This document provides general information only about the options for your pension if your spousal relationship ends – please seek independent legal advice in regard to your individual rights to the pension and other assets.

The SFU Pension Plan for Administrative/Union Staff allows for the distribution of funds to a former spouse upon receipt of the necessary forms as described below, once the plan member reaches age 55. A former spouse may receive a transfer of a proportionate share of the commuted value of the plan member’s pension or may receive a separate pension from the Plan. Funds removed from the Plan will be subject to the applicable restrictions as set out in the BC Pension Benefits Standards Legislation.

**What is a Form P1?**
The *Form P1 – Claim and Request for Information and Notice* is completed by the former spouse to inform the Plan that s/he has claim of interest in a member’s pension. Once the Plan receives this notice, the Plan is able to provide the former spouse with information about the pension. It also requires that the former spouse be given advance notice before the Plan acts on any direction received from the plan member. Note that no funds are transferred upon receipt of Form P1.

**What happens when the court order or separation agreement is finalized?**
Once there is a signed court order or separation agreement that describes the division of pension, the former spouse must complete *Form P2 – Request for Designation as Limited Member*, attach the court order or separation agreement and submit to SFU HR.

**How much is the former spouse entitled to receive?**
The former spouse is entitled to half of the pension earned during the relationship. The actual period of the relationship is determined by dates specified in the separation agreement/court order.

**How does the former spouse request that they receive their entitlement?**
If the plan member is at least age 55 (or has terminated their employment with SFU), the former spouse can complete *Form P4 – Request by Limited Member for Transfer or Separate Pension*. Once this form has been received by HR, a package will be mailed out directly to the former spouse informing her/him of the amount of their entitlement and the options. At the same time, *Form P6 – Notice of Receipt* will be mailed to the plan member informing them that the Plan will be processing the request by the former spouse.
How is the plan member’s pension affected once the former spouse has received their portion of the pension? Does it depend on whether the former spouse takes the commuted value or a monthly pension?

Once the former spouse has received their entitlement, the pensionable service of the plan member is reduced by half of the number of years that were included in the period of the relationship. The reduction in the pensionable service is the same whether the former spouse elected the commuted value or the pension.

The plan member’s age plus pensionable service totaled 80 points before the marriage breakdown. Does this mean that after the marriage breakdown, the plan member no longer qualifies for “magic80”?

The plan member still qualifies for magic80. The magic80 calculation ignores any reduction to the pensionable service as a result of a marriage breakdown.

What if we don’t have a court order or separation agreement but we still want to split the pension funds? Form P9 – Agreement to Have Benefits Divided can be used to satisfy the requirement for an agreement under Part 6 of the Family Law Act. Both parties must be in agreement about dividing the benefits and the dates to be used for that purpose.