

Locked-in Plans Guide Operations, Savings and Financial Services

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1. PLAN DETAILS

A locked-in plan is a plan whose funds originate from a pension fund, which is why the funds can only be withdrawn under certain conditions.

La Capitale Civil Service Insurer Inc. (La Capitale) issues a contract and a rider for locked-in plans outside Quebec, but a contract only in Quebec.

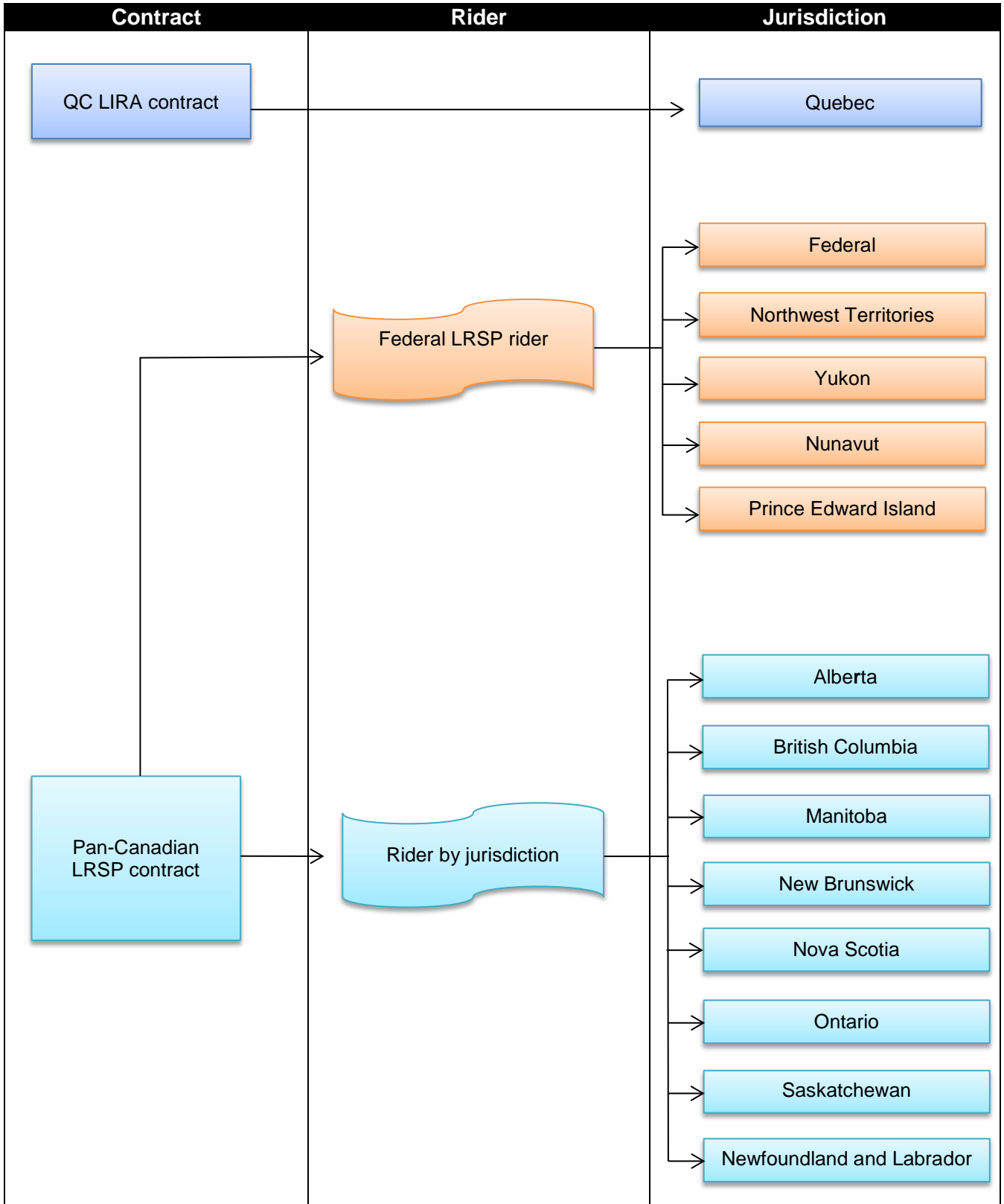
Since the Northwest Territories, Yukon, Nunavut and Prince Edward Island do not have pension legislation, the pan-Canadian LRSP or LIF contract is used with the federal rider.

The contractholder of a registered RRSP or LIRA must convert the plan into a RRIF, LIF or annuity no later than December 31 of the year during which he or she turns age 71. He or she must cash out the minimum amount set out by tax legislation, without exceeding the maximum amount set out by pension legislation. In Saskatchewan, LIRAs are converted into prescribed RRIFs. Therefore, there is no maximum amount.

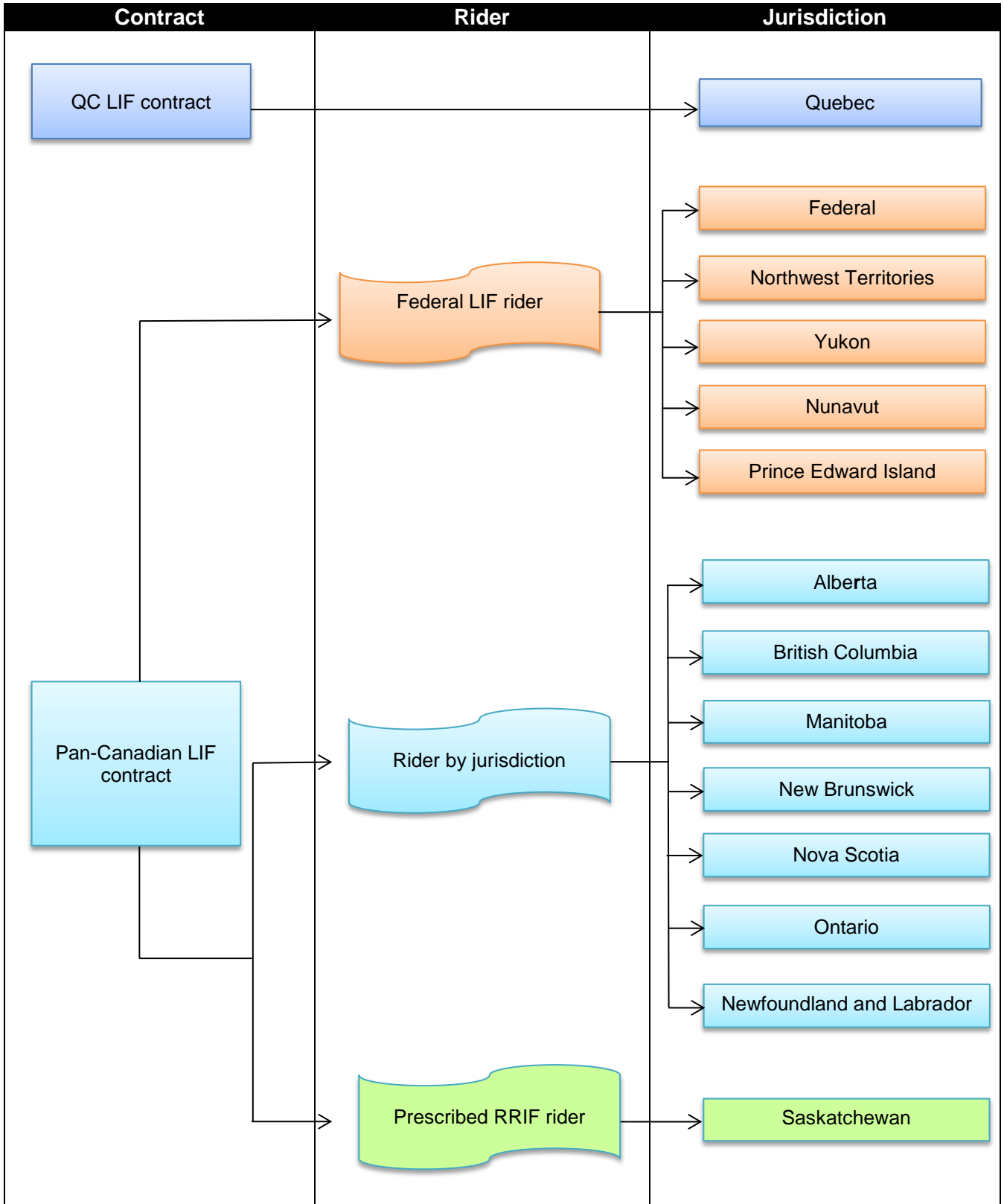


Note that if there are any discrepancies between this guide and The Pension Act, the latter will prevail.

1.1 Contracts and riders for locked-in LIRAs and LRSPs



1.2 Contracts and riders for locked-in LIF and prescribed RRIFs



1.3 How is the jurisdiction determined?



You should not rely on the:

- Company's charter (federal or provincial)
- Location of the company's head office
- Location of the member's residence
- Location where the pension plan was registered



You must determine if the employer's activities fall under federal or provincial jurisdiction:

Federal jurisdiction:

Examples:

- Banks
- Canadian Army
- Interprovincial transportation companies (Via Rail)
- Telecommunication companies (Videotron, Telus)
- Federal government ministries or public agencies

Provincial jurisdiction:

Examples:

- Insurance companies
- Credit unions
- Trust companies
- Construction companies
- Retail and wholesale businesses
- Accommodation and food services
- Municipalities
- Universities
- Childcare centres
- Provincial government ministries or public agencies

2. OFFICIAL LANGUAGES

English is the official language of Alberta, British Columbia, Nova Scotia, Saskatchewan and Newfoundland and Labrador.

Consequently, prescribed contracts, riders and forms are exclusively in English.

3. TAX CONSEQUENCES OF WITHDRAWALS OR UNLOCKING



Withdrawals or transfers from a locked-in plan may have tax consequences.

Withdrawals or transfers from a locked-in plan may also impact the contractholder's eligibility for certain government benefits.

Of course, any withdrawals from a locked-in plan will reduce the amount of retirement income the contractholder receives or will receive in the future.

In addition, La Capitale may charge administrative fees for such requests; these fees are also deducted from the amount withdrawn.

4. SPOUSE'S SIGNATURE REQUIRED

For all provinces, if the spouse's signature is required but the contractholder does not have a spouse, have the contractholder sign a letter indicating that there is no spouse.

5. ALBERTA

5.1 Characteristics

5.1.1 Definition of spouse

Your “pension partner” is:

- A person to whom you are married and have not lived separate or apart from for more than three years; or
- A person with whom you have been living in a conjugal relationship for at least three years, or less if there is a child resulting from the relationship either by birth or adoption; in the latter case, the relationship must be of a permanent nature. If you are in a common-law relationship, this relationship ends on the date that you begin living separate and apart. Please note that a “pension partner” can be a person of the same sex. However, if you became the contractholder of a locked-in plan as a death benefit from your deceased pension partner or under a matrimonial property order or agreement, then you do not have a pension partner for the purposes of the Act.

5.1.2 Minimum age to issue a LIF

- The minimum age is 50.

