



Financial Services 5160 Yonge Street
Commission Box 85
of Ontario Toronto ON M2N 6L9

Instructions for Completing Form 5

Application to a Financial Institution to Withdraw or Transfer Money from an Ontario Locked-in Account

For Applications Signed in 2008

General Information

You must complete the attached application if you want to apply to a financial institution (bank, insurance company, etc.) to withdraw or transfer money from your **Ontario locked-in account** (LIRA, LIF or LRIF)¹ for any of the following reasons:

- You have an illness or physical disability that is likely to shorten your life expectancy to less than two years.
- You are at least 55 years old and the total value of all assets held in every Ontario locked-in account you own is less than \$17,960 (for applications signed in 2008).
- The amount of money that was transferred from your former pension plan into your Ontario locked-in account exceeded the *Income Tax Act (Canada)* limit. (For more details about this type of withdrawal, please see page 5 of these instructions.)
- You are a non-resident of Canada and at least 24 months have passed since your date of departure from Canada.

Do **not** use the attached application to apply to withdraw or transfer money from your LIRA, LIF or LRIF if:

- Your locked-in account is governed by the laws of the federal government or a province other than Ontario. You can only use the attached application to apply to withdraw or transfer money from an Ontario locked-in account governed by the Ontario *Pension Benefits Act*.
- You want to apply to the Superintendent of Financial Services to withdraw money from your Ontario locked-in account because you are experiencing financial hardship. To find out how to make this kind of application, please contact the Financial Services Commission of Ontario at 416-250-7250 or toll free at 1-800-668-0128.
- You want to apply to a financial institution to withdraw or transfer up to 25% of the money transferred into an Ontario life income fund that is governed by the requirements of Schedule 1.1 to Regulation 909, R.R.O. 1990.

If you are unsure whether you can use the attached application to apply to withdraw or transfer money from your Ontario locked-in account, or if you have any questions about completing the application, please contact the financial institution that administers your Ontario locked-in account.

Any withdrawal or transfer from your Ontario locked-in account may have tax consequences. To find out more about any possible tax consequences, contact the Canada Revenue Agency at 1-800-959-8281.

Any withdrawal or transfer from your Ontario locked-in account may also affect your eligibility for certain government benefits. To find out more about the effect a withdrawal or transfer may have on your eligibility for government benefits, contact the government department or agency that provides those benefits.

Please be aware that when money is withdrawn or transferred from an Ontario locked-in account to an unlocked account, the money may lose the creditor protection provided by the PBA and Regulation.

If you own more than one Ontario locked-in account, you must make a separate application for each Ontario locked-in account from which you want to withdraw or transfer money.

When you have completed the required Parts of the application, give it and any other required document to the financial institution that administers your Ontario locked-in account. **Do not send your application to the Financial Services Commission of Ontario.**

Note: Under privacy legislation, it is the responsibility of your financial institution to advise you of the purposes for which personal information is collected, used or disclosed, and to obtain any necessary prior consent from you to any such collection, use or disclosure.

¹ LIRA – Locked-in retirement account
LIF – Life income fund
LRIF – Locked-in retirement income fund

How to Complete the Application

Before completing any Part of the application, please read all of these instructions. When completing the application, please type or print in ink. Please keep a copy of the completed application and any other required document for your records.

You do not need to complete every Part of the application. The Parts of the application that you need to complete depend on the type of application you wish to make:

If you have an illness or physical disability that is likely to shorten your life expectancy to less than two years, you can apply to withdraw all or part of the money in your Ontario locked-in account. If you want to apply for this type of withdrawal, complete the following Parts of the application:

- Part 1
- Part 2A
- Part 3
- Part 4 (Only if you certify in Part 3 that your spouse consents to the withdrawal of money from your Ontario locked-in account.)
- Part 5 (If Part 5 is not completed, you must provide a separate written statement from a physician. Please see page 3 of these instructions for more details.)

If you are at least 55 years old and the total value of all money held in every Ontario locked-in account you own is less than \$17,960 (for applications signed in 2008)², you can apply to withdraw or transfer all the money in your Ontario locked-in account. If you want to apply for this type of withdrawal or transfer, complete the following Parts of the application:

- Part 1
- Part 2B
- Part 3
- Part 4 (Only if you certify in Part 3 that your spouse consents to the withdrawal or transfer of money from your Ontario locked-in account.)

