

Index

Note:

The Acts, regulations and a non-statutory document are indexed as follows:

- BC — *Business Corporations Act*, R.S.O. 1990, c. B.16
- BIA — *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3
- CC — *Criminal Code*, R.S.C. 1985, c. C-46
- CLR — *Children's Law Reform Act*, R.S.O. 1990, c. C.12
- CN — *Change of Name Act*, R.S.O. 1990, c. C.7
- CYFS — *Child, Youth and Family Services Act, 2017*, S.O. 2017, c. 14, Sch. 1
- DA — *Divorce Act*, R.S.C. 1985, c. 3 (2nd Supp.)
- FC — *Federal Child Support Guidelines*, SOR/97-175
- FCA — *Fraudulent Conveyances Act*, R.S.O. 1990, c. F.29
- FL — *Family Law Act*, R.S.O. 1990, c. F.3
- FLR — *Family Law Rules*, O. Reg. 114/99
- FO — *Family Orders and Agreements Enforcement Assistance Act*, R.S.C. 1985, c. 4 (2nd Supp.)
- FR — *Family Responsibility and Support Arrears Enforcement Act, 1996*, S.O. 1996, c. 31
- IA — *Intercountry Adoption Act, 1998*, S.O. 1998, c. 29
- ISO — *Interjurisdictional Support Orders Act, 2002*, S.O. 2002, c. 13
- IT — *Income Tax Act*, R.S.C. 1985, c. 1 (5th Supp.)
- MA — *Marriage Act*, R.S.O. 1990, c. M.3
- PA — *Partition Act*, R.S.O. 1990, c. P.4
- PB — *Pension Benefits Act*, R.S.O. 1990, c. P.8
- PBD — *Pension Benefits Division Act*, S.C. 1992, c. 46, Sched. II
- SLR — *Succession Law Reform Act*, R.S.O. 1990, c. S.26
- SAG — Spousal Support Advisory Guidelines

References are to section numbers or regulation numbers.

Abduction. *See* Criminal Code

Adoption

- adoption orders —
 - appeals, CYFS 215
 - applications, forms of, CYFS 199,
CYFS Reg. 157/18 s. 40
 - applications, rules re, CYFS 204
 - change of name, CYFS 206
 - director's statement, CYFS 202
 - finality of, CYFS 216
 - interim orders, CYFS 213
 - minor applicant, CYFS 200

Adoption — *cont'd.*

- adoption orders — *cont'd.*
 - participation of child, CYFS 205(2)
 - place of hearing, CYFS 203
 - power of court, CYFS 205
 - restrictions on making order,
CYFS 201
 - successive orders, CYFS 214
- adoption records, confidentiality,
CYFS 227
- best interests of child, CYFS 179(2)
- birth parent —

Adoption — *cont'd.*

birth parent — *cont'd.*
 criteria, CYFS Reg. 155/18 s. 93
 no order for access by, CYFS 219

consents —
 dispensing with, CYFS 181
 late withdrawal of, CYFS 182
 requirements re, CYFS 180, CYFS Reg. 155/18 s. 95

custodians of information —
 designation of, CYFS 223
 disclosure to designated custodian, CYFS 224

definitions, CYFS Reg. 155/18 s. 92

disclosure. *See also* Adoption information disclosure
 by Minister, CYFS 225, 226
 court papers/files, CYFS 222
 designated custodian, to, CYFS 224, 226
 parents informed of adoption on request, CYFS 221

foreign adoption, effect of, CYFS 218

interpretation, CYFS 179(1)

licences. *See* Adoption licensing

maintenance of relationships, CYFS 220

offences, CYFS 240-242

openness agreements, CYFS 212, CYFS Reg. 155/18 s. 94

openness orders —
 access order in effect, CYFS 195, 196, 209-211
 First Nations, Inuit or Métis community, CYFS 197, 209-211
 no access order in effect, CYFS 194, 209-211
 transitional provisions, CYFS Reg. 157/18 s. 39
 variance/termination after adoption, CYFS 207-210
 variance/termination before adoption, CYFS 198, 209-211

persons wishing to adopt, records re, CYFS Reg. 155/18 s. 96

Adoption — *cont'd.*

placement for adoption —
 access orders, termination of, CYFS 191
 acknowledgement of, CYFS Reg. 155/18 s. 109, Reg. 156/18 s. 69
 adoption planning, CYFS 185, 186
 child from inside Canada, CYFS 188, CYFS Reg. 155/18 s. 104, Reg. 156/18, s. 70, Reg. 157/18 ss. 29, 30
 child from outside Canada, CYFS 189, 190, CYFS Reg. 155/18 s. 104, Reg. 156/18 s. 71
 expenses chargeable to adoptive parent, CYFS Reg. 155/18 s. 108
 First Nations, Inuk or Métis child, CYFS 186, 187, CYFS Reg. 155/18 s. 101, Reg. 157/18 s. 33
 generally, CYFS Reg. 155/18 s. 97
 homestudies and visits, CYFS Reg. 155/18 ss. 98, 99
 alternative procedures during emergency, CYFS Reg. 155/18 s. 99.1
 in Ontario/elsewhere in Canada, CYFS Reg. 155/18 s. 103
 information to be shared, CYFS Reg. 155/18 s. 100
 limitation on placement by society, CYFS 184
 outside Canada, CYFS Reg. 155/18 s. 102
 requirements and approvals, CYFS 183, CYFS Reg. 156/18 ss. 67, 68

refusal to place child, decision re, CYFS 192, 193, CYFS Reg. 155/18 ss. 105, 106, Reg. 157/18 ss. 35, 36

removal of placed child, decision re, CYFS 192, 193, CYFS Reg. 155/18 s. 107

status of adopted child, CYFS 217

Adoption information disclosure
 adoption disclosure register, CYFS Reg. 158/18 ss. 6-8

Adoption information disclosure — cont'd.

- adoption orders, disclosure of copies, CYFS Reg. 158/18 ss. 15, 16
- custodians —
 - designation of, CYFS Reg. 158/18 s. 3
 - MCSS custodian, CYFS Reg. 158/18 s. 4
 - ServiceOntario custodian, CYFS Reg. 158/18 s. 5
- CYFS Act and Vital Statistics Act —
 - administration of, disclosure for purposes of, CYFS Reg. 158/18 ss. 20-24
 - disclosure under, CYFS Reg. 158/18 s. 2
- definitions, CYFS Reg. 158/18 s. 1
- governmental and other authorities, disclosure to, CYFS Reg. 158/18 ss. 17-19
- non-identifying information, disclosure of, CYFS Reg. 158/18 s. 9
- out-of-province adoptions, disclosure re, CYFS Reg. 158/18 s. 10
- severe medical illness, cases of, CYFS Reg. 158/18 ss. 11-14

Adoption licensing

- application of other provisions, CYFS 237
- conditions of licence, CYFS 230
- continuation pending renewal, CYFS 235
- corporate licensee, CYFS Reg. 156/18 s. 77
- delivery of licence and records, CYFS 238
- duration of licence, CYFS Reg. 155/18 s. 111
- fees, CYFS Reg. 155/18 s. 110
- files required by licensee, CYFS Reg. 156/18 s. 75
- hearings by Tribunal, CYFS 233
- injunctions, CYFS 239
- licence to be kept on premises, CYFS Reg. 155/18 s. 112

Adoption licensing — cont'd.

