

**FORM 8 - CONSENT TO WITHDRAWAL OR TRANSFER AT OR AFTER AGE 65 OF
MANITOBA LOCKED-IN MONEY**

The Pension Benefits Act, Section 21.3.1, Pension Benefits Regulation, Division 11 of Part 10

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

- a member-owner of a Locked-in Retirement Account (LIRA), or
- a member-owner of a Life Income Fund (LIF)

who wishes to withdraw or transfer the balance in one or more of their LIRAs or LIFs.

Prior to completing this form, the spouse or common-law partner should consider obtaining independent legal advice concerning their 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; and
- used for benefits earned under a pension plan subject to The Pension Benefits Act of Manitoba and Regulation.

For further information, please contact the administrator.

Definitions

Administrator

Means in relation to a LIRA or LIF, the financial institution responsible for administering the fund.

Common-law partner of a member-owner means

- (a) a person who, with the 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 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-owner

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

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.

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

The 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 they ceased to be an active member of the plan.

I understand that under the Act

- the member-owner may withdraw or transfer up to 100 per cent of the value of their balance in one or more Locked-in Retirement Accounts (LIRAs) or Life Income Funds (LIFs);
- the member-owner cannot make a withdrawal or transfer without my written consent; and
- if I sign this consent the amount of funds from the member-owner's LIRAs or LIFs will not be available to me:
 - as a survivor on the 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-owner's completed application and the statement from the administrator setting out the amount of each LIRA or LIF for which an application for full unlocking is being made;
- I am aware of the consequences of consenting to the withdrawal or transfer, and despite the consequences, I consent to the proposed withdrawal or transfer;
- I am not living separate and apart from the member-owner by reason of a breakdown of our relationship;
- the 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 what my legal rights are, I must read the Act and the Regulation and seek legal advice.

I hereby consent to the withdrawal or 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 _____, _____
(day) (month) (year)

(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-owner.

(signature of witness)

Reference:

The Pension Benefits Act, Section 21.3.1
Pension Benefits Regulation, Division 11 of Part 10