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# PEPP *Talk* . . .

## working beyond Saskatchewan

This PEPP Talk will provide information on varying pension legislation and how the differences may affect you.

### What does jurisdiction mean?

Jurisdiction is the power or right to govern an area, such as: legislation.

### What does legislation mean?

Legislation is a law, or set of laws, made by a government.

## Provincial jurisdiction

Each province sets their own rules and parameters surrounding pensions. Your province of employment has jurisdiction over the pension legislation that applies to your account. *(Please note: there are some exceptions to this rule. See page 3 to see the parameters around Federal pension legislation)*

### What does pension legislation regulate?

Pension legislation sets the rules surrounding things like:

- vesting;
- termination options;
- definition of a spouse;
- pre-retirement death benefit;
- post-retirement survivor; and
- retirement income options, etc.

### How do I know which pension jurisdiction and legislation applies to my pension?

Pension jurisdiction is determined by your province of employment at termination. If you are currently employed, and contributing to a pension plan, your province of work is your pension jurisdiction.

If you are no longer actively contributing, your pension jurisdiction is the province you were working in on the date you terminated employment (stopped contributing to a pension plan). The legislation from that jurisdiction will apply to your pension accumulated while working in that province.

Example:

If you were working in Alberta when you terminated your employment, the province of Alberta would be your pension jurisdiction and Alberta pension legislation would apply your pension.

## What if I worked in more than one province over my career and was a member of multiple pension plans?

If you worked in more than one province or contributed to multiple pension plans, portions of your pension money may be subject to different legislation. It is important to remember that provincial jurisdiction is determined by the date you terminated employment (ceased to be an active member in a plan).

Example:

Tina worked in Ontario and was a member of a pension plan. Then she terminated her employment (ceased to be a member of the Ontario pension plan), got a job in Saskatchewan and started contributing to the Public Employees Pension Plan (PEPP).

Because Tina contributed to pension plans in two different provinces (pension jurisdictions), portions of her pension money will be subject to different legislation. The pension money Tina earned in Ontario would be subject to Ontario legislation and the pension money she earned as a PEPP member would be subject to Saskatchewan legislation; even if she combined her two pension accounts into PEPP.

## Why does it matter which pension jurisdiction applies to my pension?

Knowing which pension jurisdiction applies matters, because the rules surrounding things like vesting and termination may differ between jurisdictions and it is important to know which jurisdiction's legislation applies to your pension.

It's also important to remember that all PEPP communication materials are based on Saskatchewan pension legislation so the information presented may not apply to you if you are subject to another pension jurisdiction.

To help members compare how plan provisions are affected by differing pension legislation, we created the Working Beyond Saskatchewan matrix. (See *appendix A to view the Working Beyond Saskatchewan Matrix on page 6 and 7*)

## Additional scenarios

*I worked in Saskatchewan and contributed to PEPP for 35 years before retiring and moving to Manitoba. Once in Manitoba I got a part-time job, and started contributing to a Manitoba pension plan, while continuing to withdraw my pension from PEPP. Which province's pension legislation applies to me?*

The pension money earned while contributing to PEPP would be subject to Saskatchewan legislation and any pension money earned while contributing to a Manitoba pension plan would be subject to Manitoba legislation.

*I worked in Ontario for my entire career, but since retiring I have moved to British Columbia. Which province's pension legislation applies to me?*

Your pension would be subject to Ontario legislation since it is the last place you were contributing to a pension plan before retiring.

## Federal Jurisdiction

Pension legislation in Prince Edward Island and the Territories falls under Federal jurisdiction. There are also some industries that fall under Federal jurisdiction regardless of which provinces the member is based.

What are some examples of federally regulated industries?

- Broadcasting;
- telecommunications;
- chartered banks;
- postal service;
- airports & air transportation; and
- businesses in the Territories and on First Nations and certain Crown Corporations.

Why is there different legislation for each province?

Unique pension regulations exist because each province was established at a different time and therefore established their own provincial pension legislation.