- licensee's trust account and financial reports, CYFS Reg. 156/18 ss. 72-74
- offences, CYFS 240-242
- payment for adoption, offence re, CYFS 240
- registration of placement by licensee, CYFS Reg. 156/18 s. 67
- refusal, grounds for, CYFS 231
- requirements, CYFS 229, CYFS Reg. 156/18 s. 76
- review of conditions by Tribunal, CYFS 234
- revocation/refusal to renew, grounds for, CYFS 232
- suspension of licence, CYFS 236
- transitional provisions, CYFS Reg. 157/18 s. 41

Affiliation. *See* Paternity

Agreements. *See* Family Orders and Agreements Enforcement Assistance Act

Alimony. *See* Income Tax Act

Apprehension of child. *See* Child protection

Arrest

- bail on, FLR 32(13)
- warrant for, FLR 32(12)

Bankruptcy and Insolvency Act

- debts not released by discharge order, BIA 178

Banns. *See* Marriage Act

Best interests of child. *See* Child protection; Children's Law Reform Act; Family Law Act

Business Corporations Act

- court order, BC 247
- definitions, BC 245
- derivative actions, BC 246
- discontinuance and settlement, BC 249
- oppression remedy, BC 248

Change of name, FLR 35

Change of Name Act

- appeals, CN 11

Change of Name Act — *cont'd.*

certificate, issuing of by Registrar General, CN 7
 check with Ministry of the Solicitor General, CN 7.1
 child's name, application to change, CN 5
 definitions, CN 1
 elections —
 resuming pre-election surname, CN 12.0.2
 ineligibility, CN 5.1
 joint declarations, CN 12.0.1(1)
 offences, CN 12
 person over 16, by, CN 4, 12.0.1(2)
 person's name, CN 2
 powers of Registrar General, CN 12.1
 procedure, CN 6
 publication, registration and notice, CN 8
 regulations, CN 13, 13(2)
 resuming pre-election surname, CN 12.0.2
 revocation of change, CN 10
 substitution of new name, CN 9

Child abuse. *See* Child protection

Child and Family Services Review Board
 continuation of, CYFS 333

Child care expenses. *See* Income Tax Act

Child protection

abuse, legal claim re, CYFS 138
 access —
 access order, CYFS 104
 child removed from person in charge, where, CYFS 105
 restriction on order, CYFS 107
 review of order, CYFS 106
 access to records, court-ordered —
 motion/application re, CYFS 130
 telewarrant for, CYFS 132, CYFS Reg. 155/18 s. 30, CYFS Reg. 156/18 s. 36
 warrant for, CYFS 131, CYFS Reg. 156/18 s. 35
 appeals, CYFS 121

Child protection — *cont'd.*

best interest of child, considerations re, CYFS 74(3)
 care prohibition, CYFS 139
 child abuse register —
 hearing, CYFS 134
 requirements, CYFS 133
 child in need of protection, meaning of, CYFS 74(2)
 child protection hearing —
 adjournments, provisions re, CYFS 94
 alternative dispute resolution, use of, CYFS 95
 assessment order, CYFS 98, CYFS Reg. 155/18 ss. 34-36
 consent order, CYFS 99
 custody order, CYFS 102
 delay, CYFS 96
 evidence (past conduct toward children), CYFS 93
 order where child in need of protection, CYFS 101
 order/decision, reasons for, CYFS 97
 place of, CYFS 91(2)
 power of court, CYFS 92
 requirements re, CYFS 90
 society's plan for child, CYFS 100
 territorial jurisdiction, CYFS 91
 child protection proceedings, commencing, CYFS 81, 82
 child sex trafficking, CYFS 74
 complaint to board, CYFS 120
 complaint to society, CYFS 119, CYFS Reg. 155/18 ss. 37-51, 53, Reg. 156/18 ss. 56-64, Reg. 157/18 s. 19
 continued care and support, CYFS 124, CYFS Reg. 156/18 ss. 53-55
 customary care, CYFS 80
 definitions, CYFS 74
 director's transfer power, CYFS 135
 duty to report child in need of protection —

Child protection — cont'd.

duty to report child in need of protection — *cont'd.*
 assessment of report by society, CYFS 126
 death of child, CYFS 128
 requirements, CYFS 125
 society's duty, CYFS 127
 expiry of orders, CYFS 122, 123
 extended society care, child in, CYFS 111, 112
 hearings, rules re, CYFS 87
 injunction, CYFS 143
 interim society care, child in, CYFS 110
 investigation by judge, CYFS 118
 legal representation, CYFS 78
 offences, CYFS 136, 140-143
 parties and notice, CYFS 79
 payment orders, CYFS 108
 place of safety, bringing child to —
 child younger than 12, CYFS 84
 children who withdraw from parent's care, CYFS 85
 licensing exemptions, CYFS Reg. 155/18 s. 31
 limitation on time in, CYFS 88, 89
 placement, CYFS Reg. 156/18 ss. 45-47
 right of entry, CYFS 86, CYFS Reg. 155/18 s. 29
 16/17 year old, CYFS 89
 warrant, issuance of, CYFS 83, CYFS Reg. 156/18 s. 37
 without warrant, CYFS 83(4)
 place of safety, meaning of, CYFS 74(1), (4), (5), CYFS Reg. 156/18 s. 45
 special cases, bringing children to, CYFS 83
 placement of children, CYFS 109, CYFS Reg. 155/18 s. 32, Reg. 157/18 ss. 16, 17
 restraining order, CYFS 137
 review teams, CYFS 129

Child protection — cont'd.

service requirements re referrals, investigations and ongoing service, CYFS Reg. 156/18 ss. 30-32
 16 and 17 year olds, society agreements with, CYFS 77
 removal to offer services, CYFS 77.1
 status review —
 applications for, CYFS 113
 court order, CYFS 116
 director's annual review, CYFS 117
 extended society care, re children in, CYFS 115, 117
 variance by court, CYFS 114
 temporary care agreement, CYFS 75, 76, CYFS Reg. 156/18 s. 48
 transition provisions, CYFS Reg. 157/18 ss. 8-22

Child Support Calculation Service
 absence of recalculated amount, FL 39.1(8)
 application —
 administrative recalculation, FL 39.1(1)
 calculation, for, FL 39(2)
 certified copies, FL 39.1(8.1)
 recalculation, for, FL 39.1(2)

Child Support Guidelines,
 application of —
 calculation, FL 39(5)
 recalculation, FL 39.1(6)

copies to Director —
 calculation, FL 39(12)
 recalculation, FL 39.1(9), (14)

defined, FL 39(1)
 disclosure ongoing, FL 39(16)
 enforcement by Director, FL 39(15)

error re payment —
 calculation, FL 39(11)
 correction, effect, FL 39(13)
 recalculation, FL 39.1(13)

income information not provided, FL 39.1(5)
 ineligible for recalculation, FL 39.1(3)

Child Support Calculation Service —
cont'd.

- information to be provided —
 - calculation, FL 39(4)
 - recalculation, FL 39.1(4)
- notice —
 - calculation, FL 39(7), 39(7.1)
 - corrections to, FL 39(9), 39.1(11)
 - effect of corrections, FL 39(14), 39.1(15)
 - limitations to corrections, FL 39(10), 39.1(12)
 - recalculation, FL 39.1(7)
- order, recalculation deemed part of, FL 39.1(16)
- periodic payments, FL 39(6)
- requirements for calculation, FL 39(3)
- timing re amount coming due —
 - calculation, FL 39(8)
 - recalculation, FL 39.1(10)

Child support guidelines. *See* Federal Child Support Guidelines**Child, Youth and Family Services Act, 2017**

- accountability measures. *See* funding and accountability
- adoption. *See* Adoption; Adoption licensing
- alternative dispute resolution,
 - methods of, CYFS Reg. 155/18 s. 31
- approval of agencies, CYFS Reg. 157/18 s. 1
- Child and Family Services Review Board, CYFS 333
- child and youth mental health, CYFS Reg. 155/18 ss. 24-27
- child protection. *See* Child protection
- child's citizenship, immigration status, CYSF Reg 156/18, s. 48.1
- child's documentation —
 - driver's licences and photo cards, CYSF Reg 156/18, s. 48.111
 - health insurance, CYSF Reg 156/18, s. 48.71
 - passport, Canadian, CYSF Reg 156/18, s. 48.91

Child, Youth and Family Services Act, 2017 — cont'd.

