

DEFINITION OF SPOUSE* (cont'd)

Manitoba – The Pension Benefits Act, CCSM c P32 and Regulation

“spouse” of a person means the individual who is married to that person. («conjoint »); and

“Common-law Partner” of a member or former member means:

- (a) a person who, with the member or former member, registered a common-law relationship under section 13.1 of the *Vital Statistics Act*; or
- (b) a person who, not being married to the member or former member, cohabited with him or her in a conjugal relationship
 - (i) for a period of at least three years, if either of them is married; or
 - (ii) for a period of at least one year, if neither of them is married; (“conjoint de fait”)

Ontario – Pension Benefits Act, RSO 1990, c P.8 and Regulation

“spouse” means, except where otherwise indicated in the Act, either of two persons who:

- (a) are married to each other; or
- (b) are not married to each other and are living together in a conjugal relationship:
 - (i) continuously for a period of not less than three years; or
 - (ii) in a relationship of some permanence, if they are the parents of a child as set out in section 4 of the *Children’s Law Reform Act* (“conjoint”).

Québec – Supplemental Pension Plans Act, CQLR, c R-15.1 and Regulation

“spouse” as defined in section 85 of the Act, is the person who, on the day of reference:

- (1) is married to or in a civil union with the member;
- (2) 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:
 - (i) at least one child is born, or to be born, of their union;
 - (ii) they have adopted, jointly, at least one child while living together in a conjugal relationship; or
 - (iii) one of them has adopted at least one child who is the child of the other, while living together in a conjugal relationship.

New Brunswick – Pension Benefits Act, SNB 1987, c P-5.1 and Regulation

“spouse” means either of two persons who (conjoint)

- (a) are married to each other;
- (b) are married to each other by a marriage that is voidable and has not been avoided by a declaration of nullity; or
- (c) have gone through a form of marriage with each other in good faith that is void and have cohabited within the preceding year.

Nova Scotia – Pension Benefits Act, SNS 2011, c 41 and Regulation

“spouse” means either of two persons who

- (i) are married to each other;
- (ii) are married to each other by a marriage that is voidable and has not been avoided by a declaration of nullity;
- (iii) 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;
- (iv) are domestic partners within the meaning of Section 52 of the *Vital Statistics Act*; or
- (v) not being married to each other, are cohabiting in a conjugal relationship with each other, and have done so continuously for at least (A) three years, if either of them is married, or (B) one year, if neither of them is married.

Federal – Pension Benefits Standards Act, 1985, RSC 1985, c 32 (2nd Supp) and Regulations

“spouse”, in relation to an individual, includes a person who is a party to a void or, in Québec, null marriage with the individual;

“common-law partner”, in relation to an individual, means a person who is cohabiting with the individual in a conjugal relationship, having so cohabited for a period of at least one year.

*Definitions are current as of the date this form was prepared. Please refer to the relevant legislation to verify the current definition is unchanged.



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