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FSRA is actively reviewing all FSCO regulatory direction, including but not limited to forms, guidelines and FAQs.

Until FSRA issues new regulatory direction, all existing regulatory direction remains in force.

## Superintendent of Financial Services Approved Family Law Forms

The Government of Ontario introduced changes to the family law provisions of the Pension Benefits Act that came into effect on January 1, 2012.

These changes established a new process for the valuation and division of pension assets following the breakdown of a spousal relationship. This family law pension valuation and division regime requires the pension plan administrator (Plan Administrator) to calculate the value of the pension, provides for immediate division, and mandates the use of Superintendent of Financial Services approved forms throughout the process.

The steps in the family law process are explained below.

**Step 1:** The pension plan member, spouse or former spouse applies for the Family Law Value by filing an application with the Plan Administrator.

### FSCO Family Law Form 1 - Application for Family Law Value

- Use this form to request the Family Law Value of a pension from the Plan Administrator.
- To be completed by the pension plan member (active member, former member or retired member) and/or the spouse who was or is married to the pension plan member. (Note: If you are or were the common-law spouse of the pension plan member, you cannot use this form.)
  - [FSCO Family Law Form 1 - Application for Family Law Value](#)
  - [User Guide](#)
  - [Qs & As for FSCO Family Law Form 1](#)
  - [Tutorial](#)

### FSCO Family Law Form 2 - Joint Declaration of Period of Spousal Relationship

- Use this form to jointly declare the starting date and separation date of your spousal




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relationship.


- To be jointly completed by the pension plan member (active member, former member or retired member) and his or her spouse/former spouse.
  - [FSCO Family Law Form 2 - Joint Declaration of Period of Spousal Relationship](#) 
  - [User Guide](#) 
  - [Qs & As for FSCO Family Law Form 2](#) 

### FSCO Family Law Form 3 - Contact Person Authorization

- Use this form to authorize your lawyer or another person to communicate with and receive information from the Plan Administrator about the calculation and division of your Family Law Value.
- To be completed by the pension plan member (active member, former member or retired member) and/or his or her spouse/former spouse.
  - [FSCO Family Law Form 3- Contact Person Authorization](#) 
  - [User Guide](#) 
  - [Qs & As for FSCO Family Law Form 3](#) 

**Step 2 a:** The Plan Administrator advises the applicant if the application is incomplete.

### FSCO Family Law Form 1A - Plan Administrator Request for Information/Payment of Fee

- Use this form to provide information to the applicant identified in the Application for Family Law Value about missing information, required documents or the applicable fee.
- To be completed by the Plan Administrator.
  - [FSCO Family Law Form 1A- Plan Administrator Request for Information/Payment of Fee](#) 



**Step 2 b:** If the application is complete, the Plan Administrator or its authorized agent or representative provides the statement of the Family Law Value using the form that applies.

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## FSCO Family Law Form 4A - Statement of Family Law Value (Defined Contribution Benefit)

- This form applies to a pension plan member who, on the date he or she separated from his or her spouse/former spouse had:
  - (i) only a defined contribution benefit under the pension plan; or,
  - (ii) a benefit that is the greater of a defined contribution benefit or a defined benefit and the defined contribution benefit is the greater benefit.
- To be completed by the Plan Administrator.
  - [FSCO Family Law Form 4A - Statement of Family Law Value \(Defined Contribution Benefit\)](#) 
  - [User Guide](#) 

## FSCO Family Law Form 4B - Statement of Family Law Value (Active Plan Member with a Defined Benefit)



- This form applies to an active member who, on the date he or she separated from his or her spouse/former spouse had:
  - (i) only a defined benefit under the pension plan; or
  - (ii) a benefit that is the greater of a defined benefit or a defined contribution benefit and the defined benefit is the greater benefit.
- To be completed by the Plan Administrator.
  - [FSCO Family Law Form 4B - Statement of Family Law Value \(Active Plan Member with a Defined Benefit\)](#) 
  - [User Guide](#) 

