University of Windsor

Department of Human Resources

Current Employees - Statutory Declaration of Spousal Status Form "ERP"
To be completed by current employee pension plan members employed in Ontario

Complete the box or boxes that are applicable to your situation

I, _____ hereby certify for the purpose of the *University of Windsor Employees' Retirement Plan*

☐ That I do have a qualifying spouse as that term is defined in the pension plan document and in accordance with pension legislation.

☐ That I do **not** have a qualifying spouse as that term is defined in the pension plan document and in accordance with pension legislation.

☐ That as of _____, _____
    Effective Date of Change (YYYY/MM/DD)   Legal Name of Member's Former Spouse

and I are living separate and apart. Subject to the terms of any separation agreement or order, if you and your spouse are living separate and apart, pension legislation allows you to designate someone other than your spouse as your beneficiary.

☐ That as of _____, _____
    Effective Date of Change (YYYY/MM/DD)   Legal Name of Member's Former Spouse

is no longer my qualifying spouse as that term is defined in the pension plan document and in accordance with pension legislation.

I certify that, as of the date of this declaration

☐ no part of my pension entitlement under the plan has been assigned or is in the process of being assigned by a settlement instrument (court order, domestic contract, or family arbitration award) as a result of breakdown of a spousal relationship,

OR

☐ a portion of my pension entitlement under the plan has been assigned as a result of breakdown of a spousal relationship and a copy of the applicable agreement/court order is attached.

Refer to the reverse of this page for the Plan definitions of "spouse". If your spousal status changes, it is your responsibility to complete and file a Declaration of Spousal Status Form at the time of the change.

_____   _____
Signature of Member   Date(YYYY/MM/DD)

_____   _____
Commissioner for taking affidavits   Date(YYYY/MM/DD)

_____   _____
Signature of Plan Sponsor   Date(YYYY/MM/DD)

Distribution of Form:
(1) Forward signed original to pensions@uwindsor.ca   (2) Plan Member retains one signed copy

Employees' Retirement Plan - Definition of "Spouse"

1.28   "*Spouse*" shall mean, at the time a determination of marital status is required,

      (a)   a person to whom the Member is legally married, provided the Member is not living separate and apart from that person;

      (b)   a person of the opposite sex or of the same sex cohabiting continuously in a conjugal relationship with the Member for at least one year; or

      (c)   a person to whom the Member is not legally married, but the Member and that person are cohabiting in a conjugal relationship of some permanence and are jointly the natural or adoptive parents of a child, as set out in Section 4 of the *Children's Law Reform Act (Ontario).*