- child's documentation — *cont'd.*
 - social insurance number, CYSF Reg 156/18, s. 48.81
 - transition requirements, CYSF Reg 156/18, s. 48.101
- child's identity characteristics,
 - meaning of, CYFS Reg, 156/18 s. 2
- child's identity documents, CYFS Reg 156/18, s. 48.2-48.3
- child's membership to First Nations, Inuit or Métis group, CYFS Reg 156/18, s. 48.4
- child's social history, CYSF Reg 156/18, s. 48.12
- children's aid societies —
 - accountability agreements, CYFS 41, CYFS, Reg. 157/18 s. 4
 - alternative procedures during emergency, CYFS 156/18 ss. 52.1-52.5
 - appointment of supervisor, CYFS 46
 - appointment of supervisor for restructuring, CYFS 49
 - appointments to board by Minister, CYFS 45
 - budgets and accountability agreements, CYFS Reg, 156/18 ss. 12-16
 - compliance orders, CYFS 43
 - Corporations Act, etc., conflict with, CYFS 50
 - designation of, CYFS 34, CYFS Reg. 157/18 s. 2
 - directives to, CYFS 42, Reg. 157/18 s. 5
 - director's duties, CYFS 54
 - financial records of, CYFS Reg, 156/18 ss. 9-11
 - functions, CYFS 35, CYFS, Reg. 157/18 s. 3
 - funding agreements, CYFS 40
 - governance matters, CYFS 36

**Child, Youth and Family Services Act,
2017 — *cont'd.***

children's aid societies — *cont'd.*
 local director, appointment of,
 CYFS 38
 Minister's powers, CYFS 44
 no compensation/expropriation,
 CYFS 52
 no personal liability, CYFS 37
 place of safety designation, CYFS
 39
 restructuring by Minister's order,
 CYFS 48
 restructuring/amalgamation of,
 CYFS 47
 services to be provided by, CYFS
 Reg, 156/18 ss. 48-52
 staff qualifications, CYFS Reg,
 156/18 ss. 17, 18
 transfer of property held for
 charitable purpose, CYFS 51
 declarations and notices, CYFS 334.1
 delegation by Minister, CYFS 55
 director, powers of, CYFS Reg. 155/
 18 s. 2
 directors and program supervisors,
 appointment of, CYFS 53
 extraordinary measures —
 definitions, CYFS 157
 forms, CYFS Reg, 156/18 s. 65
 psychotropic drugs —
 consent re use, CYFS 176
 list, CYFS Reg. 155/18 s. 91
 Professional Advisory Board,
 appointment of, CYFS 177
 review request, CYFS 178
 secure de-escalation —
 criteria and provisions re,
 CYFS 174, CYFS Reg. 155/
 18 ss. 85-89
 director's approval of locked
 room, CYFS 173, CYFS Reg.
 155/18 s. 90
 review of use, CYFS 175, 178
 secure treatment programs. *See*
 secure treatment

**Child, Youth and Family Services Act,
2017 — *cont'd.***

family and community placement,
 CYFS Reg, 156/18 ss. 38-44
 First Nations, Inuit and Métis child
 and family services —
 agreements, CYFS 69
 child, complimentary services,
 CYFS 73.2
 circles of supportive persons,
 CYFS 73.3
 consultations, CYFS 72, 73, CYFS
 Reg, 156/18 ss. 23-29
 designation of authority, CYFS 70
 determination of community child
 identifies with, CYFS Reg, 156/
 18 ss. 22, 23
 identification as First Nations,
 etc., CYFS Reg. 155/18 s. 1
 new community listed,
 proceedings, CYFS Reg. 155/18
 ss. 54, 55
 placement consultation, CYFS
 Reg, 156/18 s. 39
 prevention-focused Indigenous
 service provider, CYFS 73.1
 regulations listing communities,
 CYFS 68, CYFS Reg, 156/18 s.
 22, CYFS Reg, 159/18
 subsidy for customary care, CYFS
 71
 French language services, CYFS 2
 funding and accountability —
 application for financial assistance
 by service providers and lead
 agencies, CYFS Reg, 156/18 s. 19
 board placement reviews, CYFS
 66, CYFS Reg. 155/18 s. 28, Reg.
 157/18 s. 7
 children's aid societies, re. *See*
 children's aid societies
 compliance orders, CYFS 33,
 CYFS Reg, 156/18 s. 20
 directives, CYFS 32, CYFS Reg.
 155/18, s. 23.3

**Child, Youth and Family Services Act,
2017 — cont'd.**

funding and accountability — *cont'd.*
 funding agreements and
 arrangements, CYFS Reg. 157/
 18 s. 6
 funding of services and lead
 agencies, CYFS 25-31
 “lead agency”, defined, CYFS 24
 lead agency, designation, CYFS 30
 program supervisor inspections,
 CYFS 59-61
 reports and information, CYFS
 56-58
 residential placement advisory
 committee reviews, CYFS 62-65
 transition provisions, CYFS Reg.
 157/18 ss. 1-7
 investigations —
 seizure of things not specified,
 CYFS 332.2, 332.3
 with warrant, CYFS 332.1
 mental disorders, records of, CYFS
 294, CYFS Reg. 156/18 s. 142
 offences, CYFS 67, 332
 personal information, CYFS 281-332
 police record checks, CYFS 334, 335,
 CYFS Reg. 155/18 ss. 116-131
 proceedings under Children’s Law
 Reform Act, CYFS 103, 116(6)
 purposes and interpretation, CYFS 1
 records, corrections, CYFS 315
 regulations, power to make —
 adoption and adoption licensing,
 re, CYFS 346
 child protection, re, CYFS 343
 children and young persons rights,
 re, CYFS 340
 extraordinary measure, CYFS 345
 First Nations, Inuit and Métis
 child and family services, re,
 CYFS 342
 funding and accountability, re,
 CYFS 341
 generally, CYFS 339

**Child, Youth and Family Services Act,
2017 — cont'd.**

regulations, power to make — *cont'd.*
 miscellaneous matters, re, CYFS
 349
 personal information, re, CYFS
 348
 residential licensing, re, CYFS 347
 youth justice, re, CYFS 344
 relatives, placement of child with,
 CYFS Reg. 156/18 ss. 40-42
 residential licensing. *See* Residential
 licensing
 review of Act, CYFS 336-338
 rights. *See* Rights of children and
 young persons
 secure treatment —
 admission procedures, CYFS Reg.
 155/18 s. 84
 application re commitment, CYFS
 161
 assessment, CYFS 163
 commitment to, criteria, CYFS
 164
 emergency admission, criteria,
 CYFS 171
 establishment of programs, CYFS
 158
 extension of commitment period,
 CYFS 167
 locking up, CYFS 159
 mechanical restraints, CYFS 160,
 CYFS Reg. 155/18 ss. 74-83
 oral evidence at application, CYFS
 162
 order re, CYFS 164-167
 peace officer assistance, CYFS 172
 period of commitment, CYFS 166
 programs, CYFS, Reg. 21/22
 reasons, plan, etc., CYFS 166
 review of commitment, CYFS 169
 secure de-escalation, CYFS 173-
 175
 unconditional release by
 administrator, CYFS 168

Child, Youth and Family Services Act, 2017 — *cont'd.*
 service provider, duties of, CYFS Reg. 155/18 ss. 4-8, CYFS Reg, 156/18 ss. 3-8
 unlicensed settings, CYFS, Reg 156/18, s. 50.1
 youth justice. *See* Youth justice

Children's Law Reform Act
 decision-making responsibility, parenting time, contact and guardianship —
 address of respondent, CLR 39
 application for parenting or contact order, CLR 21
 CAS records search, non-parents, CLR 21.2
 other proceedings, non-parents, CLR 21.3
 police records checks, non-parents, CLR 21.1, CLR Reg. 24/10 s. 1
 assistance to court —
 assessment of child's needs, CLR 30
 further evidence, CLR 32, 33
 mediation, CLR 31
 best interests of child criteria, CLR 24
 claims by non-parents, CLR Reg. 24/10
 contempt of orders, CLR 38
 delay, CLR 26
 Divorce Act, effect of on application, CLR 27
 duties —
 court, CLR 33.3
 legal adviser, CLR 33.2
 parties, CLR 33.1
 enforcement —
 restraining order, CLR 35
 supervision, CLR 34
 unlawful removal of child, CLR 37
 unlawful withholding of child, CLR 36

Children's Law Reform Act — *cont'd.*
 decision-making responsibility, parenting time, contact and guardianship — *cont'd.*
 equal entitlement to decision-making responsibility, CLR 20
 extra-provincial matters —
 extra-provincial orders —
 enforcement of, CLR 41
 true copy of, CLR 44
 foreign law, CLR 45
 interim powers of court, CLR 40
 superseding order —
 material change in circumstances, CLR 42
 serious harm, CLR 43
 International child abduction, convention re, CLR 46
 jurisdiction —
 declining, CLR 25
 generally, CLR 22
 serious harm cases, CLR 23
 orders, parenting and contact, CLR 28
 variation, CLR 29
 purpose of Part III, CLR 19
 relocation —
 authorization, CLR 39.4, Reg. 155/21, ss. 2-3
 notice, CLR 39.3
 residence, change in —
 person with contact, CLR 39.2, Reg. 155/21, s. 1
 person with decision-making responsibility or parenting time, CLR 39.1
 testamentary, CLR 61
 transition, CLR 76
 definitions, CLR 18
 domestic contracts, CLR 68
 family violence —
 definition, CLR 18
 factors relating to, best interests of child and, CLR 24(4)