If the amount of money that was transferred from your former pension plan into your Ontario locked-in account exceeded the *Income Tax Act (Canada)* limit, you can apply to withdraw the excess amount from your Ontario locked-in account. (For more details about this type of withdrawal, please see page 5 of these instructions.) If you want to apply for this type of withdrawal, complete the following Parts of the application:

- Part 1
- Part 2C (You must also provide a separate written statement from the administrator of your former pension plan or the Canada Revenue Agency. The statement must set out the excess amount that was transferred into your Ontario locked-in account. Please see page 5 of these instructions for more details.)
- Part 3

If you are a non-resident of Canada and your departure from Canada took place at least 24 months before the date of this application, you can apply to withdraw all the money from your Ontario locked-in account. If you want to apply for this type of withdrawal, complete the following Parts of the application and include a written determination from the Canada Revenue Agency that you are a non-resident of Canada for the purposes of the federal *Income Tax Act* at the time you sign the application:

- Part 1
- Part 2D
- Part 3
- Part 4 (Only if you certify in Part 3 that your spouse consents to the withdrawal of money from your Ontario locked-in account).

The following pages contain more detailed instructions on how to complete each specific Part of the application.

²This amount is equal to 40% of the Year's Maximum Pensionable Earnings (YMPE) for 2008. The YMPE is a dollar amount set each year in relation to the Canada Pension Plan. A new YMPE is set every year, which means that the amount used to determine if a person is eligible for this type of withdrawal or transfer will change each year.

How to Complete Part 1 of the Application Information About the Owner of the Ontario Locked-in Account

1. Provide the following information about yourself:

Please fill in your full name, date of birth, mailing address (including postal code), telephone number (including area code and, if applicable, extension), fax number (if you have a fax number) and email address (optional).

2. Provide the following information about your Ontario locked-in account:

Please fill in the name of the financial institution that administers your Ontario locked-in account and the policy number or account number of your Ontario locked-in account. Check your Ontario locked-in account contract, or the statements you have received from your financial institution (bank, insurance company, etc.). If necessary, ask your financial institution.

How to Complete Part 2A of the Application Withdrawal Based on Shortened Life Expectancy

Complete Part 2A of the application only if you are applying to withdraw money from your Ontario locked-in account because you have an illness or physical disability that is likely to shorten your life expectancy to less than two years.

1. How much money do you want to withdraw from your Ontario locked-in account?

Please indicate how much money you wish to withdraw. If you want to withdraw all of the money in your Ontario locked-in account please check the first box. If you want to withdraw less than all of the money in your Ontario locked-in account please check the second box and fill in the amount you wish to withdraw. If you fill in a specific dollar amount and it is greater than all of the money in your Ontario locked-in account, you will be deemed to have requested **all** of the money in your Ontario locked-in account.

Note: To qualify for this type of withdrawal, your application must include a statement signed by a physician licensed to practice medicine in a jurisdiction in Canada. It must state that, in the physician's opinion, you have an illness or physical disability that is likely to shorten your life expectancy to less than two years. To satisfy this requirement, you must **either:**

- Have the physician complete Part 5 of the application.

- OR -

- Provide a separate statement (such as a letter) signed by the physician. It must state that the physician is licensed to practice medicine in a jurisdiction in Canada and that, in the physician's opinion, you have an illness or physical disability that is likely to shorten your life expectancy to less than two years.

**How to Complete Part 2B of the Application
Full Withdrawal or Transfer of a Small Amount After Age 55**

Complete Part 2B of the application only if you are applying to withdraw or transfer all the money from your Ontario locked-in account because you are at least 55 years old and the total value of all money held in every Ontario locked-in account you own is less than \$17,960 (for applications signed in 2008).³ You must withdraw or transfer all of the money in your Ontario locked-in account if you apply and qualify under this Part of the application.

1. **What is the total value of all the money held in all your Ontario locked-in accounts, including the one you from which you are applying to withdraw or transfer money?**

The chart below will help you calculate the total value of all the money held in every Ontario locked-in account you own. In the chart, list every locked-in account you own that is governed by the Ontario *Pension Benefits Act*. Do not list any locked-in account that is governed by the laws of another province or the federal government. If you are not sure whether a locked-in account you own is governed by the Ontario *Pension Benefits Act*, ask your financial institution.

