time transfer to unlock up to 50% of the value of his or her pension benefit credit under a pension plan, **or** his or her balance in one or more Life Income Funds (LIFs) to a Prescribed RRIF known as a One-time Transfer;
- the member or member-owner cannot make a One-time Transfer without my written consent;
- if I sign this consent the amount of funds from the member or member-owner's pension plans or LIFs available to me will be reduced:
  - as a survivor on the member or member-owner's death; and
  - as a spouse, former spouse or former common-law partner should the funds be required to be divided under the credit splitting provisions.

I certify that

- I have read this consent and understand it;
- I have read the member or member-owner's completed application and one of the following:
  - the member's retirement statement from the administrator for each pension plan for which an application for a one-time transfer is being made, and
  - the statement from the administrator setting out the maximum amount that can be transferred from each LIF for which an application for a one-time transfer is being made

and know the amount of the One-time Transfer as stated in the application for which the application is being made;

- I am aware of the consequences of the One-time Transfer, and despite the consequences, I consent to the proposed One-time Transfer;
- I am not living separate and apart from the member or member-owner by reason of a breakdown of our relationship;
- the member or member-owner is not present while I am signing this consent;

- I am signing this consent of my own free will without duress, coercion or compulsion of any kind; and
- I realize that:
  - this form only gives a general description of the legal rights I have under the Act and the regulation, and
  - if I wish to understand exactly what my legal rights are, I must read the Act and the regulation and seek legal advice.

I hereby consent to the One-time Transfer by signing this form in the presence of a witness.

I sign this form at

\_\_\_\_\_ (city/town) \_\_\_\_\_ (province/territory/state) \_\_\_\_\_ (country)

this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_ (signature of spouse or common-law partner)

I, \_\_\_\_\_, of \_\_\_\_\_ (print name of witness)

\_\_\_\_\_ (print address of witness)

do witness the signature of the spouse or common-law partner who signed this form before me outside of the presence of the member or member-owner.

\_\_\_\_\_ (signature of witness)

**Reference:**

The Pension Benefits Act, Section 21.4  
*Pension Benefits Regulation*, Division 4 of Part 10