5.1.3 Spousal consent and form required to issue a LIF or purchase an annuity

- LIF
- Spousal consent is required.
- Form 10 - Pension Partner Waiver to Establish a LIF from a LIRA.
- ANNUITY
- Spousal consent is required if the contractholder wants to purchase an annuity that is not a joint and survivor annuity or a joint and survivor annuity of less than 60% upon the contractholder’s death.
- Form 11 – Pension Partner Waiver of Entitlement to a 60% Joint and Survivor Annuity from a Locked-In Account.
- Consent (Form 11) is valid only if it is signed and submitted to La Capitale within the 90 days preceding purchase of the annuity.

5.1.4 Conversion of a LIRA to a LIF

Once a LIRA has been converted to a LIF, it is not permitted to transfer the funds back into a LIRA, even if the contractholder is under age 71.

5.2 Permitted withdrawals and unlocking


5.2.1 Financial hardship



The contractholder can submit a single request for each of the five situations below per calendar year.

The form must be signed within 90 days preceding the date of receipt by La Capitale.

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
<p>LOW INCOME</p> <p>Income must not exceed 66^{2/3}% of the MPE for the next 12 months, i.e. \$38,266 in 2019.</p> <p>However, the maximum amount that may be withdrawn is 50% of the MPE, i.e. \$28,700 in 2019.</p>	<p>Form 23 - Application to Unlock Alberta Funds Due to Financial Hardship</p>	<p>Financial institutions cannot require additional supporting documentation for the file. The form is sufficient.</p>	YES	YES
<p>FORECLOSURE OR LEGAL PROCEEDINGS</p>	<p>Form 23 - Application to Unlock Alberta Funds Due to Financial Hardship</p> <p>AND</p> <p>A written notice of foreclosure or legal proceedings that shows the arrears and legal fees</p>	<p>The maximum amount is the sum of the mortgage arrears + applicable legal fees</p>	YES	YES
<p>EVICTION FOR RENTAL ARREARS</p>	<p>Form 23 - Application to Unlock Alberta Funds Due to Financial Hardship</p> <p>AND</p> <p>Written notice of eviction with details</p>	<p>The notice must indicate the contractholder's name or that of the partner, the address of the residence, the reason for non-payment of rent, the date the lease ends and the landlord's signature.</p> <p>The maximum amount that can be obtained may not exceed the amount of the arrears.</p>	YES	YES

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
<p>FIRST MONTH'S RENT AND SECURITY DEPOSIT FOR RENTING A NEW HOME</p>	<p>Form 23 - Application to Unlock Alberta Funds Due to Financial Hardship</p> <p>AND</p> <p>A copy of the lease showing the renter's name or that of the partner, the address of the new residence and the amount of the rent or security deposit.</p>	<p>To request the security deposit amount, the contractholder must not be living in the new residence.</p> <p>The maximum amount that can be obtained may not exceed the amount of the first month's rent or the security deposit.</p>	YES	YES
<p>MEDICAL EXPENSES for the contractholder, partner or a dependent.</p> <p>(not insured under a health plan)</p> <p>Example: home renovations</p>	<p>Form 23 - Application to Unlock Alberta Funds Due to Financial Hardship</p> <p>AND</p> <p>Printed receipts from a pharmacy</p> <p>OR</p> <p>Copies of receipts, invoices or estimates for medical or dental treatment</p> <p>OR</p> <p>Copies of receipts, invoices or estimates for modifying or renovating the residence</p> <p>AND</p> <p>Medical opinion: Physician's letter confirming that the medical treatment or home renovation is necessary.</p>	<p>The physician must be a member in good standing of the College of Physicians and Surgeons of Alberta. He or she can also be a member in good standing in another Canadian jurisdiction. Dentists, chiropractors, psychologists, acupuncturists, osteopaths and hearing professionals may also provide such letters.</p> <p> Receipts must have been issued no more than 12 months ago.</p> <p>The maximum amount that can be obtained may not exceed the total amount of medical expenses not already released from the last year plus the estimated costs for the next year.</p> <p>You may not request disclosure of the nature of the treatment.</p>	YES	YES

5.2.2 Small contract value

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
<p>Under age 65 during the year the request is made</p> <p>AND</p> <p>The total value of the contractholder's LIRA or LIF does not exceed 20% of the MPE, i.e. \$11,480 in 2019</p> <p>OR</p> <p>Age 65 or over during the year the request is made</p> <p>AND</p> <p>The total value of the contractholder's LIRA or LIF does not exceed 40% of the MPE, i.e. \$22,960 in 2019</p>	<p>A letter from the contractholder with withdrawal instructions</p> <p>The spouse's signature is not required.</p>		YES	YES


5.2.3 Reduced life expectancy

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
<p>Considerably reduced life expectancy due to illness or disability</p>	<p>Physician's statement certifying that the illness or disability considerably reduces the contractholder's life expectancy</p> <p>AND</p> <p>Form 13 - Pension Partner Waiver to Permit Unlocking from a Locked-in Product Due to Shortened Life Expectancy or Non-Residency</p>	<p>You may not request disclosure of the nature of the illness or the disability.</p>	YES	YES

5.2.4 Non-resident of Canada

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
Qualify as a non-resident under the federal <i>Income Tax Act</i>	<p>A copy of the Canada Revenue Agency letter certifying that the CRA considers the person a non-resident for the purposes of the federal <i>Income Tax Act</i>.</p> <p>AND</p> <p>Form 13 - Pension Partner Waiver to Permit Unlocking from a Locked-in Product Due to Shortened Life Expectancy or Non-Residency</p>	<p>All funds must be withdrawn.</p> <p>To obtain a confirmation of non-residency status (departure from Canada), the contractholder must complete the NR73 form and send it to the CRA. The CRA will then send the confirmation of residency status.</p>	YES	YES

5.2.5 Unlocking

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
<p>At least age 50</p> <p>AND</p> <p>Unlocking a maximum of 50% of the funds when money is transferred from a LIRA to a LIF or when money is transferred to a lifetime annuity.</p> <p> If the contractholder is under age 71, unlocked funds must remain in the LIF.</p> <p>Example: Contractholder, age 50 LIRA \$100,000 - unlocking 50% for transfer to an RRSP or to receive \$50,000 in cash.</p>	<p>Letter from the contractholder to La Capitale</p> <p>AND (if applicable)</p> <p>Form 14 - Pension Partner Waiver to Permit Up to 50% Unlocking from a Locked-in Retirement Account on Establishment of a Life Income Fund or Transfer to a Life Income Type Benefit Fund</p>	<p>Contractholders may unlock funds one single time during their lifetime.</p> <p>The contractholder may choose to unlock less than 50% but may not unlock the balance at a later date. This option can only be exercised within 90 days preceding the transfer or immediately before payments begin from an annuity permitted under the <i>Income Tax Act</i>.</p>	YES	NO

5.2.6 Enforcement of alimony rules

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
Not available	Not available	Not available	N/A	N/A

5.3 Temporary income

Temporary income is not permitted.

5.4 Transfer to spouse following the annuitant's death

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
Member or a former member LIRA-LIF (funds originating from a pension fund)				
No spouse		The payment is made to the designated beneficiary. In the event there is no beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	NO	NO
Spouse who has not waived rights		The spouse is the beneficiary, and all funds remain in the LIRA . If the funds were in a LIF , they will be paid into a RRIF or in cash.	YES	NO
Spouse who has waived rights	Form 12 – Pension Partner Waiver of Entitlement to a Death Benefit from a LIRA OR Form 16 – Pension Partner Waiver of Entitlement to a Death Benefit After Establishment of a LIF	The payment is made to the designated beneficiary. In the event there is no beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	NO	NO

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
Purchaser LIRA-LIF (following death or relationship breakdown)				
		The payment is made to the designated beneficiary. In the event there is no beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	NO	NO

5.5 Transfer to spouse after a divorce

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
<p>Were married</p> <p>Common-law spouses do not have any rights to matrimonial property under the <i>Matrimonial Property Act</i>.</p>	<p>One of the three following documents must be submitted to La Capitale: A matrimonial property order in accordance with the <i>Matrimonial Property Act</i>;</p> <p>OR</p> <p>A matrimonial property agreement and the division of pension rights in accordance with the <i>Matrimonial Property Act</i>;</p> <p>OR</p> <p>An order issued by a court outside the province of Alberta</p> <p>AND</p> <p>Form T2220</p>	<p>The contractholder must retain at least 50% of the value of the contract.</p> <p>La Capitale may request the court issue instructions if it is not able to apply the order or if the order is not sufficiently clear.</p> <p>La Capitale may charge a \$300 fee to process the division (ss. 84 (1) of the Regulations). These fees must be paid by both former spouses. La Capitale may deduct them from the share of each of the former spouses.</p> <p>If the spouse is under age 71, the LIF cannot be converted to a LIRA. If the spouse is under age 50, the annual LIF payment is limited to the minimum until he or she reaches age 50.</p>	YES	YES

6. BRITISH COLUMBIA

6.1 Characteristics

6.1.1 Definition of spouse

- A person to whom you are married and have not lived separate or apart from for more than two years; or
- A person with whom you have been living in a conjugal relationship for at least two years immediately preceding the date of this request.

6.1.2 Minimum age to issue a LIF

- The minimum age is 50.

6.1.3 Spousal consent and form required to issue a LIF or purchase an annuity

LIF

- Spousal consent is required.
- Form 3 – Spouse's Consent to a Transfer to a Life Income Fund or Establishment of a Life Income Type Benefits Account

ANNUITY

- Spousal consent is required if the contractholder wants to purchase an annuity that is not a joint and survivor annuity or a joint and survivor annuity of less than 60% upon the contractholder's death.
- Form 2 – Spouse's Waiver of Entitlements Under a Pension Plan, an RRSP, a Life Annuity or a LIF Contract.
- Consent (Form 2) is valid only if it is signed and submitted to La Capitale within the 90 days preceding the day the first annuity payment is made.

6.1.4 Conversion of a LIRA to a LIF

It is permitted to transfer a LIF back to a LIRA, even if the contractholder is under age 71.

6.2 Permitted withdrawals and unlocking

6.2.1 Financial hardship



The contractholder may submit only a single request for each of the five situations below per calendar year.

The form must be signed within 90 days preceding the date of receipt by La Capitale.