The value of the money held in each Ontario locked-in account you own must be based on the most recent statement given to you by your financial institution. The statement must not be dated more than 1 year before the date you sign Part 3 of the application.

Name of the Financial Institution that administers the Ontario locked-in account	Policy no. or account no. of the Ontario locked-in account	Date of the most recent statement for the Ontario locked-in account	Value of all the money held in the Ontario locked-in account
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
Please use additional pages if necessary. Total			\$

2. **Do you want to withdraw all the money held in your Ontario locked-in account, or transfer all the money in your Ontario locked-in account to an RRSP or RRIF?**

Check only one box. You must withdraw all the money OR transfer all the money.

3. **If you want to transfer all the money to an RRSP or RRIF, provide the name of the financial institution that administers the RRSP or RRIF, and the policy number or account number of the RRSP or RRIF.**

Check the RRSP or RRIF contract, or the statements received from the financial institution (bank, insurance company, etc.) that administers the RRSP or RRIF. If necessary ask the financial institution. If the money to be transferred consists of identifiable and transferable securities, contact your financial institution about the possibility of transferring them in that form.

³ This amount is equal to 40% of the Year's Maximum Pensionable Earnings (YMPE) for 2008. The YMPE is a dollar amount set each year in relation to the Canada Pension Plan. A new YMPE is set every year, which means that the amount used to determine if a person is eligible for this type of withdrawal or transfer will change each year.

How to Complete Part 2C of the Application Withdrawal Related to an Amount Exceeding *Income Tax Act (Canada)* Limit

Complete Part 2C of the application only if you are applying to withdraw money from your Ontario locked-in account because the amount of money that was transferred from your former pension plan into your Ontario locked-in account exceeded the *Income Tax Act (Canada)* limit. (For more details about this type of withdrawal, please see the explanation at the bottom of this page.)⁴

1. How much money do you want to withdraw from your Ontario locked-in account?

If you want to withdraw the maximum allowed please check the first box. If you want to withdraw less than the maximum allowed please check the second box and indicate how much money you wish to withdraw. You cannot withdraw more than the maximum amount allowed. If you fill in a specific dollar amount and it is greater than the maximum amount allowed, you will be deemed to have requested the maximum amount allowed.

Note: To qualify for this type of withdrawal, your application must include a written statement (such as a letter) from the administrator of your former pension plan or the Canada Revenue Agency. The statement must set out the excess amount that was transferred from your former pension plan into your Ontario locked-in account.

How to Complete Part 2D of the Application Full Withdrawal Related to a Non-Resident of Canada

Complete Part 2D of the application only if you are a non-resident of Canada applying to withdraw all the money from your Ontario locked-in account, and 24 months have passed since your date of departure from Canada.

1. What was the date of your departure from Canada?

Fill in the date of your departure from Canada.

Note: To qualify for this type of withdrawal, your application must include a written determination from the Canada Revenue Agency that you are a non-resident of Canada for the purposes of the *Income Tax Act (Canada)* at the time you sign the application. If you have any questions about the written determination, please contact the Canada Revenue Agency at 1-800-959-8281.

⁴ If you are not sure what this type of withdrawal involves, please read the following explanation:

When a person working in Ontario who is a member of a pension plan terminates employment and is eligible to receive a deferred pension, that person has the right to transfer the value of the deferred pension from the pension plan into an Ontario locked-in account. The *Income Tax Act (Canada)* sets a limit on how much money can be transferred from a pension plan into an Ontario locked-in account on a tax-deferred basis. If the money transferred exceeds this *Income Tax Act (Canada)* limit, the excess amount transferred may be subject to additional tax under the *Income Tax Act (Canada)*.

Normally, if the value of a person's deferred pension exceeds the *Income Tax Act (Canada)* limit, the total amount transferred from the pension plan is divided into two portions. An amount up to the *Income Tax Act (Canada)* limit is transferred into an Ontario locked-in account, and the excess is transferred to the person in a non-locked-in form (such as cash or as a regular RRSP or RRIF).