## Questions

For further information regarding working beyond Saskatchewan, contact:

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Plan Provision	PEPP	BRITISH COLUMBIA	ALBERTA	MANITOBA	ONTARIO	QUEBEC	FEDERAL
<b>Waiver</b> › Beneficiary designation prior to retirement  › Joint annuity option prior to pension commencement	Revocable	Same as PEPP	Same as PEPP	Same as PEPP	Same as PEPP	The member has to designate at the time of becoming a member whether the beneficiary is revocable or irrevocable.	Can only be waived in favour of a dependent (as defined in the <i>Income Tax Act</i> ).
	Within 90 days before pension commencement.	Same as PEPP	Same as PEPP	Within 60 days before pension commencement needs a waiver for variable benefit.	Within 12 months preceding pension commencement.	Waive prior to pension commencement.	Same as above
<b>Spouse</b>	The person to whom you are legally married; or if you are not married, the person with whom you are living in a conjugal relationship, and to whom at least one of the following situations applies. He or She: has been living with you in a conjugal relationship for at least 12 continuous months, is the parent of your child by birth or adoption; or has custody and control of your child (or had custody and control immediately before the child turned 19 years of age) and your child is wholly dependent on that person for support.	The person is married to the member and who was not living separate and apart from the member for more than two years immediately prior to the relevant time; or if the above definition does not apply, at the relevant time, was living and cohabitating with the member in a marriage-like relationship, including a marriage-like relationship between persons of the same gender, and who have been living and cohabitating in that relationship for a period of at least two years immediately preceding the relevant time.	"Pension partner": The person who, at the relevant time, was married to another person and had not been living separate and apart from that other person for three or more consecutive years; or if there is no person to whom the foregoing applies, the person who immediately preceding the relevant time, had lived with that other person in a marriage-like relationship for a continuous period of at least three years; or of some permanence, if there is a child of the relationship by birth or adoption.	The person who is married to the member; or "Common-law partner." The person who with the member, registered a common-law relationship under the <i>Vital Statistics Act</i> ; or not being married to the member, cohabitated with him/her in a conjugal relationship for a period of at least three years, if either of them is married, or at least one year, if neither of them is married.	The person who is married to the member; or is not married to the member and who has been living with the member in a conjugal relationship continuously for a period of not less than three years, or who is in a relationship of some permanence if the person and the member are parents of a child, as set out in <i>The Children's Law Reform Act</i> .	The person who is married to, or in a civil union with, the member; whether of the opposite sex or not, has been living in a conjugal relationship with the member, who is neither married nor in a civil union, for a period of not less than three years or one year, if at least one child is born or is to be born from the relationship; or that person and the member have adopted together at least one child during their conjugal relationship; or that person or the member have adopted at least one child of the other during their conjugal relationship. The birth or adoption of a child during a marriage, a civil union or a period of conjugal relationship prior to the conjugal relationship in existence on the day as of which spousal status is established may qualify a person as a spouse.	The person who is married to the member or who is party to a void marriage with the member; or "Common-law partner": The person who is cohabitating with the member in a conjugal relationship at the relevant time, having so cohabitated with the member for at least one year. If the member has a spouse from whom they are separated and a common-law partner, then spouse means the common-law partner.
<b>Marriage Breakdown</b>	Division of account balance as per court order or interspousal contract. Max. 50% ( <i>Family Law Act</i> ) same locked-in provisions as member.	The spouse can decide on how much they would like to split, from 0-100%, must be written in a separation agreement or a court order ( <i>Family Law Act</i> ).	Split in accordance with Matrimonial Property Order or Matrimonial Property Agreement. Member's remaining pension can't be less than 50%. Same locked-in provisions as member.	Mandatory 50/50 split in accordance with court order ( <i>Family Property Act/ Manitoba PBA</i> ) or written agreement.	Split (max. 50%) pursuant to court order ( <i>Family Law Act</i> ), family arbitration award or domestic contract.	Split with a court order or agreement (max. 50%).	Division of account up to 100%. Provincial Property Law applies to the valuation and distribution of the benefit but otherwise the PBSA applies.
<b>Shortened Life Expectancy</b>	Unlock if medical evidence provided to Board's satisfaction.	Same as PEPP	Same as PEPP	Same as PEPP	Same as PEPP	Same as PEPP	Same as PEPP