Children's Law Reform Act — cont'd.

guardians —
 accounting of, CLR 52
 appointment of —
 court power re, CLR 47
 criteria re, CLR 49
 effect of, CLR 50
 bond by, CLR 55
 child's support obligations, CLR 56
 debt due to child, CLR 51, Reg. 120/21
 management fees and expenses, CLR 54
 parents as, CLR 48
 removal of, CLR 57
 testamentary, CLR 61(2)
 transfer of property to child, CLR 53
 parentage, establishment of —
 acknowledgment against interest, admissibility of, CLR 17.1
 application of Part, CLR 3
 assisted reproduction —
 biological parent's spouse, if, CLR 8
 biological parent's spouse, if assisted reproduction, CLR 8
 biological parent's spouse, if insemination by sperm donor, CLR 8
 biological parent if intercourse, other, CLR 7
 birth parents, CLR 6
 blood tests, CLR 17.2
 confidentiality, CLR 17.3
 construction, rules of, CLR 2
 court statements, CLR 17.4, 17.5
 DNA tests, CLR 17.2
 declaration of parentage, CLR 13, 15
 definitions, CLR 1
 embryo not determinative, CLR 5
 extra-provincial declaratory orders, CLR 16

Children's Law Reform Act — cont'd.

parentage, establishment of — *cont'd.*
 insemination —
 biological parent's spouse, if, CLR 8
 interpretation, CLR 1
 parentage, rules of, CLR 4
 pre-conception agreements, CLR 9
 Registrar General, duties of, CLR 17.6
 reopening with new evidence, CLR 14
 reproductive material, provision of, CLR 5
 surname, corresponding change of, CLR 17
 surrogacy —
 more than four intended parents, CLR 11
 posthumous conception, CLR 12
 up to four intended parents, CLR 10
 parenting order —
 application, CLR 21
 definition, CLR 18
 variation, CLR 28(3)
 parenting plan, CLR 28(7)
 parenting time —
 allocation of, CLR 28(5)
 day-to-day decisions, CLR 28(6)
 procedure —
 all matters to be heard in one court, CLR 66
 appeals, CLR 73, 74
 applications, CLR 62
 child over 16, CLR 65
 child's entitlement to be heard, CLR 64
 confidentiality, CLR 70
 consent orders, CLR 67
 domestic contracts, CLR 68
 interim order, CLR 71, 72
 jurisdiction, CLR 69

Children’s Law Reform Act — *cont’d.*

- procedure — *cont’d.*
 - minors, application or consent by, CLR 63
 - rule of construction, CLR 75
- property of child, disposition of —
 - court order re, CLR 59
 - maintenance order, CLR 60
- status of children —
 - adopted children, CLR 1(2)
 - legitimacy distinction abolished, CLR 1(4)
 - marriage distinction abolished, CLR 1(1)
- testamentary decision-making responsibility and guardianship, CLR 61

Children’s lawyer

- report of, FLR 21
- service on, FLR 8(9)

Cohabitation agreements, FL 53

Contempt of court, FL 49

Corporations. *See* Business Corporations Act

Criminal Code

- abduction —
 - consent to no defence, CC 286
 - contravention of custody order, CC 282
 - defence to, CC 284
 - offence of, CC 283
- court order, disobedience of, CC 127(1)
- passport, false statement re, CC 57(2)

Dependants. *See* Family Law Act;

Succession Law Reform Act

Derivative actions. *See* Business Corporations Act

Divorce. *See* Divorce Act; Family Law Rules

Divorce Act

- agreements with provinces re child support orders, DA 25.1
- appeals under, DA 21
- Central Registry of Divorce Proceedings Fee Order, SOR/86-547

Divorce Act — *cont’d.*

Central Registry of Divorce

Proceedings Regulations, SOR/86-600

child of marriage defined, DA 2(2)

child support guidelines, DA 26.1

competent authority, rules made by, DA 25

corollary relief —

assignment of support orders, DA 20.1

best interests of the child, DA 16

change in place of residence, DA 16.7-16.8

child support orders, DA 15.1

contact orders, DA 16, 16.5

legal effect of orders and decisions, DA 20

parenting plan, DA 16.6

parenting orders, DA 2(1), 16, 16.1-16.4

priority of child support order, DA 15.3

proceedings between provinces/
province and designated
jurisdiction

definitions, DA 18

inter-jurisdictional proceedings
between provinces, DA 18.1-
18.3

proceedings between province
and designated jurisdiction,
DA 19-19.1

provisional order —

defined, DA 18

relocation, DA 16.9-16.96

spousal support orders, DA 15.2
variation, rescission or suspension
order, DA 17

definitions, DA 2

divorce —

breakdown of marriage, DA 8(2)

court’s power to grant, DA 8(1)

dissolution of marriage, DA 14

duty of court —

bars, DA 11

Divorce Act — cont'd.

divorce — *cont'd.*
 duty of court — *cont'd.*
 reconciliation, DA 10
 effective date of, DA 12
 legal effect of, DA 13
 separation period, calculation of,
 DA 8(3)
 duties —
 court, DA 7.8
 legal adviser, DA 7.7
 parties to proceeding, DA 7.1-7.6
 evidence, provincial laws of, DA 23
 family violence —
 best interests of child, generally,
 DA 16(3)
 change in place of residence,
 notice, DA 16.8(3), 16.96(3)
 civil protection order defined, DA
 7.8(3)
 defined, DA 2(1)
 parenting or contact order, DA
 16(4)
 relocation, notice, DA 16.9(3)
 fees, DA 27, SOR/86-547
 foreign divorce, recognition of, DA
 22, 22.1
 international Conventions —
 1996 Convention, DA 30-31.3
 2007 Convention, DA 28-29.5
 jurisdiction —
 child habitually resident outside
 Canada, DA 6.3
 contact order, DA 6.1
 corollary relief proceedings, DA 4
 divorce proceedings, DA 3
 parenting order —
 transfer of proceeding, DA 6(1)
 transfer of variation
 proceedings, 6(2)
 removal or retention of child of
 marriage, DA 6.2
 variation proceedings, DA 5
 means of presenting submissions, DA
 23.1
 Ministerial activities, DA 25.2

Divorce Act — cont'd.

official languages, DA 23.2
 parenting order —
 exclusive jurisdiction, DA 6(4)
 transfer of proceeding if order
 applied for, DA 6(1)
 transfer of variation proceeding,
 DA 6(2)
 proof of signature or office, DA 24
 provincial child support service, DA
 25.01, 25.1
 regulations —
 Central Registry of Divorce
 Proceedings Fee Order, SOR/86-
 547
 Central Registry of Divorce
 Proceedings Regulations, SOR/
 86-600
 power to make, DA 26
 religious remarriage, removal of
 barriers to, DA 21.1
 short title, DA 1
 support orders. *See* corollary relief
Divorce action rules. *See* Family Law
 Rules
Domestic contracts. *See* Children's Law
 Reform Act; Family Law Act
Extraordinary measures *See* Child,
 Youth and Family Services Act, 2017
Family Law Act, see also Family Law
 Rules
 application of Act, FL 70
 barriers to remarriage, removal of, FL
 2(4)-(7)
 common law, amendments to —
 actions between parent and child,
 FL 65
 domicile of minor, FL 67
 prenatal injuries, recovery for, FL
 66
 unity of legal personality
 abolished, FL 64
 definitions, FL 1
 dependant's claim for damages —
 assessment of damages and
 insurance, FL 63

Family Law Act — cont'd.

- dependant's claim for damages —
cont'd.
 - global sum settlement, FL 62
 - right to sue in tort, FL 61
- domestic contracts —
 - application of Act to, FL 60
 - best interests of child principle and, FL 56(1)
 - chastity, requiring, FL 56(2)
 - cohabitation agreements, FL 53
 - definitions re, FL 51
 - family arbitration —
 - Arbitration Act, 1991 and, FL 59.1
 - conditions of enforceability, FL 59.6
 - contracting out, FL 59.3
 - defined, FL 51
 - enforcement of award, FL 59.8, 59.9
 - no agreement in advance of dispute, FL 59.4
 - pension plans, awards re, FL 59.4.1
 - secondary arbitration, FL 59.7
 - third party decision-making processes and, FL 59.2
 - form of, FL 55
 - incorporation of in order, FL 2(9)
 - made outside Ontario, FL 58
 - marriage contracts, FL 52
 - paternity agreements, FL 59
 - pension plan, provisions re, FL 56.1
 - rights of donors of gifts, FL 57
 - separation agreements, FL 54
 - setting aside, FL 56(4), (5)
- extension of time, FL 2(8)
- family arbitration. *See* domestic contracts
- family property —
 - application of provisions re, FL 16
 - application re equalization entitlement, FL 7
 - business or farm, operating, FL 11

Family Law Act — cont'd.