## FSCO Family Law Form 4C - Statement of Family Law Value (Active Plan Member with a Combination Benefit)



- This form applies to an active member who, on the date he or she separated from his or her spouse/former spouse, had a combination of a defined benefit and a defined contribution benefit.
- To be completed by the Plan Administrator.
  - [FSCO Family Law Form 4C - Statement of Family Law Value \(Active Plan Member with a Combination Benefit\)](#) 

- [User Guide](#) 

## FSCO Family Law Form 4D - Statement of Family Law Value (Former Plan Member with a Defined Benefit or a Combination Benefit)

- This form applies to a former (deferred vested) member who, on the date he or she separated from his or her spouse/former spouse had:
  - (i) only a defined benefit under the pension plan; or
  - (ii) a combination of a defined benefit and a defined contribution benefit.
- To be completed by the Plan Administrator.
  - [FSCO Family Law Form 4D - Statement of Family Law Value \(Former Plan Member with a Defined Benefit or a Combination Benefit\)](#) 
  - [User Guide](#) 

## FSCO Family Law Form 4E - Statement of Family Law Value (Retired Member with a Defined Benefit Pension)




- This form applies to a retired member who, on the date he or she separated from his or her spouse/former spouse, was receiving a pension from the pension plan.
- To be completed by the Plan Administrator.
  - [FSCO Family Law Form 4E - Statement of Family Law Value \(Retired Member with a Defined Benefit Pension\)](#) 
  - [User Guide](#) 

**Step 3:** The pension plan member and his or her spouse/former spouse determine how the Family Law Value is to be treated and get a court order, enter into a domestic contract or seek a family arbitration award.




**Step 4:** The spouse/former spouse of the pension plan member advises the Plan Administrator of his/her decision to divide or not to divide the Family Law Value.

**Decision is to divide:** The spouse/former spouse files **one** of the following forms with the Plan Administrator:

## FSCO Family Law Form 5 - Application to Transfer the Family Law Value




- Use this form to request the transfer of the spouse's/former spouse's share of the Family Law Value.
- To be completed by the spouse/former spouse of a pension plan member who received a Statement of Family Law Value (FSCO Family Law Form 4A, 4B, 4C or 4D) from the Plan Administrator.
  - [FSCO Family Law Form 5 - Application to Transfer the Family Law Value 5](#) 
  - [User Guide](#) 
  - [Qs & As for FSCO Family Law Form 5](#) 

## FSCO Family Law Form 6 - Application to Divide a Retired Member's Pension

- Use this form to request the division of the retired member's pension.
- To be completed by the spouse/former spouse of a retired member who received a Statement of Family Law Value (FSCO Family Law Form 4E) from the Plan Administrator.
  - [FSCO Family Law Form 6 - Application to Divide a Retired Member's Pension](#) 
  - [User Guide](#) 
  - [Qs & As for FSCO Family Law Form 6](#) 




**Decision is not to divide:** Either the pension plan member or his or her spouse/former spouse may file the form with the Plan Administrator:

## FSCO Family Law Form 7 - No Division of Family Law Value/Pension Assets

- Use this form to let the Plan Administrator know that the Family Law Value or pension assets (if a Family Law Value was not requested) will not be divided.
- To be jointly completed by the pension plan member (active member, former member or retired member) and his or her spouse/former spouse.
  - [FSCO Family Law Form 7 - No Division of Family Law Value/Pension Assets](#) 
  - [User Guide](#) 
  - [Qs & As for FSCO Family Law Form 7](#) 

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**New** FSCO Family Law Form 8 – Post-retirement Waiver of Joint and Survivor Pension by the Former Spouse of a Retired Member on Spousal Relationship Breakdown

- Use this form to waive your right to receive a survivor benefit on the death of the Retired Member.
- To be completed by the spouse/former spouse of the Retired Member who received a Statement of Family Law Value (FSCO Family Law Form 4E) from the Plan Administrator.
  - FSCO Family Law Form 8 -Post-retirement Waiver of Joint and Survivor Pension by the Former Spouse of a Retired Member on Spousal Relationship Breakdown:  **Accessible PDF**
  - User Guide:  **PDF** | **Accessible version**
  - Qs & As for FSCO Family Law Form 8:  **PDF** | **Accessible version**

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