

---

---

# PENSION VALUATORS OF CANADA

*Valuing Pensions Is Our Only Business*

*Providing the Best Service Is Our Primary Concern*

---

---

Attention: Family Law Lawyers

Bulletin No. 117

---

---

## Domestic Contracts & Pensions

**A**t the 1993 Carswell Family Law Conference, Lorne H. Wolfson and Barry A. Corbin presented a comprehensive list of "**101 Common Mistakes in Drafting Domestic Contracts**". The section dealing with pensions was as follows:

- ⇒ **Attempting** to effect a **tax-free rollover of RRSP's** in satisfaction of support obligations.
- ⇒ **Agreeing** to an "**if, as and when**" pension division on behalf of the non-member spouse.
- ⇒ **Attempting** to contract out of the **right to apply for equalization of CPP credits**.
- ⇒ **Where "if and when"** provisions are included, **failure to provide** for:

- (a) contingencies of payor's death or retirement before or during period when pension is in pay;
- (b) rights in the event Pension Benefits Act is amended to allow credit-splitting at source;
- (c) payor making up shortfall if payment from pension administrator is limited by 50% rule;
- (d) payor and pension administrator informing payee of any dealings with plan; and
- (e) adequate security for future payments.

For the full list of common mistakes, see "*Money & Family Law, Vol. 8, No. 7, July 1993*", a monthly report issued by Carswell.

---

If you have any questions please call Pension Valuers of Canada at **1-800-891-9122** or fax us at 1-705-749-6762.

*Published by G. Edmond Burrows, F.C.A.  
Specialist in Pension Valuations*

**785 The Kingsway, Peterborough, Ontario K9J 6W7**