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# Divorce or termination of registered partnership





## **Divorce or termination of registered partnership**

Ending a relationship affects your pension. In this brochure you can read more about the consequences for your retirement pension and the partner pension, which your (ex-) partner is entitled to.

To begin, we will define the term 'ex-partner'. The pension regulations apply to the following criteria:

An 'ex-partner' is:

- Your ex-husband/wife;
- Your former registered partner;
- Or the person you officially cohabited with. The cohabitation must have been recorded at the time in a cohabitation agreement drawn up by a civil-law solicitor. The deed must mention 'mutual duty of care'. Can you prove you have cohabited together for more than 5 years and there was a mutual duty of care? Then you may qualify as an ex-partner. You cannot be an immediate family member of the person you cohabited with.

## 'Ending a relationship affects your pension'

### **Retirement pension**

In the event of a divorce or termination of a registered partnership, your ex-partner is entitled to half of the retirement pension you accrued during the relationship. The division of the retirement pension in the event of divorce is called 'pension equalisation'. For equalisation, you or your ex-partner must send a form to the pension fund within two years of the relationship ending. You can read how to do this on the Pensioenfonds Robeco website.

The part of the retirement pension where your ex-partner is entitled to, will be paid out by the pension fund to your ex-partner from the moment your retirement pension commences. When a cohabitation agreement is terminated, the ex-partner is not entitled to half of the accrued retirement pension.

### **Special partner's pension**

Your ex-partner retains the right to a partner pension. Did you cohabit together and does this person meet the criteria as a 'partner' in the pension regulations? Then your ex-partner also retains the right to a partner pension. The partner pension for an ex-partner is called 'special partner's pension'. Just like the 'normal' partner pension, the special partner's pension is also paid out after your death.

The amount of the special partner's pension is approximately 60% to 70% of your retirement pension which has been accrued within the basic scheme until the termination of the relationship (ie. also over the period prior to the relationship). Part of your DC capital from the supplementary scheme is also used for special partner's pension. If you have a new partner, the partner pension for this new partner will be reduced by the special partner's pension. Your new partner therefore shares the partner pension with your previous partner.

### **Deviating from the basic scheme**

You and your ex-partner can jointly decide to deviate from the basic scheme. For example, you can agree with your ex-partner that he or she waives pension equalisation or special partner pension.

'The partner pension for an ex-partner is called special partner's pension'

'If you would like a different agreement, the pension fund will cooperate provided the agreement is feasible'

An agreement like this can be included in the prenuptial agreement or the covenant which is drawn up at the time of the divorce. If you would like a different agreement, the pension fund will cooperate provided the agreement is feasible.

### **Statement of pension entitlements and allowances**

Your ex-partner will receive a statement of the special partner's pension at least once every 5 years in the basic scheme.

To prevent the value of the pension entitlements from decreasing, the pension fund also tries to adjust the pension in line with inflation. This is called indexation. The aim of the pension fund is to cover the inflation in the long term when paying out the pension respectively the accrued rights.. Please note: granting indexation is conditional. It is not certain whether indexing will be possible in the future. There is therefore no right to indexation and the pension is only increased if the financial resources of the pension fund allow it.

**Do you have any questions or  
would you like more information?  
Then please contact us!**

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The text in this folder is a simplified summary of part of the pension regulations. No rights can therefore be derived from it. If there are uncertainties or differences of interpretation, the pension regulations will be decisive. This can be found at [www.pensioenfondsrobeco.nl/en/pensioen123](http://www.pensioenfondsrobeco.nl/en/pensioen123).