Sometimes the portion that exceeds the *Income Tax Act (Canada)* limit is also transferred into the Ontario locked-in account. If this happens, that portion also becomes locked-in. This excess portion may be subject to additional tax under the *Income Tax Act (Canada)* unless it is withdrawn from the Ontario locked-in account. To withdraw the excess portion and avoid this additional tax, the owner of the Ontario locked-in account may apply to the financial institution that administers the Ontario locked-in account as described in these instructions.

How to Complete Part 3 of the Application Certification by the Owner of the Ontario Locked-in Account

You **must** complete Part 3 of the application in the presence of a witness. Please follow the instructions in Part 3 of the application.

Part 3 will **not** be valid for the purposes of your application if it is signed on a date more than 60 days before the date your financial institution receives your completed application.

The following is an example of a situation where you would check the box that says “**I have a spouse, but all of the money in my Ontario locked-in account was originally earned by my former spouse under his or her pension plan, and I became the owner of that money as a result of the breakdown in my relationship with my former spouse.**”

Before you signed the Certification in Part 3 of the application, you had been in a relationship with a (now former) spouse and that relationship had broken down.

- As part of the settlement with your former spouse after the breakdown of your relationship, you became entitled to a share of the pension benefits that your former spouse was entitled to through his or her employment.
- Your share of the pension benefits that your former spouse was entitled to through his or her employment was transferred to an Ontario locked-in account that you are the owner of, and none of money in that Ontario locked-in account is related to any pension benefits that you yourself became entitled to through your own employment.
- You subsequently started a new relationship with your current spouse, and while in this new relationship, you now apply to withdraw or transfer money from the Ontario locked-in account using the application.

In this situation, you do not need to get the consent of your current spouse to your application. Instead, you may check the box in Part 3 of the application that says “I have a spouse, but all of the money in my Ontario locked-in account was originally earned by my former spouse under his or her pension plan, and I became the owner of that money as a result of the breakdown in my relationship with my former spouse.”

It is a criminal offence under sections 366 to 368 of the federal *Criminal Code* for anyone to knowingly make or use a false document with the intent that it be acted on as genuine, punishable on conviction by a maximum term of 10 years imprisonment.

How to Complete Part 4 of the Application Consent of the Owner’s Spouse to the Withdrawal or Transfer

Part 4 of the application needs to be completed **only** if you certify in Part 3 of the application that you have a spouse who consents to the withdrawal or transfer of money from your Ontario locked-in account. If you certify this in Part 3, you must obtain your spouse’s consent to your application.

Your spouse is not obligated to consent to your application. If your spouse agrees to consent, please have your spouse complete Part 4 of the application in the presence a witness (someone other than yourself) by following the instructions in Part 4 of the application. You, the owner, **cannot** complete Part 4 of the application.

Part 4 will **not** be valid for the purposes of your application if it is signed by your spouse on a date that is more than 60 days before the date your financial institution receives it.

How to Complete Part 5 of the Application Statement of a Physician for a Withdrawal Based on Shortened Life Expectancy

Part 5 of the application is optional and can be completed by a physician licensed to practice medicine in a jurisdiction in Canada if you are applying to withdraw money from your Ontario locked-in account because you have an illness or physical disability that is likely to shorten your life expectancy to less than two years. (For more details, please see page 3 of these instructions regarding “How to Complete Part 2A of the Application”.) You, the owner, **cannot** complete Part 5 of the application.

What To Do Once You Have Completed All Required Parts of the Application

Once you have completed the required Parts of the application for the type of withdrawal or transfer you wish to make, please give the application and any other required document to the financial institution that administers your Ontario locked-in account. The financial institution must give you a receipt stating the date it received your completed application.

Please note that Part 3 (and, if applicable, Part 4) of the application will **not** be valid for the purposes of your application if signed on a date that is more than 60 days before the date the financial institution receives it.

Do not send your application to the Financial Services Commission of Ontario.

If you qualify for the withdrawal or transfer you apply for, your financial institution must pay you the money or transfer it within 30 days after it receives your completed application.