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
<p>LOW INCOME</p> <p>The calculation is done in two stages.</p> <ol style="list-style-type: none"> 1. Income must not exceed 66^{2/3}% of the MPE for the next 12 months, i.e. \$38,266 in 2019. 2. If the first condition is met, the contractholder's income for the next 12 months is multiplied by 75%. <p>However, the maximum amount that can be withdrawn is 50% of the MPE, i.e. \$28,700 in 2019.</p> <p>Example:</p> <p>MPE is \$57,400 in 2019 66^{2/3}% x 55,900 = \$38,266 \$38,266 corresponds to the maximum expected annual income for this calculation.</p> <p>The contractholder's income for the next 12 months is determined to be \$20,000. The amount must be multiplied by 75% (20,000 X .75) = \$15,000.</p> <p>\$28,700 (50% of MPE in 2019).</p> <p>\$28,700 – \$15,000 = \$13,700 It's the lesser of the two results, either \$13,700 or \$28,700. Therefore, \$13,700 in this example.</p>	<p>PEN-007-v01-19 – Application to Unlock and Withdraw British Columbia Funds Due to Financial Hardship</p> <p>AND</p> <p>Form 1 – Spouse's Waiver to Permit Benefits in a Pension Plan, Locked-In Retirement Account or Life Income Fund to Be Unlocked (included in PEN-007-v01-19)</p>	<p>Payment must be made within 60 days after receipt of the documents.</p>	<p>YES</p>	<p>YES</p>

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
<p>MEDICAL EXPENSES (for the contractholder, partner or a dependent)</p> <p>OR</p> <p>HOME RENOVATIONS FOR MEDICAL REASONS</p>	<p>PEN-007-v01-19 – Application to Unlock and Withdraw British Columbia Funds Due to Financial Hardship</p> <p>AND</p> <p>Form 1 – Spouse’s Waiver to Permit Benefits in a Pension Plan, Locked-In Retirement Account or Life Income Fund to Be Unlocked (included in PEN-007-v01-19)</p> <p>AND</p> <p>Receipts for prescribed medications</p> <p>AND</p> <p>Receipts, invoices or cost estimates for medical or dental treatment</p> <p>AND</p> <p>Physician’s statement signed within the 12 months preceding the request confirming that the expenses are necessary. It is not mandatory to specify the nature of the illness.</p>	<p>Payment must be made within 60 days after receipt of the documents.</p>	<p>YES</p>	<p>YES</p>

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
EVICTION FOR ARREARS	<p>PEN-007-v01-19 – Application to Unlock and Withdraw British Columbia Funds Due to Financial Hardship</p> <p>AND</p> <p>Form 1 – Spouse’s Waiver to Permit Benefits in a Pension Plan, Locked-In Retirement Account or Life Income Fund to Be Unlocked (included in PEN-007-v01-19)</p> <p>AND</p> <p>Written confirmation of the threat of eviction mentioning the outstanding amount.</p>	<p>Payment must be made within 60 days after receipt of the documents.</p>	YES	YES
FORECLOSURE OF THE PRINCIPAL RESIDENCE	<p>PEN-007-v01-19 – Application to Unlock and Withdraw British Columbia Funds Due to Financial Hardship</p> <p>AND</p> <p>Form 1 – Spouse’s Waiver to Permit Benefits in a Pension Plan, Locked-In Retirement Account or Life Income Fund to Be Unlocked (included in PEN-007-v01-19)</p> <p>AND</p> <p>Written confirmation that the payment is in default and of the outstanding amount</p>			

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
FIRST MONTH'S RENT OR SECURITY DEPOSIT	PEN-007-v01-19 – Application to Unlock and Withdraw British Columbia Funds Due to Financial Hardship AND Form 1 – Spouse's Waiver to Permit Benefits in a Pension Plan, Locked-In Retirement Account or Life Income Fund to Be Unlocked (included in PEN-007-v01-19) AND Copy of the lease and document confirming the amount of rent and security deposit	Payment must be made within 60 days after receipt of the documents.	YES	YES

6.2.2 Small contract value

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
The total value of the contractholder's locked-in funds does not exceed 20% of MPE, i.e. \$11,480 in 2019. OR Contractholder age 65 or over AND The total value of the contractholder's LIRA and LIF does not exceed 40% of the MPE, i.e. \$22,960 in 2019	Contractholder letter with instructions (no form is available) No form is required.	Payment must be made within 60 days after receipt of the documents. The entire amount can be withdrawn in cash or transferred to an RRSP or RRIF	YES	YES

6.2.3 Reduced life expectancy

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
Considerably reduced life expectancy due to illness or disability	<p>Contractholder letter with instructions. The contractholder must also state that he or she does not have a spouse, if this is the case. Otherwise, the contractholder must provide La Capitale with one of the following documents:</p> <p>Form 1 Spouse's Waiver to Permit Benefits in a Pension Plan, Locked-in Retirement Account or Life Income Fund to Be Unlocked</p> <p>OR</p> <p>Confirmation that Section 145 of the <i>Family Law Act</i> applies</p> <p>AND</p> <p>Physician's statement certifying that the contractholder's disability or illness considerably reduces life expectancy. It is not mandatory to specify the nature of the illness or disability.</p>	<p>The total amount can be withdrawn in cash or in instalments.</p> <p>Payment must be made within 60 days after receipt of the documents.</p> <p>The spouse's consent must be signed before a witness at the latest 90 days preceding the withdrawal date.</p>	YES	YES

6.2.4 Non-resident of Canada

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
<p>Qualify as a non-resident under the federal <i>Income Tax Act</i>.</p> <p>Ceased residing in Canada at least two years ago.</p>	<p>A copy of the Canada Revenue Agency letter certifying that the CRA considers the person a non-resident for the purposes of the federal <i>Income Tax Act</i>.</p> <p>AND</p> <p>Statement signed by the contractholder indicating that he or she has not lived in Canada for more than two years</p> <p>AND</p> <p>Contractholder letter with instructions. The contractholder must also state that he or she does not have a spouse, if this is the case. Otherwise, the contractholder must provide La Capitale with one of the following documents:</p> <p>Form 1 Spouse's Waiver to Permit Benefits in a Pension Plan, Locked-In Retirement Account or Life Income Fund to Be Unlocked</p> <p>OR</p> <p>Confirmation that Section 145 of the <i>Family Law Act</i> applies to this situation</p>	<p>All funds must be withdrawn.</p> <p>To obtain a confirmation of non-residency status (departure from Canada), the contractholder must complete the NR73 form and send it to the CRA. The CRA will then send the confirmation of residency status.</p> <p>Payment must be made within 60 days after receipt of the documents.</p>	YES	YES

6.2.5 Unlocking

Situations	Required documents	Comments	Eligible	
			LIRA	LIF
Not available	Not available	Not available	N/A	N/A

6.2.6 Enforcement of alimony rules

Situations	Required documents	Comments	Eligible	
			LIRA	LIF
Not available	Not available	Not available	N/A	N/A

6.3 Temporary income

Temporary income is not permitted.

6.4 Transfer to spouse following the annuitant's death

Situations	Required documents	Comments	Eligible	
			LIRA	LIF
Member or a former member LIRA-LIF (funds originating from a pension fund)				
No spouse		The payment is made to the designated beneficiary. In the event there is no beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	NO	NO
Spouse who has not waived rights		The spouse is the beneficiary, and all funds remain in the LIRA or LIF .	YES	YES
Spouse who has waived rights	Form 4 - Spouse's Waiver of Beneficiary Right to Benefits in a Pension Plan, Locked-In Retirement Account, Life Income Fund or Annuity Before Pension or Annuity Payments Start OR Confirmation that Section 145 of the <i>Family Law Act</i> applies to this situation	The payment is made to the designated beneficiary. In the event there is no beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	NO	NO

Situations	Required documents	Comments	Eligible	
			LIRA	LIF
Purchaser LIRA-LIF (following death or marriage breakdown)				
		The payment is made to the designated beneficiary. In the event there is no beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	NO	NO

6.5 Transfer to spouse after a divorce

Situations	Required documents	Comments	Eligible	
			LIRA	LIF
<p>Were married</p> <p>OR</p> <p>Lived in a conjugal relationship for at least two years</p>	<p>One of the following documents must be submitted to La Capitale:</p> <p>An agreement setting out the division of pension rights</p> <p>OR</p> <p>An order from a competent court, regardless of jurisdiction</p> <p>AND</p> <p>Form T2220</p>	<p>The contractholder may assign all rights to the ex-spouse.</p> <p>The ex-spouse is entitled to obtain the same information from La Capitale as the contractholder is entitled to obtain.</p> <p>When responding to the spouses, La Capitale must use Form P6, Administrator/Annuity/Issuer Response</p> <p>La Capitale may charge a \$175 fee to process the division. These fees must be paid by both former spouses. La Capitale may deduct them from the share of each of the former spouses.</p>	YES	YES

7. FEDERAL

7.1 Characteristics

7.1.1 Definition of spouse

- Subject to any contrary provisions in the Act, in the absence of a common-law partner within the meaning of the following paragraph, a spouse is the person to whom the contractholder is married or who is a party to a void marriage with the contractholder.
- "Common-law partner" designates a person who has cohabited with the contractholder in a conjugal relationship for at least one year.

7.1.2 Minimum age to issue a LIF

- The minimum age is 18.

7.1.3 Spousal consent and form required to issue a LIF or purchase an annuity

LIF

- Spousal consent is not required.

ANNUITY

- The contractholder and the spouse must sign Form 2 of Schedule 5 of the Regulations to transfer from any locked-in account to an annuity.
- Form 2 - Attestation(s) regarding spouse/common-law partner. By signing Form 2, the spouse waives a joint and survivor annuity. If the spouse does not want to completely waive this right, he or she must add a handwritten instruction on the form. For example: "I am signing this form on the condition that I receive a joint and survivor annuity of 45% upon the death of my spouse."

7.1.4 Conversion of a LIRA to a LIF

It is permitted to transfer a LIF back to a LIRA, even if the contractholder is under age 71.

7.2 Permitted withdrawals and unlocking

7.2.1 Financial hardship

Situations	Required documents	Comments	Eligible	
			LRSP	LIF
<p>LOW INCOME</p> <p>The contractholder's expected income for the calendar year must not exceed 75% of the MPE, i.e. \$43,050 in 2019.</p> <p>However, the maximum amount that can be withdrawn is 50% of the MPE, i.e. \$28,700 in 2019.</p> <p>The amount of the requested withdrawal is calculated in Section 4 of Form 1, "Attestation regarding withdrawal based on financial hardship" in Schedule V of the Regulations.</p>	<p>Form 1 – Attestation regarding withdrawal based on financial hardship</p> <p>AND</p> <p>Form 2 – Attestation(s) regarding spouse/common-law partner</p>	<p>Funds can be transferred to an RRSP or a RRIF or withdrawn in cash.</p> <p>If the contractholder is intending to make more than one withdrawal based on financial hardship in the same calendar year, it must be done within 30 days following the first withdrawal, subject to the maximum amount authorized under the <i>Pension Benefits Standards Regulations, 1985</i>. The 30-day limit cannot be extended.</p>	YES	YES
<p>MEDICAL TREATMENT EXPENSES (medical treatment, medical treatment related to a disability or adaptive technology)</p> <p>The contractholder must provide proof that he or she incurred the expense:</p> <p>However, the maximum amount that may be withdrawn is 50% of the MPE, i.e. \$28,700 in 2019.</p>	<p>Form 1 – Attestation regarding withdrawal based on financial hardship</p> <p>AND</p> <p>Form 2 - Attestation(s) regarding spouse/common-law partner</p> <p>AND</p> <p>A physician's report certifying that the treatment or adaptive technology is required.</p>	<p>Funds can be transferred to an RRSP or a RRIF or withdrawn in cash.</p> <p>If the contractholder is intending to make more than one withdrawal based on financial hardship in the same calendar year, it must be done within 30 days following the first withdrawal, subject to the maximum amount authorized under the <i>Pension Benefits Standards Regulations, 1985</i>. The 30-day limit cannot be extended.</p>	YES	YES