- family property — *cont'd.*
 - conflict of laws, FL 15
 - definitions, FL 4(1), (1.1)
 - elections re spouse's estate, FL 6
 - equalization —
 - applications re —
 - entitlement, FL 7
 - powers of court, FL 9
 - statement of property re, FL 8
 - generally, FL 5
 - excluded property, FL 4(2)
 - order regarding conduct, FL 13.1
 - pension plans, FL 10.1
 - preservation order, FL 12
 - resulting trust presumptions, FL 14
 - security, valuation and realization of, FL 13
 - surviving spouse, entitlements of, FL 6
 - title to property, application re, FL 10
 - matrimonial home —
 - alienation of, FL 21
 - powers of court re, FL 23
 - application of Act re, FL 28
 - defined, FL 18
 - designation of, FL 20
 - joint tenancy in, FL 26
 - order regarding conduct, FL 25.1
 - possession of —
 - exclusive, FL 24(3)
 - order for, FL 24
 - variation of, FL 25
 - right to, FL 19
 - registration of orders re, FL 27
 - right of redemption of, FL 22
 - mediation, FL 3
 - polygamous marriages, FL 1(2)
 - regulations, power to make, FL 69
 - staying applications, FL 2(1)
 - support obligations —
 - absconding debtor, arrest of, FL 43

Family Law Act — cont'd.

- support obligations — *cont'd.*
 - child to support parent, FL 32
 - duties, FL 47
 - court, FL 47.4
 - legal advisers, FL 47.3
 - parties, FL 47.2
- order for support —
 - appeals re, FL 48
 - applicants, FL 33(2)
 - child, of —
 - calculation of, FL 39
 - priority to, FL 38.1
 - purposes of, FL 33(7)
 - recalculation of, FL 39.1
 - combined orders, FL 39(2)
 - conduct of spouse, FL 33(10)
 - contempt of orders, FL 49
 - determination of, FL 33(9)
 - divorce proceedings, effect of, FL 36
 - domestic contract —
 - filed with court, FL 35
 - setting aside, FL 33(4)
 - existing, FL 39
 - indexing of, FL 38
 - power of court, FL 33(1), 34
 - priority to child support, FL 38.1
 - provisional, FL 44
 - restraining order re property, FL 40
 - return by employer, FL 42
 - spouse, of, FL 33(8)
 - variation, application for, FL 37, 39(3)
- order regarding conduct, FL 47.1
- parent to support child, FL 31
- parenting order application
 - priority, FL 47
- pledging credit for necessities, FL 45
- restraining order re contact, communications, etc., FL 46
- spouses of, FL 30

Family law proceedings rules. See Family Law Rules**Family Law Rules**

- access to court files, FLR 1.3
- admission of facts, FLR 22
- adoption —
 - certified copy of order from outside Ontario, FLR 34(3)
 - CYFS definitions apply, FLR 34(1)
 - clerk to review application, FLR 34(15)
 - consent requirements, FLR 34(10)-(14), (16)
 - independent legal advice requirements, FLR 34(11)-(13)
 - initials, use of, FLR 34(2.1)
 - material filed with application —
 - child's adjustment report, FLR 34(5)
 - Crown ward, re, FLR 34(6)
 - generally, FLR 34(4)
 - non-Crown ward, FLR 34(5)
 - relative or step-parent applicant, FLR 34(8)
 - notice of intention to place child, service, FLR 34(18)
 - openness application —
 - forms re, FLR 34(17)
 - timelines, FLR 34(19)
 - step-parent adoption, FLR 34(9), (10)
- amendments —
 - answer, to, FLR 11(2), (3)
 - application, to, FLR 11(1), (3)
 - child protection, FLR 11(2.1)
 - claim re decision-making responsibility, parenting time or contact, FLR 11(3.1)
 - how shown, FLR 11(4)
- answering case —
 - amending, FLR 11(2), (3)
 - by added respondent, FLR 10(4)
 - claim re decision-making responsibility, parenting time or contact, FLR 10(4.1)

Family Law Rules — *cont'd.*

answering case — *cont'd.*
inclusion of claim, FLR 10(3)
no answer or answer struck out,
FLR 10(5)
placement for adoption exception,
FLR 10(2.1)
reply, FLR 10(6)
serving and filing answer, FLR
10(1)
time for, FLR 10(2)
appeals —
admission of further evidence,
motion for, FLR 38(29)
appeal records and factums —
appellant's, FLR 38(17), (18)
respondent's, FLR 38(19), (20)
service and filing of, timelines
for, FLR 38(21), (22)
child protection, modifications to
time periods for, FLR 38(2)
child protection, prompt hearing
of, FLR 38(24)
dismissal for delay, motion for,
FLR 38(30)
grounds stated in notice of, FLR
38(10), (11)
hearing, scheduling of, FLR 38(23)
motions in, FLR 38(25), (28)-(30)
name of case unchanged for, FLR
38(8)
Rules of Civil Procedure,
application of, FLR 38(1)
security for costs of, FLR 38(26),
(27)
summary judgment motion in,
FLR 38(28)
Superior Court of Justice, appeals
to, FLR 38(4)
starting, FLR 38(5)-(7)
stays pending, FLR 38(33)-(44) —
certificate of, FLR 38(41)-(44)
effect of, FLR 38(38)-(40)
expiry of, FLR 38(36)
settling of order, effect of on,
FLR 38(39)

Family Law Rules — *cont'd.*

appeals — *cont'd.*
stays pending — *cont'd.*
support orders, re, FLR 38(33),
(42)
temporary orders in child
protection case, of, FLR 38(3)
transcript of evidence for, FLR
38(12)-(16)
withdrawal of, FLR 38(31), (32)
writ of execution, FLR 38(40), (45)
application. *See* starting case
application of —
case management, to, FLR 1(3),
(4), (4.1), (4.2)
family law case combined with
another, FLR 1(5)
generally, FLR 1(2)
arrest —
bail on, FLR 32(13)
warrant for, FLR 32(12)
binding judicial dispute
resolution, FLR 43
bonds, form and requirements, FLR
32(2)-(11)
case management —
by associate judge, Family Court
of the Superior Court of Justice,
FLR 42
Family Court of Superior Court of
Justice, in, FLR 39
Ontario Court of Justice, in, FLR
40
Superior Court of Justice, in, FLR
41
certification of documents, FLR 10.1
change of name applications, FLR 35
child protection cases —
case management, FLR 33(2)
examination of expert evidence on
motions, FLR 33(9)
forms for, FLR 33(7), (8)
plan of care or supervision, FLR
33(5)
status review, FLR 33(6.1)

Family Law Rules — *cont'd.*

child protection cases — *cont'd.*
 temporary care and custody hearing, FLR 33(6)
 timetable, FLR 33(1), (3), (4)
 children's lawyer —
 report of, FLR 21
 combining cases, FLR 12
 conferences —
 agreement, FLR 17(19)
 attendance confirmation, FLR 17(14)-17(14.1.1)
 briefs —
 service of, FLR 17(13)
 timing, FLR 17(13.1), (14.1)
 case conference —
 child protection cases, FLR 17(13.0.1)
 purposes of, FLR 17(4)
 requirements for parties to confer, FLR 17(4.2-4.4)
 combined, FLR 17(7)
 after dispute resolution, FLR 17(7.1), (7.2)
 continuing record and, FLR 17(20)-(22.2)
 costs, FLR 17(18), (18.1)
 defended cases, in, FLR 17(1)
 enforcement, FLR 17(12)
 management conferences —
 purposes of, FLR 17(6)
 motions to change order or agreement, FLR 17(3)
 orders at, FLR 17(8)
 parties to, FLR 17(15)
 service of notice, FLR 17(4.1)
 settlement conferences —
 additional requirements, FLR 17(11)-(11.2)
 confidentiality of, FLR 17(23)
 judge cannot hear issue, FLR 17(24), (25)
 purposes of, FLR 17(5)
 requirement to bring documents to, FLR 17(14.2)