Please keep these instructions and a copy of the completed application and any other required document for your records. You may also wish to fill out the following information about the financial institution that administers your Ontario locked-in account:

Name of Financial Institution	Contact Name	Date Application Submitted (Year / Month / Day)
Mailing Address	Street Number and Name	Suite No.
City	Province	Postal Code
(area code) Telephone Number (ext.)	(area code) Fax Number	



**Financial Services
Commission
of Ontario**

5160 Yonge Street
Box 85
Toronto ON M2N 6L9

Form 5

Application to a Financial Institution to Withdraw or Transfer Money from an Ontario Locked-in Account

Approved pursuant to the Ontario *Pension Benefits Act*, R.S.O. 1990, c. P.8 (PBA)

This form is required by Regulation 909, R.R.O. 1990 (Regulation), Schedule 1, Schedule 1.1 or Schedule 2 to the Regulation

Use this Application if you want to apply to a financial institution to withdraw or transfer money from your Ontario locked-in account (LIRA, LIF, or LRIF) for one of the reasons set out in Part 2A to Part 2D of the application. Please read the instructions before completing the application. The instructions will tell you which Parts of the application you must complete.

Please be aware that when money is withdrawn or transferred from an Ontario locked-in account to an unlocked account, the money may lose the creditor protection provided by the PBA and Regulation.

When you have completed the Parts of this application required by the instructions, give it and any other required document to the financial institution that administers your Ontario locked-in account.

Do not send your application to the Financial Services Commission of Ontario.

Part 1 Information About the Owner of the Ontario Locked-in Account

1. Provide the following information about yourself:

Last Name	First Name	Middle Initial(s)	Date of Birth (Year / Month / Day)
Mailing Address	Street Number and Name		Suite No.
City	Province		Postal Code
(area code) Telephone Number (ext.)	(area code) Fax Number		E-mail Address (optional)

2. Provide the following information about your Ontario locked-in account:

Check your Ontario locked-in account contract, or the statements you have received from your financial institution (bank, insurance company, etc.). If necessary, ask your financial institution.

Name of the financial institution that administers your Ontario locked-in account
Policy Number or Account Number of your Ontario locked-in account

Note: Under privacy legislation, it is the responsibility of your financial institution to advise you of the purposes for which personal information is collected, used or disclosed, and to obtain any necessary prior consent from you to any such collection, use or disclosure.

Part 2A
Withdrawal Based on Shortened Life Expectancy

Complete this Part **only** if you are applying to withdraw money from your Ontario locked-in account because you have an illness or physical disability that is likely to shorten your life expectancy to less than two years.

1. How much money do you want to withdraw from your Ontario locked-in account?

Check only one box:

All of the money in your Ontario locked-in account.

The amount of \$ _____, which is less than all of the money in your Ontario locked-in account.

Fill in how much money you want to withdraw. If this amount is greater than all of the money in your Ontario locked-in account, you will be deemed to have requested **all** of the money in your Ontario locked-in account.

Note: To qualify for this type of withdrawal, **your application must include** a statement signed by a physician licensed to practice medicine in a jurisdiction in Canada. It must state that, in the physician's opinion, you have an illness or physical disability that is likely to shorten your life expectancy to less than two years. For more details, please see page 3 of the instructions.

Part 2B
Full Withdrawal or Transfer of a Small Amount After Age 55

Complete this Part **only** if you are applying to withdraw or transfer all the money from your Ontario locked-in account because you are at least 55 years old and the total value of all money held in every Ontario locked-in account you own is less than the amount specified on page 4 of the instructions. You must withdraw or transfer all of the money in your Ontario locked-in account if you apply and qualify under this Part.

1. What is the total value of all the money held in all your Ontario locked-in accounts, including the one you are applying to withdraw or transfer money from?

\$ _____

The total value of all money held in all your Ontario locked-in accounts must be based on the most recent statement given to you by the financial institution that administers each Ontario locked-in account. The statement **must not** be dated more than 1 year before the date you sign Part 3 of this application.

2. Do you want to withdraw all the money held in your Ontario locked-in account, or transfer all the money in your Ontario locked-in account to an RRSP or RRIF?

Check **only one** box:

Withdraw all the money.

Transfer all the money to an RRSP or RRIF.

3. If you want to transfer all the money to an RRSP or RRIF, provide the following information about the RRSP or RRIF to which you want the transfer made:

Check the RRSP or RRIF contract, or the statements received from the financial institution (bank, insurance company, etc.) that administers the RRSP or RRIF. If necessary, ask the financial institution.