7.2.2 Small contract value

Situations	Required documents	Comments	Eligible	
			LRSP	LIF
<p>At least age 55 by the end of the year preceding the request</p> <p>AND</p> <p>The total value of all the contractholder's locked-in funds does not exceed 50% of MPE, i.e. \$28,700 in 2019.</p>	<p>Form 2 - Attestation(s) regarding spouse/common-law partner</p> <p>AND</p> <p>Form 3 - Attestation of total amount held in federally regulated locked-in plans</p>	<p>All funds must be withdrawn in cash or transferred to an RRSP or RRIF.</p>	YES	YES

7.2.3 Reduced life expectancy

Situations	Required documents	Comments	Eligible	
			LRSP	LIF
<p>Considerably reduced life expectancy due to mental or physical disability</p>	<p>Physician's statement certifying that the contractholder's mental or physical disability will considerably reduce life expectancy. It is not mandatory to specify the nature of the disability.</p>	<p>All funds must be withdrawn in cash or transferred to an RRSP or RRIF.</p>	YES	YES

7.2.4 Non-resident of Canada

Situations	Required documents	Comments	Eligible	
			LRSP	LIF
<p>Qualify as a non-resident under the federal <i>Income Tax Act</i></p> <p>Ceased residing in Canada at least two years ago.</p>	<p>A copy of the Canada Revenue Agency letter certifying that the CRA considers the person a non-resident for the purposes of the federal <i>Income Tax Act</i>.</p>	<p>All funds must be withdrawn in cash or transferred to an RRSP or RRIF.</p> <p>To obtain a confirmation of non-residency status (departure from Canada), the contractholder must complete the NR73 form and send it to the CRA. The CRA will then send the confirmation of residency status.</p> <p>Payment must be made within 60 days after receipt of the documents.</p>	YES	YES

7.2.5 Unlocking of up to 50%

Situations	Required documents	Comments	Eligible	
			LRSP	LIF
Not available from La Capitale				



To unlock funds, the Insurer must have a Restricted Life Income Fund (RLIF) rider approved by the Canada Revenue Agency (CRA) since the locked-in LIF funds are deposited in a RLIF.

7.2.6 Enforcement of alimony rules

Situations	Required documents	Comments	Eligible	
			LRSP	LIF
Not available	Not available	Not available	N/A	N/A

7.3 Temporary income

Temporary income is not permitted.

7.4 Transfer to spouse following the annuitant's death

Situations	Required documents	Comments	Eligible	
			LRSP	LIF
Member or a former member LIRA-LIF (funds from a pension fund)				
No spouse		The payment is made to the designated beneficiary. In the event there is no beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	NO	NO
Spouse who has not waived rights		The spouse is the beneficiary, and all funds remain in the LRSP or LIF .	YES	YES
Spouse who has waived rights	During the contractholder's life, <u>the spouse cannot waive the rights</u> . After the contractholder's death, the spouse may assign the rights in writing to his or her dependent or the contractholder's dependent.	The payment is made to the designated beneficiary. In the event there is no beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	YES	YES
Purchaser LIRA-LIF (following death or relationship breakdown)				
		The payment is made to the designated beneficiary. In the event there is no beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	NO	NO

7.5 Transfer to spouse after a divorce



In the event of marriage breakdown (divorce, annulment, separation or breakdown of civil union), the funds held in an account are subject to provincial legislation applicable to division of property and must be processed in accordance with a court order or an agreement between the former spouses.

Situations	Required documents	Comments	Eligible	
			LRSP	LIF
	Court order OR Written agreement signed by the former spouses	In accordance with the Office of the Superintendent of Financial Institutions, the term “provincial property law” used in Section 25 (1) of the Act can include various provincial laws pertaining to pensions.	YES	YES

8. MANITOBA

8.1 Characteristics

8.1.1 Definition of spouse

- Spouse: an individual who is married to another individual
- Common-law partner: an individual who is living in a conjugal relationship but is not married
 - Either for a period of at least three years, if either of them is married
 - Or a period of at least one year, if neither of them is married
- An individual who, with the member or former member, registered a common-law relationship under Section 13.1 of the *Vital Statistics Act* is also considered a common-law partner.

8.1.2 Minimum age to issue a LIF

- The minimum age is 18.

8.1.3 Spousal consent and form required to issue a LIF or purchase an annuity

LIF

- Spousal consent is required.
- Form 5A – Waiver of 60% Joint Survivor Pension for Pension Plan or Locked-In Retirement Account.

ANNUITY

- Spousal consent is required if the contractholder wants to purchase an annuity that is not a joint and survivor annuity or a joint and survivor annuity of less than 60% upon the contractholder's death.
- Form 5A – Waiver of 60% Joint Survivor Pension for Pension Plan or Locked-In Retirement Account.
- Form 5A must be signed by the spouse within the 60 days before annuity payments begin.

8.1.4 Conversion of a LIRA to a LIF

Once a LIRA has been converted to a LIF, it is not permitted to transfer the funds back into a LIRA, even if the contractholder is under age 71.

8.2 Permitted withdrawals and unlocking

8.2.1 Financial hardship

Situations	Required documents	Comments	Eligible	
			LIRA	LIF
Not available	Not available	Not available	N/A	N/A

8.2.2 Small contract value

Situations	Required documents	Comments	Eligible	
			LIRA	LIF
<p>If under age 65, the total of (a) and (b) below must be less than 40% of MPE for the year in which the withdrawal request is made, i.e. \$22,960 in 2019.</p> <p>(a) the total value of all the contractholder's locked-in funds (LIRA and LIF);</p> <p>AND</p> <p>(b) The interest on the total value of the locked-in funds (see (a) above) compounded at an annual rate of 6% and calculated on December 31 of the year the request is submitted until the end of the year during which the contractholder reaches the age 65.</p> <p>OR</p> <p>Contractholder age 65 or over</p> <p>AND</p> <p>The total balance of all the contractholder's locked-in funds (LIRA and LIF) does not exceed 40% of MPE, i.e. \$22,960 in 2019.</p>	<p>Contractholder letter with instructions.</p> <p>Consent and waiver forms are not required.</p> <p>Copies of all locked-in fund statements (LIRA and LIF) held with La Capitale and elsewhere, if applicable.</p>	<p>Withdrawal of a lump-sum amount or funds transferred to an RRSP or RRIF</p>	<p>YES</p>	<p>YES</p>

8.2.3 Reduced life expectancy

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
Life expectancy of less than two years due to terminal illness or disability	<p>Written request from the contractholder indicating: The contractholder's wish to withdraw all or part of the balance due to reduced life expectancy; and The fact that the contractholder has a spouse or common-law partner, if applicable</p> <p>AND</p> <p>A statement by a physician authorized to practise medicine in Canada certifying there is reduced life expectancy. It is not mandatory to specify the nature of the illness.</p> <p>AND</p> <p>Form 7 – Consent to Withdrawal from LIRA or LIF due to Terminal Illness or Disability</p> <p>AND (LIRA only) Form 5A – Waiver of 60% Joint Survivor Pension for Pension Plan or Locked-In Retirement Account</p>	<p>Within 60 days of receipt of the request, La Capitale will send a statement to the contractholder and the spouse, if applicable, indicating the balance of the LIRA or LIF on the date of the request.</p> <p>After receipt of the statement, the contractholder may request withdrawal from La Capitale. The request must be in writing and submitted within 90 days of receipt of the statement. The request must include consent by the spouse, if applicable.</p> <p>When La Capitale has determined that the contractholder is eligible to withdraw the funds, it will pay out the balance in whole or in part within 90 days.</p> <p>The amount may be withdrawn, in whole or in part, in cash or transferred to an RRSP or RRIF.</p>	YES	YES

8.2.4 Non-resident of Canada

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
<p>Qualify as a non-resident under the federal <i>Income Tax Act</i></p> <p>Ceased residing in Canada at least two years ago.</p>	<p>A copy of the Canada Revenue Agency letter certifying that the CRA considers the person a non-resident for the purposes of the federal <i>Income Tax Act</i>.</p> <p>AND</p> <p>Form 3 – Consent to Withdrawal for Non-Residency Status</p>	<p>All funds must be withdrawn.</p> <p>To obtain a confirmation of non-residency status (departure from Canada), the contractholder must complete the NR73 form and send it to the CRA. The CRA will then send the confirmation of residency status.</p> <p>Payment must be made within 60 days after receipt of the documents.</p> <p>On receiving the required documents and information, La Capitale must take all necessary measures to take into account the interests of all other parties under the regulations and determine if the amount to be withdrawn is or could become owed as a result of a division of the contractholder's pension benefit credit under Section 31 (2) of the Act (i.e. a court order or a written agreement)</p>	YES	YES

8.2.5 Unlocking

Situations	Required documents	Comments	Eligibility	
			LRSP	LIF
Not available from La Capitale				

8.2.6 Enforcement of alimony rules

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
<p>Under Sections 14.1 to 14.3 of Manitoba's <i>The Garnishment Act</i> and Section 31.1 of <i>The Pension Benefits Act</i>, designated officials of the Manitoba Justice Maintenance Enforcement Program are authorized to issue garnishee orders on locked-in funds subject to Manitoba legislation that are in locked-in accounts. Division 9 of Part 10 of the Regulations (Sections 10.78 to 10.80 inclusive) set out additional rules concerning garnishee orders.</p>			YES	YES

8.3 Temporary income

Temporary income is not permitted.

8.4 Transfer to spouse following the annuitant's death

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
Member or former member LIRA-LIF (funds from a pension fund)				
No spouse		The payment is made to the designated beneficiary. In the event there is no beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	NO	NO
Spouse who has not waived rights		The spouse is the beneficiary, and all funds remain in the LIRA or LIF .	YES	YES
Spouse who has waived rights	Form 5A – Waiver of 60% Joint Survivor Pension for Pension Plan or Locked-In Retirement Account r	The payment is made to the designated beneficiary. In the event there is no beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	NO	NO
Purchaser LIRA-LIF (following death or marriage breakdown)				
		The payment is made to the designated beneficiary. In the event there is no beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	NO	NO

8.5 Transfer to spouse after a divorce

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
<p>Were married</p> <p>Certain common-law partners may have rights under <i>The Pension Benefits Act</i></p>	<p>An order by the Court of Queen's Bench issued in accordance with <i>The Family Property Act</i>.</p> <p>OR</p> <p>A written agreement between the former spouses</p> <p>OR</p> <p>An order issued by a competent court in another province or territory of Canada</p> <p>OR</p> <p>An order by the Court of Queen's Bench issued in accordance with Section 31 (3.4) of <i>The Pension Benefits Act</i></p>	<p>Within 60 days after receipt of a written request from the former spouse, La Capitale must provide a Statement of Division of Pension. This statement is issued free of charge.</p> <p>The contractholder must retain at least 50% of the value of the contract.</p> <p>The funds to which the former spouse is entitled are transferred to a prescribed retirement savings plan or a prescribed retirement benefit plan.</p>	YES	YES

9. NEW BRUNSWICK

9.1 Characteristics

9.1.1 Definition of spouse

- “Spouse” refers to either of two persons who:
 - are married to each other;
 - are married to each other by a marriage that is voidable and has not been avoided by a declaration of nullity; or
 - have gone through a form of marriage with each other in good faith that is void and have cohabited within the preceding year.
- “Common-law partner” refers to:
 - In the case of the death of a contractholder (member or former member), a person who, while not being married to the contractholder, was cohabiting in a conjugal relationship with the contractholder at the time of the death for a continuous period of at least two years immediately before the death;
 - In the case of the breakdown of a common-law partnership, a person who, while not being married to the contractholder (member or former member), was cohabiting in a conjugal relationship with the contractholder for a continuous period of at least two years immediately before the date of the breakdown of the common-law partnership; or
 - In any other case, a person who, while not being married to the contractholder (member or former member) at the particular time under consideration, was cohabiting in a conjugal relationship with the contractholder at that time and who has so cohabited for a continuous period of at least two years immediately before that time.