Family Law Rules — *cont'd.*

conferences — *cont'd.*
 settlement conferences — *cont'd.*
 with judge before case set for trial, FLR 17(10)
 undefended cases, in, FLR 17(2)
 with non-judge, FLR 17(9), (9.1)
 contempt of court, FLR 31
 continuing record —
 appeal of final order, FLR 9(19)
 cases started before January 1, 2007, FLR 22, 23
 child protection, re, FLR 9(4),(6.1)
 conversion to electronic format, FLR 9(18)
 combining separated, FLR 9(8)-(10)
 confirmation of support order, FLR 9(21)
 creation of, FLR 9(1)
 formal requirements of, FLR 9(6)
 formal requirements re child protection, FLR 9(6.1)
 maintaining, FLR 9(11)
 no removal of documents, FLR 9(16)
 reference to documents in, FLR 9(15)
 separation of single, FLR 9(7), (10)
 service and filing of documents, FLR 9(12), (13)
 support enforcement, re, FLR 9(3)
 transfer of, FLR 9(20)
 written reasons for order, FLR 9(17)
 costs —
 absent or unprepared party, FLR 24(9)
 bad faith, FLR 24(10)
 burden of proof, FLR 24(13)
 child protection cases, FLR 24(5)
 deciding costs, FLR 24(1)
 divided success, FLR 24(4)
 entitlement to costs, presumption, FLR 24(3)
 failure to accept offer, FLR 24(12)

Family Law Rules — cont'd.

- costs — *cont'd.*
 - government agency as party, FLR 24(6)
 - lawyer or other representative at fault, FLR 24(11)
 - payment to carry on case, FLR 24(25)
 - requirement for parties to confer, FLR 24(17)
 - requirement for parties to prepare submissions, FLR 24(18)
 - security may be changed, FLR 24(24)
 - unreasonable behaviour by successful party, FLR 24(7)
- decision-making responsibility, parenting time and contact —
 - affidavit in support of claim, FLR 35.1(1)
 - associated cases, FLR 35.1(8), (9)
 - Children's Aid Society report, request for, FLR 35.1(5)
 - continuing record, exception, FLR 35.1(2)
 - corrections and updates to affidavit, FLR 35.1(7)
 - documents refused by clerk, FLR 35.1(6)
 - police records check, FLR 35.1(3), (4)
- default hearing, FLR 30
- definitions, FLR 2(1)
- divorce —
 - adultery, allegation of, FLR 36(3)
 - affidavit evidence, FLR 36(5), (5.1)
 - application for, FLR 36(1), (2)
 - certificate, FLR 36(8)
 - clerk to present papers to judge, FLR 36(7)
 - draft order, FLR 36(6)
 - filing requirements, FLR 36(4)
- document disclosure, *see also* questioning witness and disclosure
 - additional documents, FLR 19(9)

Family Law Rules — cont'd.

- document disclosure — *cont'd.*
 - documents listed in court papers, FLR 19(3)
 - failure to follow rule, FLR 19(10)
 - listed documents —
 - access to, FLR 19(2), (7)
 - affidavit re, FLR 19(1)
 - omissions, FLR 19(8)
 - non-party control of document, FLR 19(11)
 - privilege re, FLR 19(4), (5)
 - subsidiary or affiliated corporation, of, FLR 19(6)
- documents —
 - disclosure. *See* document disclosure
 - conversion to electronic format, FLR 1.1(11.1),(11.2)
 - electronic filing and issuance, FLR 1.1
 - format of written, FLR 1(10)
 - inconsistency between information, FLR 1.1(8)
 - redactions and omissions, FLR 1.2
 - service. *See* service of documents
- enforcement of orders —
 - administrative costs, FLR 26(8)
 - affidavit for filing domestic contract, etc., FLR 26(9)
 - costs, entitlement to, FLR 26(7)
 - director —
 - filing with, FLR 26(11)
 - status of, FLR 26(10)
 - transferring enforcement from, FLR 26(13), (14)
 - transferring enforcement to, FLR 26(12), (14)
 - how to enforce, FLR 26(2)
 - non-payment orders, FLR 26(4)
 - payment orders, FLR 26(3)
 - reciprocal. *See* reciprocal enforcement of support orders
 - registration of Divorce Act orders, FLR 26(15)-(17)

Family Law Rules — cont'd.

enforcement of orders — *cont'd.*
 statement of money owed, FLR 26(5), (6)
 transferring. *See* director, *supra*
 where to enforce, FLR 26(1)

evidence —
 affidavit, FLR 23(20)-(22)
 expert, FLR 20.2
 interprovincial summons to
 witness, timing of service, FLR 23(3.1),(3.2)
 late filings, FLR 20.2(14)
 other method, FLR 23(20), (21)
 summons, notice, if summons
 becomes unnecessary, FLR 23(5),(5.1)
 taking before trial, FLR 23(18), (19)

failure to obey, FLR 1(8)

family arbitration —
 agreement, FLR 2(1)
 appeals, FLR 38(46)
 contents of appeal record, FLR 38(48)
 date of hearing, FLR 38(54)
 if leave required, FLR 38(49)
 notice of appeal, if granted, FLR 38(55)
 notice of motion, FLR 38(50)
 service, FLR 38(47)
 specific questions for appeal, FLR 38(52)
 timing of filing affidavit and evidence, 38(51)
 timing of filing response, 38(53)

claim, commencing, FLR 8(3.2)
 defined, FLR 2(1)
 enforcement of awards, FLR 32.1
 application of other rule, FLR 32.1(3)
 documents, required to start case, FLR 8(3.2)
 starting a case, FLR 8(1.1)
 when required to proceed by motion, FLR 8(1.2)

Family Law Rules — cont'd.

family arbitration — *cont'd.*
 financial statements, exception, FLR 13(14.1)
 hearing —
 date, FLR 32.1(4)
 oral, order, FLR 32.1(10)
 oral, request, FLR 32.1(9)
 written, FLR 32.1(8)
 motion, when required, FLR 32.1(2)
 request, FLR 32.1(1)
 not served on or before hearing date, FLR 32.1(6)
 opposing a request, FLR 32.1(7)
 service, FLR 32.1(5)

financial disclosure, *see also* requiring financial information
 additional required —
 claim under Part I of Family Law Act, FLR 13(3.3)
 motion to change support, FLR 13(5.0.1)
 other property claims, FLR 13(3.4)
 support claim, FLR 13(3.1), (3.2)

claim for payment order under CYFS, FLR 13(2)
 consent prohibitions, FLR 13(8)
 correcting, FLR 13(15)
 decision-making responsibility, parenting time or contact claims, in, FLR 13(3)
 documents not required, FLR 13(7.1)
 general requirement, FLR 13(1) - (1.3)
 giving of information before case conference, FLR 13(3.2.1)
 insufficient information, FLR 13(11)
 motion form, FLR 13(11.1)
 motion to refrain, with, FLR 13(5.1)

INDEX

Family Law Rules — *cont'd.*

financial disclosure — *cont'd.*
net family properties, comparison
of —
 joint, FLR 13(14.2)
 separate, FLR 13(14.3)
net family property statement,
 FLR 13(14), (14.0.1)
no document filing without, FLR
 13(10)
notices of assessment requirement,
 FLR 13(7),(7.0.1)
ommissions, duty to address, FLR
 13(16)
order if document not provided,
 FLR 13(17)
other obligations continue to
 apply, FLR 13(18)
questioning on, FLR 13(13)
requirement to certify, FLR
 13(5.0.2)
support variation motion, FLR
 13(4) - (4.3), (5)
updating, FLR 13(12)-(12.2), (15)
forms —
 reference to, FLR 1(9)
 requirements for completing, FLR
 1(9.2)
 use of, FLR 1(9.1)
garnishment —
 change in, FLR 29(14), (20), (21)
 dispute re, FLR 29(16)
 garnishee financial institution,
 etc., FLR 29(6), (6.1)
 garnishee's payments pays debt,
 FLR 29(22)
 hearing —
 notice of, FLR 29(17), (18)
 orders at, FLR 29(19)
 indexed support, FLR 29(14), (15)
 joint debts, FLR 29(7)-(9)
 new notice of, FLR 29(29), (30)
 notice by clerk, FLR 29(28)
 notice of —
 duration of, FLR 29(5)
 effect of, FLR 29(4)