Name of the financial institution that administers the RRSP or RRIF
Policy Number or Account Number of the RRSP or RRIF

Note: If the money to be transferred consists of identifiable and transferable securities, contact your financial institution about the possibility of transferring them in that form.

Part 2C
Withdrawal Related to an Amount Exceeding *Income Tax Act (Canada)* Limits

Complete this Part **only** if you are applying to withdraw money from your Ontario locked-in account because the amount of money that was transferred from your former pension plan into your Ontario locked-in account exceeded the *Income Tax Act (Canada)* limit.

1. How much money do you want to withdraw from your Ontario locked-in account?

Check only one box:

The maximum amount allowed.

The maximum amount allowed is equal to the amount of money transferred from your former pension plan into your Ontario locked-in account that exceeded the *Income Tax Act (Canada)* limit, plus any subsequent investment earnings on that excess amount. The financial institution that administers your Ontario locked-in account will calculate the maximum amount for you.

The amount of \$ _____, which is less than the maximum amount allowed.

Fill in how much money you want to withdraw. You cannot withdraw more than the maximum amount allowed. If the amount you fill in is greater than the maximum amount allowed, you will be deemed to have requested the maximum amount allowed.

Note: To qualify for this type of withdrawal, **your application must include** a written statement (such as a letter) from the administrator of your former pension plan or from the Canada Revenue Agency. The statement must set out the excess amount that was transferred from your former pension plan into your Ontario locked-in account. For more details, please see page 5 of the instructions.

Part 2D
Full Withdrawal Related to a Non-Resident of Canada

Complete this Part **only** if you are a non-resident of Canada applying to withdraw all the money from your Ontario locked-in account, and 24 months have passed since your date of departure from Canada.

1. What was the date of your departure from Canada?

(Year / Month / Day)

Note: To qualify for this type of withdrawal, your application must include a written determination from the Canada Revenue Agency that you are a non-resident of Canada for the purposes of the *Income Tax Act (Canada)* at the time you sign this application. If you have any questions about the written determination, please contact the Canada Revenue Agency at 1-800-959-8281./

Part 3
Certification by the Owner of the Ontario Locked-in Account

Please read the definition of “spouse” found at the bottom of this page and the Certification below. Then check only one of the boxes in the Certification. If you are satisfied that the Certification correctly describes your situation, then, **in the presence of a witness**, please sign and date the Certification, and have your witness sign and fill in the information, where indicated.

The Certification will not be valid for the purposes of your application if it is dated more than 60 days before the date the financial institution that administers your Ontario locked-in account receives this completed application.

Certification

I own the Ontario locked-in account identified in Part 1 of this application and hereby apply to withdraw or transfer money from it as set out in this application. I certify that on the date I sign this statement:

(Check only one of the boxes below.)

- I am applying to withdraw money from my Ontario locked-in account because the amount of money that was transferred from my former pension plan into my Ontario locked-in account exceeded the *Income Tax Act (Canada)* limit, and I have completed Part 2C of this application. (If you check this box, none of the other boxes below apply to you. If you do not check this box, you must check one of the boxes below.)
- I do not have a spouse.
- I have a spouse, but on the date I sign this Certification, I am living separate and apart from my spouse.
- I have a spouse but all of the money in my Ontario locked-in account was originally earned by my former spouse under his or her pension plan, and I became the owner of that money as a result of the breakdown in my relationship with my former spouse.
- I have a spouse, and my spouse consents to the withdrawal of money from my Ontario locked-in account. (If you check this box, you will need your spouse to complete Part 4 of this application.)

I also certify that all of the information contained in this application is true, complete and correct.

I understand that the financial institution that administers my Ontario locked-in account may reject my application if the information contained in this application is not true, complete and correct.

I understand that it is a criminal offence under the *Criminal Code* of Canada for anyone to knowingly make or use a false document with the intent that it be acted on as genuine.

Date the Owner Signed this Certification in the Presence of a Witness (Year / Month / Day)

Signature of Witness			Signature of Owner		
Name of Witness (print)					
Last Name	First Name	Middle Initial(s)			
Address of Witness	Street Number and Name	Suite No			
City	Province	Postal Code			

Definition of “Spouse”

For the purposes of this application, you have a “**spouse**” if you and another person:

- (a) are married to each other, or
- (b) are not married to each other and are living together in a conjugal relationship continuously for a period of at least three years, or in a relationship of some permanence if you and the person are the natural or adoptive parents of a child, both as defined in the Ontario *Family Law Act*.