9.1.2 Minimum age to issue a LIF

- The minimum age is 18.

9.1.3 Spousal consent and form required to issue a LIF or purchase an annuity

LIF

- Spousal consent is not required.

ANNUITY

- Spousal consent is required if the contractholder wants to purchase an annuity that is not a joint and survivor annuity or a joint and survivor annuity of less than 60% upon the contractholder’s death.
- Form 5 – Joint and Survivor Pension Waiver.
- The form must be signed by both spouses and submitted to La Capitale in the year preceding the pension payment.

9.1.4 Conversion of a LIRA to a LIF

It is permitted to transfer a LIF back to a LIRA, even if the contractholder is under age 71.

9.2 Permitted withdrawals and unlocking

9.2.1 Financial hardship

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
Not available	Not available	Not available	N/A	N/A

9.2.2 Small contract value

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
<p>The formula for determining the minimum balance to be unlocked is based on age.</p> <p>The Financial and Consumer Services Commission posted a document on its website entitled "Maximum Asset Limits for Small Pensions and LIRA 2019."</p>	<p>Form 3.6 – Request for Withdrawal from a Locked-In Retirement Account (LIRA)</p> <p>AND</p> <p>Form 3.7 – Consent of Spouse or Common-law Partner to Withdraw from a Pension Fund or a Locked-In Retirement Account (LIRA)</p>		YES	NO


9.2.3 Reduced life expectancy

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
<p>Reduced life expectancy due to a significant mental or physical disability that considerably reduces the contractholder's life expectancy.</p>	<p>Written physician's statement certifying to La Capitale that the contractholder has a significant mental or physical disability that considerably reduces life expectancy.</p> <p>AND</p> <p>Form 3.01 – Waiver by Spouse or Common-law Partner (Reduced Life Expectancy) - LIRA, LIF, Annuity</p>		YES	YES

9.2.4 Non-resident of Canada

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
<p>The contractholder and the spouse or common-law partner, as applicable, are not Canadian citizens</p> <p>AND</p> <p>The contractholder and the spouse or common-law partner, as applicable, are not residents of Canada for the purposes of the federal <i>Income Tax Act</i></p>	<p>Form 3.5 – Waiver of Spouse or Common-law Partner for Non-Canadians Citizens</p>	<p>All funds must be withdrawn.</p> <p>To obtain a confirmation of non-residency status (departure from Canada), the contractholder must complete the NR73 form and send it to the CRA. The CRA will then send the confirmation of residency status.</p> <p>Payment must be made within 60 days after receipt of the documents.</p>	YES	YES

9.2.5 Unlocking

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
<p>ONE-TIME partial unlocking of LIF to RRIF</p> <p>Basically, the amount is equal to three times the annual income amount, up to a maximum of 25% of the LIF.</p> <p>See the form for how the calculation is done.</p> <p> If the contractholder is under age 71, the unlocked funds must remain in the LIF.</p>	<p>Form 3.3 – Request for Approval of Transfer from LIF to RRIF</p> <p>AND</p> <p>Form 3.4 – Consent of Spouse or Common-law Partner to Transfer from LIF to RRIF</p>	<p>As of May 28, 2018, all documents related to transfers from LIFs to RRIFs must be posted on to the FCNB portal.</p> <p>Paper documents are no longer accepted.</p>	NO	YES


9.2.6 Enforcement of alimony rules

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
Not available	Not available	Not available	N/A	N/A

9.3 Temporary income

Temporary income is not permitted.

9.4 Transfer to spouse following the annuitant's death

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
Member or former member LIRA-LIF (funds originating from a pension fund)				
No spouse		The payment is made to the designated beneficiary. In the event there is no beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	NO	NO
Spouse who has not waived rights		A lump-sum amount may be paid to the spouse.  The spouse may choose to deposit the amount into an RRSP. However, this is considered a contribution and not a spousal rollover. The spouse is responsible for ensuring that he or she has the "necessary room" in the RRSP to make the contribution.	NO	NO
Spouse who has waived rights	Form 3.02 – Waiver by Spouse or Common-law Partner (General) - LIRA, LIF, Annuity	The payment is made to the designated beneficiary. In the event there is no beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	NO	NO
Purchaser LIRA-LIF (following death or relationship breakdown)				
		The payment is made to the designated beneficiary. In the event there is no beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	NO	NO

9.5 Transfer to spouse after a divorce

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
Applicable to married spouses and common-law partners.	Order or decision by a competent court OR A domestic contract	The contractholder must retain at least 50% of the value of the contract. The portion assigned to the spouse or common-law partner may be paid in cash. La Capitale must provide the former spouses with information on the redemption value of the contract at no charge, upon receipt of a written request. Sections 27 to 33 of the Regulations are applicable with the necessary adjustments upon division of the value of the LIRA or LIF.	YES	YES

10. NOVA SCOTIA

10.1 Characteristics

10.1.1 Definition of spouse

- “Spouse” means either of two persons who:
 - Are married to each other
 - Are married to each other by a marriage that is voidable and has not been annulled by a declaration of nullity
 - Have gone through a form of marriage with each other, in good faith, that is void and are cohabiting or, where they have ceased to cohabit, have cohabited within the twelve-month period immediately preceding the date of entitlement
 - Are domestic partners within the meaning of Section 52 of the *Vital Statistics Act*; or
 - Not being married to each other, cohabited in a conjugal relationship with each other:
 - For a period of at least three years, if either of them is married; or
 - For a period of at least one year, if neither of them is married.

10.1.2 Minimum age to issue a LIF

- The minimum age is 55.

10.1.3 Spousal consent and form required to issue a LIF or purchase an annuity

LIF

- Spousal consent is required.
- Form 9 - Spousal Consent to Transfer to a LIF or to a Variable Benefit.

ANNUITY

- Spousal consent is required if the contractholder wants to purchase an annuity that is not a joint and survivor annuity or a joint and survivor annuity of less than 60% upon the contractholder’s death.
- Form 6 – Spousal Waiver Joint & Survivor Pension Benefits.

10.1.4 Conversion of a LIRA to a LIF

Once a LIRA has been converted to a LIF, it is not permitted to transfer the funds back into a LIRA, even if the contractholder is under age 71.



However, a LIF transferred from another institution may be transferred into a LIRA at the time the funds are received.

10.2 Permitted withdrawals and unlocking

10.2.1 Financial hardship



Form 12 must be sent to the Superintendent within 60 days of the signature date.



The Superintendent's consent is required in all cases of financial hardship.

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
LOW INCOME Gross total income from all sources must not exceed 66 ^{2/3} % of the MPE for the next 12 months, i.e. \$38,266 in 2019	The contractholder must submit Form 12 to the Superintendent. Form 12 – 2019 Financial Hardship Application Form 12 lists the documents that must be submitted with the request.	No other withdrawal requests approved by the Superintendent in the last 12 months.	YES	YES
MORTGAGE ARREARS		PERMITTED ONCE PER LIFETIME (for mortgage or rental arrears) \$500 minimum Written foreclosure notice and the outstanding amount		
RENTAL ARREARS		The spouse's consent is required in all cases of financial hardship. Form 12 includes a section entitled "Spouse's Consent to Withdrawal."		
MEDICAL OR DENTAL EXPENSES FOR ILLNESS OR DISABILITY NOT COVERED UNDER ANOTHER PLAN (Includes the contractholder, the spouse and their dependents) The last page of Form 12 lists the people who can be considered as dependents.		Ensure that the right section for the specific circumstances is filled out.		

10.2.2 Small contract value

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
<p>Age 65 or over</p> <p>AND</p> <p>The total value of all locked-in funds (LIRA and LIF) does not exceed 50% of the MPE, i.e. \$28,700 in 2019.</p>	<p>Form 11 – Withdrawal from LIRA or LIF (the spousal consent section must be completed and signed, if applicable).</p> <p>Form 11 lists the documents that must be submitted with the request.</p>	<p>Form 11 must be submitted to La Capitale within 60 days of the signature date; do not send to the Superintendent.</p> <p>The amount withdrawn can be paid in cash or transferred to an RRSP or RRIF.</p>	YES	YES

10.2.3 Reduced life expectancy

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
<p>Reduced life expectancy of less than two years</p>	<p>Form 11 – Withdrawal from LIRA or LIF (the spousal consent section must be completed and signed, if applicable).</p> <p>Form 11 lists the documents that must be submitted with the request.</p>	<p>Form 11 must be submitted to La Capitale within 60 days of the signature date; do not send to the Superintendent.</p> <p>Physician's letter certifying that the contractholder's life expectancy is less than two years. This letter must be submitted to La Capitale within 60 days of the signature date.</p> <p>The amount withdrawn can be paid in cash or transferred to an RRSP or RRIF.</p>	YES	YES

10.2.4 Non-resident of Canada

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
<p>Considered a non-resident within the meaning of the federal <i>Income Tax Act</i></p> <p>AND</p> <p>Ceased residing in Canada at least 24 months ago.</p>	<p>Copy of the Canada Revenue Agency confirmation that the person is a non-resident for the purposes of the federal <i>Income Tax Act</i></p> <p>AND</p> <p>Form 11 – Withdrawal from LIRA or LIF (the spousal consent section must be completed and signed, if applicable).</p>	<p>Form 11 must be submitted to La Capitale within 60 days of the signature date; do not send to the Superintendent.</p> <p>All funds must be withdrawn.</p> <p>To obtain a confirmation of non-residency status (departure from Canada), the contractholder must complete the NR73 form and send it to the CRA. The CRA will then send the confirmation of residency status.</p> <p>Payment must be made within 60 days after receipt of the documents.</p>	YES	YES



10.2.5 Unlocking

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
Not available	Not available	Not available	N/A	N/A

10.2.6 Enforcement of alimony rules

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
Not available	Not available	Not available	N/A	N/A