Family Law Rules — *cont'd.*

garnishment — *cont'd.*
notice of — *cont'd.*
 issue of, FLR 29(1)
 one recipient per, FLR 29(2)
 service on payor and garnishee,
 FLR 29(3)
notice to stop, FLR 29(31)
notices by garnishee, FLR 29(23),
 (24), (27)
notices by payor, FLR 29(25)-(27)
old orders, FLR 29(32)
payment of arrears, FLR 29(10)
payment out of money, FLR
 29(12), (13)
person to whom garnishee makes
 payments, FLR 29(11)
interjurisdictional support orders —
 abduction, FLR 37.2
 adjournment, FLR 37(12)
 affidavit, respondent's, FLR
 37(14)
 application of rule, FLR 37(2)
 applications under s. 19.1 Divorce
 Act, FLR 37(23.1)
 definitions, FLR 37(1)
 direction to respondent, FLR
 37(11)
 financial statements, FLR 37(5),
 (6)
 forms, FLR 37(3)
 information and documents, FLR
 37(4), (10), (13)
 notice by special service, FLR
 37(19)
 notice of hearing, FLR 37(3.1)
 notice of registration, FLR 37(18)
 oral hearing, FLR 37(8), (9)
 order, FLR 37(15)-(17)
 party in reciprocating jurisdiction,
 FLR 37(23)
 provisional orders, FLR 37(24),
 (25)
 registration, notice to set aside,
 FLR 37(20)-(22)
 written hearing request, FLR 37(7)

Family Law Rules — cont'd.

mandatory information
 program —
 application of rule, FLR 8(1)
 attendance, FLR 8(4)-(8)
 certificate of attendance, FLR 8(6)
 content of, FLR 8(3)
 revocation of rule, FLR 8(9)
 matters not covered in, FLR 1(7)
 motions for temporary orders —
 abuse of process through, FLR 14(21)
 affidavits, FLR 14(18), (19)
 case conference requirement, FLR 14(4)-(6)
 complicated matters, re, FLR 14(7)
 confirmation, FLR 14(11.1), (11.2)
 documents —
 required, FLR 14(9)
 timing, FLR 14(11)
 evidence on, FLR 14(17)-(20)
 notice re —
 with, FLR 14(11)
 without, FLR 14(12)-(15)
 parties to, FLR 14(3)
 reply to response, FLR 14(11.5), (11.6)
 response, FLR 14(11.3), (11.4)
 simple form, FLR 14(10)
 when to make, FLR 14(1)
 who can make, FLR 14(2)
 withdrawing, FLR 14(16)
 motions to change final order or agreement —
 affidavit —
 requirements for, FLR 15(24)
 use of, FLR 15(22)-(23)
 agreement, attachment of, FLR 15(20)
 application of rule, FLR 15(2)-(3)
 assignee—
 definition of, FLR 15(1)
 party, may become, FLR 15(12)

Family Law Rules — cont'd.

motions to change final order or agreement — *cont'd.*
 assignee — *cont'd.*
 sanctions for non-service on, FLR 15(13)
 service on, FLR 15(11)
 child support guidelines, change not in accordance with, FLR 15(21)
 claim re decision-making responsibility, parenting time or contact, FLR 15(5.1)
 consent, absence of, FLR 15(14)-(15)
 consent, on—
 after response filed, FLR 15(19)
 child support only, FLR 15(18)
 generally, FLR 15(17)
 consent to, FLR 15(9)-(10), (16)
 court powers, FLR 15(25), (26)
 documents, access to listed, FLR 15(29)
 duties of judge at first attendance, FLR 15(24.1)
 financial disclosure, FLR 15(21.1)
 fraud, mistake or lack of notice, where, FLR 25(19)
 general requirements, FLR 15(5)
 order, attachment of, FLR 15(20)
 place of, FLR 15(4)
 response, absence of or struck out, FLR 15(14)-(15)
 response to, FLR 15(9)-(10)
 Rule 14, motion under, FLR 15(28)
 service, general requirements, FLR 15(6)-(8.1)
 objective of, FLR 2(2)-(5)
 offers to settle —
 acceptance, FLR 18(9)
 confidentiality, FLR 18(8)
 costs consequences, FLR 18(12.1)
 costs consequent on failure to accept, FLR 18(14)-(16)
 costs no dealt with in, FLR 18(11)

INDEX

Family Law Rules — *cont'd.*

- offers to settle — *cont'd.*
 - court approval, FLR 18(12)
 - expiration, FLR 18(7)
 - failure to carry out terms of, FLR 18(13)
 - making, FLR 18(3)
 - “offer”, meaning of, FLR 18(1)
 - rejection or counter-offer, effect of, FLR 18(10)
 - signatures on, FLR 18(4)
 - time limited, FLR 18(6)
 - withdrawal of, FLR 18(5)
- orders —
 - automatic, FLR 8.0.1(1)-(3)
 - exceptions, FLR 8.0.1(4)
 - service, FLR 8.0.1(5)-(6)
 - approval requirements, FLR 25(8)-(10)
 - certain orders that may be made at any time, FLR 1(7.1)
 - changing. *See* motions to change orders or agreements
 - conditions and directions, FLR 1(6)
 - consent, FLR 25(1)
 - disputed, FLR 25(5)-(7)
 - draft, FLR 25(2)-(4)
 - effect at trial, FLR 1(7.3), (7.4)
 - effective date, FLR 25(18)
 - enforcement of. *See* enforcement of orders
 - failure to obey, FLR 1(8)
 - preparation by clerk, FLR 25(11)
 - procedural, FLR 1(7.2)
 - provisional. *See* provisional orders
 - restraining, FLR 25(11.1), (11.2)
 - service of, FLR 25(13)-(17)
 - signature of, FLR 25(12)
 - support. *See* reciprocal enforcement of support orders
 - use of telephone or video technology, FLR 1(7.3.1)
- parties —
 - added by court order, FLR 7(5)

Family Law Rules — *cont'd.*

- parties — *cont'd.*
 - additional parties, child support cases, FLR 7(5.2)
 - case, where, FLR 7(1)
 - case name and court file number, FLR 7(6)
 - children, cases involving, FLR 7(4)
 - motion, where, FLR 7(2)
 - motion to change order made under s. 102 CYFS, FLR 7(4.1)
 - persons who must be named as, FLR 7(3)
 - restriction on adding child, FLR 7(5.1)
- payment into and out of court —
 - payment into court —
 - accountant, definition, FLR 25.1(1)
 - clerk, filing with, FLR 25.1(6)
 - direction, FLR 25(5)
 - documents to be filed, FLR 25.1(4)
 - duties, bank’s, FLR 25(8)
 - filing in person, FLR 25.1(3)
 - non-application, FLR 25.1(2)
 - payment, FLR 25.1(7)
 - payment by mail, FLR 25.1(9)
 - accountant to provide receipt, FLR 25.1(10)
 - payment out of court —
 - accountant duties, FLR 25.1(15)
 - application, 25.1(18)
 - authority, FLR 25.1(11)
 - child, order out, FLR 25.1(16)
 - children’s lawyer, applicant, FLR 25.1(13)
 - consent, FLR 25.1(14)
 - costs, FLR 25.1(18)
 - public guardian and trustee, FLR 25.1(13)
 - special party, order out, FLR 25.1(16)
 - under an order, FLR 25.1(12)

Family Law Rules — cont'd.

payment into and out of court —
cont'd.
 payment out of court — *cont'd.*
 where notice not required, FLR 25.1(17)
 practice directions, FLR 1(11)-(12.2)
 provisional orders, FLR 37.1
 questioning witness and disclosure —
 affidavit or net family property statement, re, FLR 20(7)
 application of other rules, FLR 20(17)
 child protection case, FLR 20(3)
 confidentiality, FLR 20(24), (26)
 consent or order re, FLR 20(4), (5)
 court's permission, FLR 20(20)
 cross-examination, FLR 20(2)
 duty to correct or update answers, FLR 20(21)
 lawyer answering, FLR 20(22)
 non-party, notice and summons to, FLR 20(9), (10)
 notice, FLR 20(13)
 order to bring documents or things, FLR 20(16)
 outside Ontario, FLR 20(14), (15)
 permitted uses of information, FLR 20(25)
 place of, FLR 20(11), (12)
 preconditions, FLR 20(8)
 procedure, FLR 20(1)
 recording method, FLR 20(23)
 refusal to answer, FLR 20(19)
 scope of questions, FLR 20(18)
 special party, FLR 20(6)
 record. *See* continuing record
 representation —
 acting in person, FLR 4(1.1)
 change in, FLR 4(11)-(12)
 child, of, FLR 4(7)-(8)
 choice of, FLR 4(9), (9.1)
 for party, FLR 4(1)
 limited scope retainer, FLR 4(1.2)
 party who dies, of, FLR 4(5)-(6)

