

# MEPP *In-Depth*

## *Pre-Retirement Spousal Waiver*

This issue provides information about designating a beneficiary who will receive the death benefit if you die before starting your pension.

### Spousal Waiver

Your spouse is automatically entitled to 100 per cent of your death benefit if you die before you retire.

Your spouse may waive the right to your death benefit by signing a [Spousal Waiver of Pre-Retirement Death Benefits](#) form. (Note: Your spouse may revoke a spousal waiver at any time before you die.)

The most current definition of spouse can be found in the [MEPP In-Depth - Designation of Beneficiary \(Before Retirement\)](#).

### Before Waiving Benefits

Before your spouse waives the right to your death benefit, you and your spouse should:

- investigate and fully understand the benefits payable to a spouse under MEPP and when they are payable; and
- seek legal counsel to help you understand the implications of a waiver.

You, your spouse, and legal counsel may refer to the Acts and Regulations that govern spousal benefits for members of MEPP. These are the relevant federal and provincial acts and their related regulations:

- *The Income Tax Act (Canada)*;
- *The Pension Benefits Act, 1992*; and
- *The Municipal Employees' Pension Act*.

**Note:** You can access the Acts and Regulations from Publications Saskatchewan (formerly the Queen's Printer) online at [www.publications.gov.sk.ca](http://www.publications.gov.sk.ca) or by calling 1-800-226-7302 (toll-free in Saskatchewan)

### Filing a Waiver

To file a spousal waiver, your spouse must complete a [Spousal Waiver of Pre-retirement Death Benefits](#) form. To access the form, visit the MEPP website, click on the Member tab and then go to the Forms section. Or, call MEPP to request the form.

Your spouse must sign the form in the presence of a lawyer licensed to practice law in Saskatchewan. You may not be present when your spouse signs the waiver.

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The lawyer must complete the Certificate of Independent Legal Advice that is part of the form. By completing this certificate, the lawyer indicates that he or she has fully explained your spouse's rights, and that your spouse has had an opportunity to ask questions about the rights being waived.

### Naming Beneficiaries

If your spouse completes a waiver and files it with PEBA, you must complete a *Designation of Beneficiary* form. In this form, you must name one or more beneficiaries who will receive the death benefit waived by your spouse.

If your spouse is not named as a beneficiary, they will not receive any portion of the death benefit.

If you do not name one or more beneficiaries, the death benefit waived by your spouse will be paid to your estate if you die.

For more information on beneficiary types, refer to *MEPP In-Depth - Designation of Beneficiary (Before Retirement)*.



The forms required for your MEPP pension application are available on the website.



**Looking for more information?** You'll find more information from these sources:

- [MEPP Member Booklet](#)
- [MEPP Matters](#) – the Plan newsletter
- [RetireWithEase](#) – retirement planning workshop



**Need assistance?** Contact us using one of these convenient options:

**Email:** [mepp@peba.gov.sk.ca](mailto:mepp@peba.gov.sk.ca)

**Phone:** 306-787-2684 (in Regina)  
1-877-506-6377 (toll-free)

**Fax:** 306-787-0244

The information in this bulletin does not replace or supersede *The Municipal Employees' Pension Act* or *The Pension Benefits Act, 1992* or related regulations. In the case of error or discrepancy, the terms of the Acts and regulations apply.