

SCHEDULE D
(Section 22)

WAIVER OF DIVISION AFTER DEATH OF MEMBER
UNDER THE POOLED REGISTERED PENSION PLANS (MANITOBA) ACT

I, _____, am the spouse, former spouse or former common-law partner

(as described below) of _____
(name of member)

The member is subject to *The Pooled Registered Pension Plans (Manitoba) Act* ("the Act") and the *Pooled Registered Pension Plans (Manitoba) Regulation* ("the Regulation").

I understand that under the Act:

- I am entitled to up to 50% of the funds accrued in the member's pooled registered pension plan account during the marriage or common-law relationship.
- I have a legal right to waive my entitlement.
- If I sign this waiver,
 - I will not receive my entitlement to any of the funds; and
 - the funds will instead be paid to the member's designated beneficiary or, if there is no designated beneficiary, to the member's estate.

I certify that:

- I have read this waiver and understand it.
- I have read the statement provided under section 23 of the Regulation.
- I am aware of the consequences of waiving my entitlement to any of the funds accrued in the member's pooled registered pension plan account during the marriage or common-law relationship and waive my entitlement despite the consequences.
- I am signing this waiver of my own free will without duress, coercion or compulsion of any kind.
- I have received independent legal advice with respect to my rights and the effect of this waiver.
- 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 want to understand exactly what my legal rights are, I must read the Act and the Regulation and seek legal advice.

I hereby waive my entitlement to any of the funds accrued in the member's pooled registered pension plan account during the marriage or common-law relationship by signing this form in the presence of a witness.

I sign this form at _____
(city/town) (province/territory/state) (country)

this _____ day of _____, 20____. _____
(signature of spouse, former spouse or former common-law partner)

I witness the signature of the spouse, former spouse or former common-law partner who signed this form before me.

(print name of witness)

(print address of witness)

(signature of witness)

COMMENTS AND INSTRUCTIONS

This form must be completed by the spouse, former spouse, or former common-law partner of a member who — after the member's death — wants to waive the entitlement to a division of the funds in a member's pooled registered pension plan (PRPP) account resulting from a breakdown of the relationship.

Before completing this form, you must obtain independent legal advice and should consider speaking to a financial advisor who can explain the implications of this consent.

This form must be

- completed in its entirety;
- signed by the member's spouse, former spouse or former common-law partner;
- witnessed;
- filed with the administrator; and
- used for funds in a PRPP subject to *The Pooled Registered Pension Plan (Manitoba) Act*.

For further information please contact the PRPP administrator.

Definitions for the Purpose of this Waiver

Administrator means the administrator of the applicable pooled registered pension plan.

Common-law partner of an individual means

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

(b) a person who, not being married to the individual, 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 a person with a PRPP account subject to *The Pooled Registered Pension Plans (Manitoba) Act*.

References

The Pooled Registered Pension Plan (Manitoba) Act, subsection 15(2)

Pooled Registered Pension Plan Regulation, section 22