10.3 Temporary income

Situations	Required forms
Permitted for LIFs only	
<p>Age 55 or over but under age 65</p> <p>Temporary income is paid according to Section 10 of Schedule 4 of the Pension Benefits Regulations.</p> <p>The Nova Scotia government has information available on its site as well. An Excel document: 2019 LIF (Life Income Fund) Calculator</p> <p> When a request for temporary income is made mid-way through a year, the amount must be calculated on a pro rata basis according to the number of months.</p> <p> La Capitale offers the option of temporary income.</p>	<p>Form 10 - Application for Temporary Income from a Life Income Fund (LIF)</p> <p>Spousal consent is not required.</p> <p>Form 10 must be submitted to La Capitale; do not send it to the Superintendent.</p> <p>Only available from a LIF.</p> <p>Temporary income must be paid in cash; it cannot be transferred to an RRSP or RRIF.</p>

10.4 Transfer to spouse following the annuitant's death

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
Member or former member LIRA-LIF (funds originating from a pension fund)				
No spouse		The payment is made to the designated beneficiary. In the event there is no beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	NO	NO
Spouse who has not waived rights		The LIRA amount can be transferred to an RRSP. The LIF amount can be transferred to an RRSP or RRIF.	YES	YES
Spouse who has waived rights	Form 8 – Spousal Waiver of Death Benefit Under a LIRA or LIF	The payment is made to the designated beneficiary. In the event there is no beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	NO	NO
Purchaser LIRA-LIF (following death or relationship breakdown)				
		The payment is made to the designated beneficiary; in the absence of a beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	NO	NO

10.5 Transfer to spouse after a divorce

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
<p>Applicable to:</p> <ul style="list-style-type: none"> • Married spouses; • Common-law spouses; and • Domestic partners 	<p>The contractholder's spouse is entitled to receive information on the value of the contract to be divided. Form 13 – Spousal Request for Information</p> <p>Spouses who wish to transfer the portion to which they are entitled must provide the following documents: A court decision; or A signed agreement; AND Form 15 – Request for Transfer.</p> <p>The contractholder who wishes to know the amount to which the spouse is entitled after the breakdown of their relationship can fill out Form 18 – Joint Declaration Period of Spousal Relationship. The spouse must sign Form 18.</p> <p>Spouses who do not intend to divide the value of the contract fill out Form 19 – Joint Confirmation No Division of Pension Entitlement.</p>	<p>La Capitale must send the information within 60 days of receiving the request.</p> <p>After receipt of Form 13 or Form 15, La Capitale must send a notice to the contractholder. The notice can be sent using Form 16 – Division of Pension Benefits / NOTICE</p>	YES	YES

11. ONTARIO

11.1 Characteristics

11.1.1 Definition of spouse

- Unless specified otherwise in the Pension Benefits Act, R.S.O., “spouse” refers to either of two people who:
 - Are married to each other;
 - Are not married to each other and are living together in a conjugal relationship,
 - continuously for a period of not less than three years, or
 - in a relationship of some permanence, if they are the parents of a child as set out in the *Family Law Act*.

11.1.2 Minimum age to issue a LIF

- The minimum age is 55.

11.1.3 Spousal consent and form required to issue a LIF or purchase an annuity

LIF

- Spousal consent is required.
- The La Capitale “Spousal Consent” form for issuing a LIF.

ANNUITY

- Spousal consent is required if the contractholder wants to purchase an annuity that is not a joint and survivor annuity or a joint and survivor annuity of less than 60% upon the contractholder’s death.
- Form 3 – Waiver of Joint and Survivor Pension.
- The form must be signed by both spouses and submitted to La Capitale in the twelve months preceding the beginning of pension benefit payments.

11.1.4 Conversion of a LIRA to a LIF

Once a LIRA has been converted to a LIF, it is not permitted to transfer the funds back into a LIRA, even if the contractholder is under age 71.


11.2 Permitted withdrawals and unlocking

11.2.1 Financial hardship



The contractholder may submit only a single request for each of the four reasons below per eligible person, per calendar year.

The form must be signed within 60 days preceding the date of receipt by La Capitale.

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
<p>LOW INCOME</p> <p>The contractholder's total income before taxes for the 12 months after the request was signed must not exceed 66^{2/3}% of MPE, i.e. \$38,266 in 2019</p> <p>The maximum amount that the contractholder may withdraw is calculated in Part 2, point 3 of FHU Form 4</p>	<p>FHU Form 4 – Financial Hardship Unlocking – Application for Low Expected Income</p> <p>The documents submitted with the form must not be signed or dated more than 12 months before the date the Insurer receives them.</p>	<p> The forms are updated every year. Therefore, the form for the year during which the request is submitted to La Capitale must be used.</p>		
<p>MEDICAL EXPENSES for the contractholder, partner or a dependent.</p> <p>The eligible person must have a physical or mental illness or a physical disability.</p> <p>The maximum amount that the contractholder may withdraw is calculated in Part 2, point 3 of FHU Form 1</p>	<p>FHU Form 1 – Financial Hardship Unlocking – Application for Medical Expenses, including Renovations to a Principal Residence for Medical Reasons</p> <p>AND</p> <p>Physician's or dentist's statement signed and dated no more than 12 months before the date La Capitale receives it</p> <p>AND</p> <p>Copies of receipts or estimates for all medical expenses related to the request.</p>	<p>A User's Guide is available for each of the forms. Each guide, which is approximately 10 pages, contains useful information.</p> <p>Requests must be submitted to La Capitale within 60 days of the signature date.</p> <p>The payment must be made in one single payment within 30 days of the date the duly completed request was received.</p> <p>The minimum amount is \$500.</p> <p>The funds must be paid in one lump-sum amount. They cannot be paid in monthly, or any other, instalments. The funds cannot be transferred to an RRSP or RRIF.</p>	YES	YES
<p>EVICTIION NOTICE</p> <p>The contractholder is in arrears on rent for the principal residence</p> <p>OR</p> <p>The contractholder has defaulted on a mortgage loan for the principal residence</p> <p>AND</p> <p>The contractholder is threatened with eviction from the principal residence if the debt is not paid.</p> <p>The maximum amount that the contractholder may withdraw is calculated in Part 2, point 2 of FHU Form 2.</p>	<p>FHU Form 2 – Financial Hardship Unlocking – Application for Arrears of Rent or Secured Debt (Mortgage) on a Principal Residence</p> <p>AND</p> <p>Copy of the eviction notice. It must not be signed more than 12 months before receipt by La Capitale.</p>	<p>The amount cannot exceed the incurred expenses and fees.</p> <p>The requested amount is the gross amount, i.e. the amount before fees and tax deductions. La Capitale may charge fees.</p> <p>The spouse must give consent.</p>		

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
<p>PAYMENT OF FIRST AND LAST MONTHS OF RENT</p> <p>The contractholder must intend to occupy the rental residence as a principal residence.</p> <p>The maximum amount that the contractholder may withdraw is calculated in Part 2, point 2 of FHU Form 3</p>	<p>Form FHU 3 – Financial Hardship Unlocking – Application for First and Last Months' Rent for a Principal Residence</p> <p>AND</p> <p>Copy of the lease</p>		YES	YES

11.2.2 Small contract value

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
<p>Age 55 or over</p> <p>AND</p> <p>The total accumulated value of all locked-in funds cannot exceed 40% of MPE, i.e. \$22,960 in 2019.</p>	<p>Form 5 – Application to Withdraw or Transfer Money from an Ontario Locked-in Account, Part 2B.</p> <p>The spouse must complete Part 4, if applicable.</p>	<p>The request must be submitted within 60 days of the spouse's signature.</p> <p>All funds must be withdrawn.</p> <p>The amount may be withdrawn in whole in cash or transferred in whole to an RRSP or RRIF in accordance with the provisions of the Ontario <i>Pension Benefits Act</i>, insofar as allowed by the Act.</p> <p>It is not permitted to withdraw part of the funds in cash and transfer the remaining portion to an RRSP or RRIF.</p>	YES	YES

11.2.3 Reduced life expectancy

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
Illness or physical disability that reduces life expectancy to less than two years	<p>Form 5 – Application to Withdraw or Transfer Money from an Ontario Locked-in Account, Part 2A.</p> <p>The spouse must complete Part 4, if applicable</p> <p>AND</p> <p>The statement in Part 5 of Form 5 or a letter from the attending physician confirming that he or she is licensed to practise medicine in a legislative jurisdiction of Canada and indicating that the contractholder's life expectancy is less than two years.</p>	<p>Total or partial withdrawal of funds</p> <p>It is not permitted to transfer the funds into an RRSP or RRIF.</p>	YES	YES


11.2.4 Non-resident of Canada

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
The contractholder is a non-resident of Canada and 24 months have lapsed since departure from Canada.	<p>A copy of the Canada Revenue Agency letter certifying that the CRA considers the person a non-resident for the purposes of the <i>Income Tax Act</i>.</p> <p>AND</p> <p>Form 5 – Application to Withdraw or Transfer Money from an Ontario Locked-in Account, Part 2D.</p> <p>The spouse must complete Part 4, if applicable.</p>	<p>The request must be submitted within 60 days of the signature date.</p> <p>All funds must be withdrawn.</p> <p>To obtain a confirmation of non-residency status (departure from Canada), the contractholder must complete the NR73 form and send it to the CRA. The CRA will then send the confirmation of residency status.</p>	YES	YES

11.2.5 Withdrawal of amounts exceeding the federal *Income Tax Act* limits

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
<p>The amount transferred from the contractholder's former pension plan to the locked-in La Capitale account exceeds the federal <i>Income Tax Act</i> limits</p>	<p>Form 5 – Application to Withdraw or Transfer Money from an Ontario Locked-in Account, Part 2C.</p> <p>AND</p> <p>Written statement from the administrator of the contractholder's former pension plan OR the Canada Revenue Agency; this statement must indicate the excess amount that was transferred to the locked-in La Capitale account.</p> <p>It is not necessary to obtain the spouse's consent.</p>	<p>The contractholder can withdraw the maximum allowable amount OR less than the maximum allowable amount.</p> <p>La Capitale must calculate the maximum allowable amount. For more information, see Part 2C of Form 5.</p> <p>Transfers to an RRSP are permitted. (Check the available contribution space of the RRSP and issue a receipt, if necessary)</p>	<p>YES</p>	<p>YES</p>

11.2.6 Unlocking

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
<p>Minimum age 55</p> <p>AND</p> <p>Only owners of new LIFs issued on or after January 1, 2008 are entitled to take advantage of unlocking and withdrawing up to 50% of the funds.</p> <p> If the contractholder is under age 71, the unlocked funds must remain in the LIF.</p> <p>Example:</p> <p>Contractholder, age 55 LIRA \$100,000 - unlocks 50% \$50,000 to RRSP, RRIF or in cash LIF or life annuity of \$50,000 The contractholder cannot reconvert \$50,000 from the LIF into a LIRA even if under age 71.</p>	<p>Form 5.2 - Application to Withdraw or Transfer up to 50% of the Money Transferred into a Schedule 1.1 LIF</p> <p>The spouse must complete Part 4, if applicable.</p>	<p>The request must be made within 60 days of the transfer to the LIF.</p> <p>La Capitale has 30 days after receipt of the duly completed request to pay the funds in cash OR make the transfer to an RRSP or RRIF.</p>	NO	YES

11.3 Temporary income

Temporary income is not permitted.