Part 4
Consent of the Owner's Spouse to the Withdrawal or Transfer

This Part needs to be completed **only** if the owner of the Ontario locked-in account certifies in Part 3 of this application that the owner has a spouse who consents to the withdrawal or transfer of money from the Ontario locked-in account. The owner of the Ontario locked-in account cannot complete this Part.

If you are the spouse of the owner of the Ontario locked-in account identified in Part 1 of this application and you are asked to consent to this application to withdraw or transfer money from the owner's Ontario locked-in account, you should get advice from a lawyer about your rights and the legal consequences of signing the Consent below. You are not obligated to sign the Consent below.

If you wish to consent, then please read the Consent below. If you are satisfied that the Consent correctly describes your situation, then, **in the presence of a witness (someone who is not the owner of the Ontario locked-in account)**, please sign, date and fill in the information, on the right side of the bottom of the Consent, and have your witness sign and fill in the information on the left side of the bottom of the Consent.

The Consent will not be valid for the purposes of the owner's application if the Consent is dated more than 60 days before the date the financial institution that administers the Ontario locked-in account receives it.

Consent

I am the spouse of the owner of the Ontario locked-in account identified in Part 1 of this application.						
I understand that:						
(a) the owner is making an application to withdraw or transfer money from the Ontario locked-in account, and that the owner cannot withdraw or transfer the money from the Ontario locked-in account without my consent;						
(b) I am not required to give my consent;						
(c) as long as this money is kept in the Ontario locked-in account, I may have a right to a share of this money if there is a breakdown in our relationship or if the owner dies; and						
(d) if any money is withdrawn or transferred from the Ontario locked-in account, I may lose any right that I have to a share of the money withdrawn or transferred.						
I consent to the owner's application to withdraw or transfer money from the Ontario locked-in account.						
I give my consent by signing and dating this Consent in the presence of a witness.						
Date the Owner's Spouse Signed this Consent in the Presence of a Witness (Year / Month / Day)						
Signature of Witness			Signature of Owner's Spouse			
Name of Witness (print) Last Name		First Name	Name of Owner's Spouse (print) Last name		Middle Initial(s)	
Address of Witness Street Number and Name			Address of Owner's Spouse Street Number and Name			
Suite No.			Suite No.			
City	Province		Postal Code	City	Province	

Part 5
Statement of a Physician for a Withdrawal Based on Shortened Life Expectancy

If the owner of the Ontario locked-in account is applying to withdraw money from the Ontario locked-in account because the owner has an illness or physical disability that is likely to shorten the owner's life expectancy to less than two years, the owner's application must include a statement signed by a physician licensed to practice medicine in a jurisdiction in Canada. It must state that, in the physician's opinion, the owner has such an illness or physical disability. This requirement can be satisfied if a physician agrees to complete the statement set out in this Part.

The owner of the Ontario locked-in account cannot complete this Part.

If you are a physician licensed to practice medicine in a jurisdiction in Canada, you may complete the Physician's Statement below in order to provide your opinion for the purposes of the owner's application. If you wish to complete the Physician's Statement below, please fill in the owner's name at the top of the Statement and read the Statement. If you are satisfied that the Statement correctly describes the owner's situation, then please sign, date and fill in the information at the bottom of the Statement.

You, the physician, are not required to complete the Physician's Statement below in order to provide your opinion for the purposes of the owner's application. You may provide your opinion in another written and signed format (such as a letter) if you prefer, as long as you state that you are a physician licensed to practice medicine in a jurisdiction in Canada and that in your opinion, the owner has an illness or physical disability that is likely to shorten his or her life expectancy to less than two years.

Physician's Statement

I am a physician licensed to practice medicine in a jurisdiction in Canada. In my opinion,		
_____ (Print the name of the owner of the Ontario locked-in account identified in Part 1 of this application)		
has an illness or physical disability that is likely to shorten his or her life expectancy to less than two years.		
Physician Name (print)	Physician Signature	Date Signed (Year / Month / Day)
Physician's Address	Street Number and Name	Suite No.
City	Province	Postal Code