



Please read this fact sheet before signing the Waiver of Joint and Survivor Pension.

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## Overview

Under Ontario's Pension Benefits Act, the spouse you are living with when your pension starts is automatically eligible for a Joint and Survivor Pension. A Joint and Survivor Pension equals 60% of your pension, calculated after we apply the CPP reduction.

Your pension is reduced slightly to provide the 60% survivor pension. The reduction is based on the age difference between you and your spouse. It is a permanent reduction, even if your spouse predeceases you.

You and your spouse may waive the right to a 60% survivor pension. If you choose this option, your spouse will receive a 50% survivor pension, with no reduction to your pension, except in the following situations:

- If you are living separate and apart from your spouse on the date your pension begins, your spouse will not be eligible for a survivor pension. In that case, neither the 60% nor the 50% survivor pension will apply.
- If you stopped working in education before 1990 and signed the Waiver of Joint and Survivor Pension, you may disentitle your spouse to a survivor pension. Please contact us for more information.

Before waiving your right to the 60% survivor pension, you and your spouse should consider obtaining independent legal advice concerning your individual rights and the effect of a waiver. For more information on survivor benefits, please visit our website at [www.otpp.com](http://www.otpp.com).

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## Spouse

Your spouse is your married or common-law partner. A common-law partner must have lived with you in a conjugal relationship for:

- at least three continuous years; or
- a shorter period if you are the natural or adoptive parents of a child.

(A former spouse may be entitled to a portion of your survivor benefits if assigned in a separation agreement or court order with which we can comply.)

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## How to waive

To waive your right to a 60% survivor pension:

- you and your spouse must complete the Waiver of Joint and Survivor Pension (page 2 of this document), and
- return it to us within the 12-month period before your pension begins.

You and your spouse may cancel the waiver any time before your pension begins.