11.4 Transfer to spouse following the annuitant's death

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
Member or former member LIRA-LIF (funds originating from a pension fund)				
No spouse		The payment is made to the designated beneficiary; in the absence of a beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	NO	NO
Spouse who has not waived rights		Spousal rollover The benefit can be transferred to an RRSP or RRIF.	YES	YES
Spouse who has waived rights	Form 4.1 – Waiver of Survivor's Benefit from an Ontario Locked-in Account – (LIRA, LIF or LRIF)	The payment is made to the designated beneficiary. In the event there is no beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	NO	NO
Purchaser LIRA-LIF (following death or relationship breakdown)				
		The payment is made to the designated beneficiary. In the event there is no beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	NO	NO

11.5 Transfer to spouse after a divorce

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
The <i>Family Law Act</i> is applicable to married spouses and common-law partners.	Order in accordance with the <i>Family Law Act</i> Family Arbitration Award OR Domestic contract	Any transfer to the spouse must not exceed 50% of the contractholder's account assets. The spouse or former spouse may transfer funds to a LIRA or LIF	YES	YES

12. QUEBEC

12.1 Characteristics

12.1.1 Definition of spouse

The person who is recognized to be the spouse or the common-law partner under the *Income Tax Act* and the *Supplemental Pension Plans Act*.

- is married to or in a civil union with the member;
- has been living in a conjugal relationship with a member who is neither married nor in a civil union, whether the person is of the opposite or the same sex, for a period of not less than three years, or for a period of not less than one year if
 - at least one child is born, or to be born, of their union;
 - they have adopted, jointly, at least one child while living together in a conjugal relationship; or
 - one of them has adopted at least one child who is the child of the other, while living together in a conjugal relationship.

Status of the spouse

- Spousal status is established as at either the day a member begins receiving payment of a retirement or disability pension, a pension that replaces it or a bridging benefit, or the day preceding the death of the member, whichever date is adopted by the pension plan, or, if neither is adopted, whichever date occurs first. However, if the member dies without having received payment of such a pension or benefit, spousal status is established as at the day preceding the death

Birth or adoption of a child

- The birth or adoption of a child prior to the period of conjugal relationship existing on the day as of which spousal status is established may qualify a person as a spouse.

Separation

- A person who is legally separated from bed and board on the day as of which spousal status is established is not entitled to any benefit unless the person is the member's successor or was named in a notice sent by the member under section 89 of the Act.

12.1.2 Minimum age to issue a LIF

- The minimum age is 18.

12.1.3 Spousal consent and form required to issue a LIF or purchase an annuity

LIF

- Spousal consent is not required.

ANNUITY

- Spousal consent is required if the contractholder wants to purchase an annuity that is not a joint and survivor annuity or a joint and survivor annuity of less than 60% upon the contractholder's death.
- Complete the La Capitale "Spousal waiver of joint and survivor pension" form.

12.1.4 Conversion of a LIRA to a LIF

It is permitted to transfer a LIF back to a LIRA, even if the contractholder is under age 71.

12.2 Permitted withdrawals and unlocking


12.2.1 Financial hardship

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
Not available. However, the contractholder may request temporary income under certain circumstances.			NO	YES (temporary income)

12.2.2 Small contract value

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
<p>Age 65 or over at the end of the year preceding the request</p> <p>AND</p> <p>The total value of the contractholder's locked-in funds does not exceed 40% of MPE for the year during which the contractholder requests payment, i.e. \$22,960 in 2019.</p>	Schedule 0.2 – Declaration of the member or purchaser (Lump-sum payment as of age 65)	Total or partial withdrawal. Fees and penalties may apply if the investment has not matured.	YES	YES

12.2.3 Reduced life expectancy

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
Physical or mental disability reducing life expectancy	Physician's medical certificate indicating that the physical or mental disability has reduced the contractholder's life expectancy.	<p>The physician's membership in the <i>Collège des médecins</i> must be verified. The amount may be withdrawn in cash or transferred to an RRSP or RRIF. Withdrawal may be done in instalments. Fees and penalties may apply if the investment has not matured.</p> <p> The criteria for disability are different from those used by the <i>Régime de rentes du Québec</i>.</p>	YES	NO

12.2.4 Non-resident of Canada

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
<p>The contractholder has ceased residing in Canada at least two years ago.</p> <p>AND</p> <p>If the investment has not matured, fees and penalties may apply.</p>	A copy of the Canada Revenue Agency letter certifying that the CRA considers the person a non-resident for the purposes of the federal <i>Income Tax Act</i> .	<p>All funds must be withdrawn.</p> <p>To obtain a confirmation of non-residency status (departure from Canada), the contractholder must complete the NR73 form and send it to the CRA. The CRA will then send the confirmation of residency status.</p>	YES	YES

12.2.5 Unlocking

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
<p>The owner of a Life Income Fund (LIF) may transfer funds from the LIF to a Registered Retirement Savings Plan (RRSP) or a Registered Retirement Income Fund (RRIF) up to the maximum allowable amount.</p> <ul style="list-style-type: none"> • No application for temporary income <ul style="list-style-type: none"> ➢ In this case, the maximum amount transferable is equal to the difference between the life income ceiling and the mandatory minimum withdrawal, calculated as follows: Maximum amount transferable = life income ceiling – mandatory minimum withdrawal. • Application for temporary income (age 54 to 64) The maximum amount transferable is equal to the lesser of the following two amounts: <ul style="list-style-type: none"> ➢ The life income ceiling OR ➢ The difference between maximum income and the mandatory minimum withdrawal (where maximum income is equal to the temporary income plus the adjusted life income.) <p>Maximum amount transferable = minimum [life income ceiling, [maximum income – mandatory minimum withdrawal]] where maximum income is equal to the temporary income plus the adjusted life income.</p> 	T2030	<p>The transferable amount does not include the minimum amount that must be withdrawn from the LIF, since this minimum amount must be disbursed.</p> <p>The transferable amount is not calculated according to the maximum amount deductible for RRSPs i.e. available contribution space.</p> <p>The transferable amount does not increase the maximum that can be withdrawn from the LIF for the year.</p> <p>A T4RIF or <i>Relevé 2</i> slip and a transfer receipt in accordance with 60 (l) (v) will be issued (if transferred to an RRSP).</p>	NO	YES

12.3 Temporary income

Situations	Required forms
Permitted for LIFs only	
Under age 54	
<p>Owens a single LIF</p> <p>The income that the contractholder expects to receive in the 12 months following the request must not exceed 40% of the MPE for the year of the request, i.e. \$22,960 in 2019.</p>	<p>Schedule 0.3 – Declaration of the member or the spouse (Written agreement)</p> <p>AND</p> <p>Schedule 0.5 – Declaration of the purchaser [Temporary LIF income (under age 54)]</p> <p>AS NEEDED</p> <p>Schedule 0.9.1 – Declaration of the purchaser when transferring sums to a life income fund [Transfer to a LIF (under age 54)]</p>
Age 54 to 64	
	<p>Schedule 0.3 – Declaration of the member or the spouse (Written agreement)</p> <p>AND</p> <p>Schedule 0.4 – Declaration of the purchaser [Temporary LIF income (ages 54 to 64)]</p> <p>OR</p> <p>Schedule 0.3 – Declaration of the member or the spouse (Written agreement)</p> <p>AND</p> <p>Schedule 0.8 – Declaration of the purchaser (Temporary LIF income exceeding the temporary income for ages 54 – 64)</p> <p>AS NEEDED</p> <p>Schedule 0.9 – Declaration of the purchaser when transferring sums to a life income fund [Transfer to a LIF (age 54 or over)]</p>
Age 65 and over	
<p>Not available as of age 65</p>	<p>Refer to the Small Contract(s) Value section</p>

12.4 Transfer to spouse following the annuitant's death

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
Member or former member LIRA-LIF (funds originating from a pension fund)				
No spouse		The payment is made to the designated beneficiary. In the event there is no beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	NO	NO
Spouse who has not waived rights		Rollover to spouse's RRSP	YES	YES
Spouse who has waived rights		The payment is made to the designated beneficiary. In the event there is no beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	NO	NO
Purchaser LIRA-LIF (following death or relationship breakdown)				
		The payment is made to the designated beneficiary. In the event there is no beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	NO	NO

12.5 Transfer to spouse after a divorce

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
<p>Were married or civilly united</p> <p>Under certain circumstances and under certain conditions, were common-law partners</p>	<p>Court order</p> <p>OR</p> <p>A notarized joint declaration dissolving a civil union</p> <p>AND</p> <p>T2220</p>	<p>Amounts held in LIRAs and LIFs can be seized for unpaid alimony, compensatory allowance or division of the family patrimony.*</p> <p>LIRAs and LIFs are part of the family patrimony. They can be divided on breakdown of a marriage or civil union.* Former common-law partners can also divide LIRAs and LIFs if they come to an agreement within 12 months of the relationship breakdown.*</p> <p>*Fifty percent of LIRA and LIF amounts are protected against seizure for unpaid alimony, compensatory allowance or division of the family patrimony.</p> <p>Any amount assigned to a former spouse must be transferred to a locked-in vehicle.</p>	<p>YES</p>	<p>YES</p>

13. SASKATCHEWAN

13.1 Characteristics

13.1.1 Definition of spouse

- A person married to a member or a former member; or
- If a member or a former member is not married, a person with whom the member or a former member is cohabiting as spouses at the relevant time and who has been cohabiting continuously with the member or a former member as his or her spouse for at least one year prior to the relevant time.

13.1.2 Minimum age to issue a LIF

- The minimum age is 55.

13.1.3 Spousal consent and form required to issue a prescribed RRIF or purchase an annuity

PRESCRIBED RRIF

- Spousal consent is required.
- Form 1 – Spouse’s Consent to Transfer to a Registered Retirement Income Fund Contract.

ANNUITY

- Spousal consent is required if the contractholder wants to purchase an annuity that is not a joint and survivor annuity or a joint and survivor annuity of less than 60% upon the contractholder’s death.
- Form 3 – Spouse’s Waiver of 60% Post-Retirement Survivor Benefit.
- The form must be submitted to La Capitale within the 90 days preceding the beginning of pension benefit payments.

13.1.4 Conversion of a LIRA to a prescribed RRIF

Once a LIRA has been converted to a prescribed RRIF, it is not permitted to transfer the funds back into a LIRA, even if the contractholder is under age 71.

