

COURT FILE NUMBER: _____

COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE: _____

PLAINTIFF: _____

DEFENDANT: _____

DOCUMENT: **ORDER**

ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF
PARTY FILING THIS ORDER: _____

DATE ON WHICH ORDER WAS PRONOUNCED: _____

NAME OF MASTER OR JUDGE WHO MADE THIS ORDER: _____

UPON hearing/read the Pleadings herein; AND UPON hearing what was alleged by Counsel; AND UPON seeing endorsed hereon the consent of Counsel for the Plaintiff and the consent of Counsel for the Defendant; AND UPON it appearing that the Defendant has an employment pension pursuant to the terms of the *Teachers' and Private School Teachers' Pension Plans* AR 203/1995 (the "Pension Plan"); AND UPON it appearing that the parties wish to divide the Defendant's pension and benefits earned during their relationship pursuant to the provisions of the *Teachers' Pension Plans Act* and the *Family Property Act* of Alberta,

IT IS ORDERED THAT:

1. For the purposes of this Order the "joint accrual period" is agreed to be from

_____ to _____.

[Instructions: In the first space, insert the date the relationship commenced (or other date agreed to by the parties or provided by the Court). In the second space, insert the date the parties agreed, or the Court has found, to be the date the pension benefit ceased being jointly accrued. Then delete these instructions.]

2. The administrator of the Pension Plan, upon being served with this Order, shall pay to the Plaintiff [Insert percentage, not more than 50%.] _____ of the Total Pre-Division Benefit, as that term is defined in the *Teachers' Pension Plans (Legislative Provisions) Regulation*, AR 204/1995, less income tax withholding in accordance with the tax rules. The Plaintiff and Defendant shall provide to the administrator all information the administrator requires to effect the payout.

Clerk's stamp:

3. The Plaintiff's share of the Pension Plan is declared to be the Plaintiff's property.
4. If one party receives any of the other's share, he or she shall pay it to the other.
5. Once the administrator pays the Plaintiff's share pursuant to this Order, the Plaintiff shall have no further interest in the Pension Plan.
6. A certified copy of this Order shall be filed with the administrator of the Pension Plan.
7. This Order is a Family Property Order within the meaning of the *Family Property Act*, RSA 2000, c F-4.7.
8. Nothing in this Family Property Order is intended to or does amend, vary, contradict or in any way affect the terms of the Pension Plan as amended from time to time including, without limitation, the creation of any additional entitlement under the Pension Plan for either the Plaintiff or the Defendant.

Justice of the Court of King's Bench of Alberta

APPROVED AS TO FORM AND CONTENTS:

[or] **CONSENTED TO BY:**

Plaintiff [If Plaintiff signs, attach Affidavit of Execution.]

[or] Solicitor for the Plaintiff

AND BY:

Defendant [If Defendant signs, attach Affidavit of Execution.]

[or] Solicitor for the Defendant