13.2 Permitted withdrawals and unlocking

13.2.1 Financial hardship

Situations	Required documents	Comments	Eligibility	
			LIRA	PRE-SCRIBED RRIF
Not available	Not available	Not available	N/A	N/A

13.2.2 Small contract value

Situations	Required documents	Comments	Eligibility	
			LIRA	PRE-SCRIBED RRIF
The total value of the locked-in funds does not exceed 20% of the MPE for the year during which the amount is paid, i.e. \$11,480 in 2019	Contractholder letter with instructions. Consent and waiver forms are not required	La Capitale must ensure that the contractholder does not have other locked-in funds. The amount can be withdrawn in cash or transferred to an RRSP, if requested by the owner.	YES	NO

13.2.3 Reduced life expectancy

Situations	Required documents	Comments	Eligibility	
			LIRA	PRE-SCRIBED RRIF
Reduced life expectancy due to illness or physical or mental disability	Physician's statement certifying that life expectancy is considerably reduced. AND (if applicable) Form 3 – Spouse's Waiver of 60% Post-Retirement Survivor Benefit	The amount can be paid in a lump sum or in instalments.	YES	NO

13.2.4 Non-resident of Canada

Situations	Required documents	Comments	Eligibility	
			LIRA	PRE-SCRIBED RRIF
<p>Qualify as a non-resident under the federal <i>Income Tax Act</i></p> <p>AND</p> <p>The contractholder has ceased residing in Canada for at least two consecutive calendar years.</p>	<p>A copy of the Canada Revenue Agency letter certifying that the CRA considers the person a non-resident for the purposes of the federal <i>Income Tax Act</i>.</p> <p>Form 4 – Certificate of Non-Residency</p> <p>AND</p> <p>Form 5 – Spouse's Consent to Withdrawal and Waiver of Entitlements under a Pension Plan or a LIRA Contract for Non-Residency Status.</p>	<p>All funds must be withdrawn.</p> <p>To obtain a confirmation of non-residency status (departure from Canada), the contractholder must complete the NR73 form and send it to the CRA. The CRA will then send the confirmation of residency status.</p>	YES	NO

13.2.5 Unlocking

Situations	Required documents	Comments	Eligibility	
			LIRA	PRE-SCRIBED RRIF
Not available	Not available	Not available	N/A	N/A

13.2.6 Enforcement of alimony rules

Situations	Required documents	Comments	Eligibility	
			LIRA	PRE-SCRIBED RRIF
Not available	Not available	Not available	N/A	N/A

13.3 Temporary income

Temporary income is not permitted.

13.4 Transfer to spouse following the annuitant's death

Situations	Required documents	Comments	Eligibility	
			LIRA	PRESCRIBED RRIF
Member or former member LIRA-LIF (funds originating from a pension fund)				
No spouse		The payment is made to the designated beneficiary. In the event there is no beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	NO	NO
Spouse who has not waived rights			The spouse may: (1) Receive a lump sum (2) Purchase an immediate or deferred annuity (3) Transfer the amount to a prescribed RRIF or a LIRA (4) Rollover to an RRSP	The spouse may: (1) Receive a lump sum (2) Transfer the amount to an RRSP (if the spouse is under age 71) or to a RRIF (3) Transfer to a pension plan, if available (4) Purchase an immediate or deferred annuity.
Spouse who has waived rights	FOR LIRAs Form 0.1 – Spouse's Waiver of Designated Beneficiary Status Under a Locked-In Retirement Account Contract FOR PRESCRIBED RRIFs Form 2 – Spouse's Waiver of Designated Beneficiary Status	The payment is made to the designated beneficiary. In the event there is no beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	NO	NO
Purchaser LIRA-LIF (following death or relationship breakdown)				
		The payment is made to the designated beneficiary. In the event there is no beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	NO	NO

13.5 Transfer to spouse after a divorce

Situations	Required documents	Comments	Eligibility	
			LIRA	PRE-SCRIBED RRIF
<p><i>The Family Property Act</i> is applicable to married spouses and common-law partners.</p>	<p>A court order in accordance with <i>The Family Property Act</i></p> <p>OR</p> <p>An agreement between the spouses in accordance with <i>The Family Property Act</i></p>	<p>The contractholder must retain at least 50% of the value of the contract.</p> <p>The former spouse cannot receive his or her share in cash. The amount must be transferred to a LIRA.</p> <p>La Capitale may request the court issue instructions if it is not able to apply the order or if the order is not sufficiently clear.</p> <p>La Capitale must give the contractholder 30-days' notice if the court order or the agreement between the spouses was submitted to La Capitale by a person other than the contractholder.</p> <p>Prescribed LIRAs and RRIFs are subject to Part VI of <i>The Pension Benefits Act</i>, 1992.</p>	NON	YES

14. NEWFOUNDLAND AND LABRADOR

14.1 Characteristics

14.1.1 Definition of spouse

- A. With regard to a member or a former member, a person who:
- is married to him or her;
 - is married to the member or former member by a marriage that is voidable and has not been voided by a judgment of nullity, or
 - has gone through a form of marriage with him or her, in good faith, that is void and is cohabiting or has cohabited with him or her within the preceding year;
 - OR
- B. With regard to a member or a former member who:
- has a spouse as defined in Section A), a person who is not the spouse of the member or former member who has cohabited continuously with the member or former member in a conjugal relationship for not less than 3 years, or
 - does not have a spouse, a person who has cohabited continuously with the member or former member in a conjugal relationship for not less than one year,
 - and is cohabiting or has cohabited with the member or former member within the preceding year.

14.1.2 Minimum age to issue a LIF

- The minimum age is 55; or
- The date on which the contractholder is authorized to receive a pension benefit under the Act or the pension fund from which the funds are derived.

14.1.3 Spousal consent and form required to issue a LIF or purchase an annuity

LIF

- Spousal consent is required.
- Form 3 – Waiver of Joint and Survivor Pension or the spouse's written consent.

ANNUITY

- Spousal consent is required if the contractholder wants to purchase an annuity that is not a joint and survivor annuity or a joint and survivor annuity of less than 60% upon the contractholder's death.
- Form 3 – Waiver of Joint and Survivor Pension.
- The form must be submitted to La Capitale within the 12 months days preceding the beginning of pension benefit payments.

14.1.4 Conversion of a LIRA to a LIF

Once a LIRA has been converted to a LIF, it is not permitted to transfer the funds back into a LIRA, even if the contractholder is under age 71.

14.2 Permitted withdrawals and unlocking

14.2.1 Financial hardship

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
Not available	Not available	Not available	N/A	N/A

14.2.2 Small contract value

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
Contractholder age 55 or over AND The total value of the locked-in funds (LIRA, LIF and LRIF) does not exceed 40% of the MPE, i.e. \$22,960 in 2019	Form 7 – Application to Withdraw a Small Balance AND (if applicable) Form 3 – Waiver of Joint and Survivor Pension	The contract value is paid in one lump sum.	YES	YES

14.2.3 Reduced life expectancy

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
Reduced life expectancy due to a significant mental or physical disability that considerably reduces the contractholder's life expectancy.	Written physician's statement certifying that the contractholder's life expectancy is considerably reduced. It is not mandatory to specify the nature of the illness or the disability. AND (if applicable) Form 3 – Waiver of Joint and Survivor Pension	The contract value is paid in one lump sum or instalments.	YES	YES

14.2.4 Non-resident of Canada

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
Not available	Not available	Not available	N/A	N/A

14.2.5 Unlocking

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
Not available	Not available	Not available	N/A	N/A

14.2.6 Enforcement of alimony rules

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
Not available	Not available	Not available	N/A	N/A

14.3 Temporary income

Situations	Required forms
Permitted for LIFs only	
<p>At least age 65 on January 1 of the year of the request</p> <p>AND</p> <p>Total income for the year does not exceed 40% of MPE for the year the request is made.</p>	<p>Form 8 - Application to Receive a Temporary Income</p>

14.4 Transfer to spouse following the annuitant's death

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
Member or former member LIRA-LIF (funds originating from a pension fund)				
No spouse		The payment is made to the designated beneficiary. In the event there is no beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	NO	NO
Spouse who has not waived rights		The payment is made in cash.	NO	NO
Spouse who has waived rights	Form 3 – Waiver of Joint and Survivor Pension	The payment is made to the designated beneficiary. In the event there is no beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	NO	NO
Purchaser LIRA-LIF (following death or relationship breakdown)				
		The payment is made to the designated beneficiary. In the event there is no beneficiary, the payment is made to the estate liquidator. Payments must be made within 60 days following receipt of all the documents.	NO	NO

14.5 Transfer to spouse after a divorce

Situations	Required documents	Comments	Eligibility	
			LIRA	LIF
The <i>Family Law Act</i> does not include common-law partners.	Form 4 – Notice of Intention AND A court order in accordance with the <i>Family Law Act</i> OR A separation agreement in accordance with the <i>Family Law Act</i>	The contractholder must retain at least 50% of the value of the contract. The spouse may transfer his or her share to a LIRA, LIF or LRIF. La Capitale should not carry out the division if the court order or separation agreement is incomplete or not clear. La Capitale should not carry out the division if it receives a Form 6 – Notice of Objection of Member. In all of the above situations, La Capitale has 30 days to respond (Section 53 of the Act).	YES	YES

15. INTERNAL FORMS AND UNLOCKING

In addition to the forms that are specific to each province that must be attached when unlocking, certain internal forms must be completed and signed. When unlocked, funds can be paid into an RRSP or a RRIF.

A LAF cannot be used for these transactions.

15.1 The client already has a LIRA

Obtain and complete a LIF form

In the Source of Funds section

6. SOURCE OF FUNDS

1 Conversion of an existing plan with the Insurer (e.g. converting an RRSP to a RRIF)
Contract No.: **2** _____

3 Check one option only: Total OR Partial – Specify the account(s):
4 _____
Account No. Account No. Account No. Account No. Account No.

Transfer from another institution... (Check the appropriate form with a copy of statement)

- 1** Check *Conversion of an existing plan with the Insurer*
- 2** Enter the *Contract No.* of the existing LIRA.
- 3** Check *Total* or *Partial*
- 4** Enter the relevant account number.

Do not complete the Investment Instructions section.

Complete the form as usual

Obtain and complete the application or instructions form for an RRSP or RRIF

In the Source of Funds section

- 1** Transfer from one La Capitale account to another La Capitale account (e.g. from a non-registered plan to an RRSP)
 Source of funds: _____ **2**
Plan name or number

Account No.	Total or partial amount
3	<input type="checkbox"/> Total OR \$ _____ 4
	<input type="checkbox"/> Total OR \$ _____
	<input type="checkbox"/> Total OR \$ _____
	<input type="checkbox"/> Total OR \$ _____
	<input type="checkbox"/> Total OR \$ _____

- 1** Check Transfer from one La Capitale account to another La Capitale account
- 2** Enter LIF or the plan number
- 3** Enter the account number
- 4** Check Total or enter the % to be unlocked

15.2 The client already has a LIF

Obtain and complete the application or instructions form for an RRSP or RRIF

In the Source of Funds section

- 1** Transfer from one La Capitale account to another La Capitale account (e.g. from a non-registered plan to an RRSP)
 Source of funds: _____ **2**
Plan name or number

Account No.	Total or partial amount
3	<input type="checkbox"/> Total OR \$ _____ 4
	<input type="checkbox"/> Total OR \$ _____
	<input type="checkbox"/> Total OR \$ _____
	<input type="checkbox"/> Total OR \$ _____
	<input type="checkbox"/> Total OR \$ _____

- 1** Check Transfer from one La Capitale account to another La Capitale account
- 2** Enter the LIF name or number
- 3** Enter the account number
- 4** Check Total or enter the \$ to be unlocked