Family Law Rules — cont'd.

representation — *cont'd.*
 removal of lawyer from case, FLR 4(12)-(15)
 special party, of, FLR 4(2)-(4)
 requiring financial information —
 financial examination —
 application of other rules to, FLR 27(14)
 appointment for, FLR 27(11)
 frequency of, FLR 27(22)
 imprisonment for failure to obey, FLR 27(20), (21)
 notice of time and place, FLR 27(15)
 order for another, FLR 27(19)
 person other than payor, of, FLR 27(12)
 place held, FLR 27(13)
 recording, FLR 27(16)
 resistance to, FLR 27(18)
 scope of, FLR 27(17)
 financial statements —
 order for, FLR 27(5), (6)
 requests for, FLR 27(1)-(4)
 statement of income —
 order for, FLR 27(9), (10)
 requests for, FLR 27(7), (8)
 seizure and sale —
 electronic filing and issuance, generally, FLR 28(0.1), (12)
 notifying sheriff of payment received —
 change of address, FLR 28(6.2)
 confirmation of electronically filed writ, FLR 28(6.4)
 corrections by sheriff, FLR 28(6.7)
 electronic filing, FLR 28(6.1), (6.3)
 notice, FLR 28(6.8)
 statutory declaration setting out details, FLR 28(6)
 withdrawal by sheriff, FLR 28(6.5), (6.6)
 statutory declarations —

Family Law Rules — cont'd.

seizure and sale — *cont'd.*
statutory declarations — *cont'd.*
electronic filing of, FLR 28(3.1)
if order changed, FLR 28(3)
to change amount owed, FLR 28(2)
writ of —
duration of, FLR 28(4)
electronic filing of, FLR 28(1.1)
electronic filing of changes, FLR 28(9.1)
electronic filing of request, issuance of, FLR 28(1.2)
error in writ issued
electronically, FLR 28(1.4)
issue of, FLR 28(1), (5)
limit on who may file
electronically, FLR 28(11)
order changing, etc., FLR 28(8), (9)
signatures, FLR 28(14)
swearing, FLR 28(14)
temporary seizure, FLR 28(10)
withdrawing, FLR 28(7), (7.1)
service of documents —
advertisement, by, FLR 6(17)
age restriction, FLR 6(1.1)
approving irregular, FLR 6(18)
effective date, not seen on, FLR 6(20)
effective dates, FLR 6(7)-(11.3)
fax, by, FLR 6(12)-(14)
information to be included —
document served by email, FLR 6(14.1)
record of service, FLR 6(11.4)
methods, FLR 6(1)
not required, where, FLR 6(16)
notice of address change, FLR 6(6)
proof of, FLR 6(19)
regular, FLR 6(2), (5)
special, FLR 6(3) - (4.2)
substituted, FLR 6(15), (15.1)
settlement. *See* offers to settle
short title, FLR 1(1)

Family Law Rules — cont'd.

splitting case, FLR 12
starting case, method of —
application —
claims in, FLR 8(3), (3.1)
court date set where filed, FLR 8(4)
filing, FLR 8(1)
service of, FLR 8(5), (6), (11)
serving on child's lawyer, FLR 8(9)
change to order or agreement, FLR 8(2), (2.1)
openness application, serving, FLR 8(8.1)
protection application, serving, FLR 8(7), (10)
secure treatment application, serving, FLR 8(8)
starting case, place for —
child protection case, change re, FLR 5(9)
clerk to refuse documents, FLR 5(3)
danger to child or party, where, FLR 5(2)
enforcement, place for —
alternative place for, FLR 5(7)
electronic writ, FLR 5(7.1)
filing writ with sheriff, FLR 5(6.1)
other orders, FLR 5(6)
payment orders, FLR 5(5)
general rules, FLR 5(1)
steps, place to take, FLR 5(4)
transfer, FLR 5(8)
summary judgment —
divorce claims, FLR 16(3)
entitlement amount only issue, FLR 16(7)
evidence of responding party, FLR 16(4.1)
evidence required, FLR 16(4), (5)
legal issue, on, FLR 16(12), (13)
no issue for trial, FLR 16(6)
oral evidence, FLR 16(6.2)

Family Law Rules — cont'd.

summary judgment — *cont'd.*
 order giving directions, FLR 16(9)
 powers, FLR 16(6.1)
 question of law only issue, FLR 16(8)
 when available, FLR 16(1), (2)
 support orders. *See* reciprocal enforcement of support orders
 temporary orders, defined, FLR 2(1), 2(1.1)
 time —
 consent to change, FLR 3(6)
 counting days, FLR 3(1)-(4)
 expert opinion evidence, FLR 3(6)
 order to shorten or lengthen, FLR 3(5)
 refusal of late documents, FLR 3(7)
 transition rules, CYFS, FLR 1(13)
 trial, *see also* evidence —
 answers —
 interprovincial summons to witness, timing of service, FLR 23(3.1),(3.2)
 of witness not available for trial, FLR 23(17)
 reading into evidence, FLR 23(13), (14)
 rebutting, FLR 23(16)
 special circumstances for using, FLR 23(15)
 summons, notice, if summons becomes unnecessary, FLR 23(5),(5.1)
 trial record, FLR 23(1), (2)
 witness —
 expert —
 court-appointed, FLR 20.3
 duty, FLR 20.1
 opinion evidence, FLR 20.2
 fee, FLR 23(4)
 interprovincial summons to witness, timing of service, FLR 23(3.1),(3.2)

Family Law Rules — cont'd.

trial — *cont'd.*
 witness — *cont'd.*
 opposing party as, FLR 23(11), (12)
 prisoner as, FLR 23(10)
 summons, notice, if summons becomes unnecessary, FLR 23(5),(5.1)
 summons to, FLR 23(3)-(9), (12)
 warrant for arrest, FLR 32(12)
 warrant of committal —
 affidavit for, FLR 32(14)
 form of, FLR 32(15)
 warrant to bring person to court, FLR 32(1)
 withdrawing case, FLR 12
 witness. *See* questioning witness and disclosure; trial

Family Orders and Agreements**Enforcement Assistance Act**

confidentiality provisions, FO 79-82
 garnishment of federal moneys —
 administrative procedures, FO 36-40
 Crown —
 garnishment of, FO 24-27
 no execution against, FO 54
 ranking of, FO 52
 definitions, FO 23
 fees, FO 58-60, SOR/88-181 ss. 10-12
 “garnishable moneys”, definition of, FO 23, SOR/88-181 s. 3
 garnishee summons, FO 28-30
 Crown no longer bound, FO 30
 Crown not bound, period of, FO 29, SOR/88-181 s. 6
 form of, FO SOR/88-181 s. 5
 response to, FO 41-43, SOR/88-181 s. 8
 Garnishment, Attachment and Pension Diversion Act, FO 55
 liability, discharge of, FO 44

Family Orders and Agreements

Enforcement Assistance Act — *cont'd.*
 garnishment of federal moneys —
cont'd.
 notice to judgment debtor, FO 45,
 SOR/88-181 s. 9
 priority, order of, FO SOR/88-181
 s. 4
 prohibitions, FO 56, 57
 recovery of payments, FO 49-51
 regulations re, FO 61
 service of documents, FO 32-34,
 SOR/88-181 s. 7
 licence denial provisions —
 amendments to schedule, FO 63
 appeals, no, FO 71
 application of, FO 65, 66
 Crown liability, FO 78.1
 definitions, FO 62
 informing appropriate ministers,
 FO 68
 licence denial application, FO 67
 documentation, FO SOR/88-
 181 s. 5
 processing of, FO 68.1
 regulations re, FO SOR/88-181
 ss. 2, 3
 request to terminate, FO SOR/
 88-181 s. 4
 obligations of appropriate
 Ministers, FO 69, 70
 passport, offence re, FO 76
 purpose of, FO 64
 regulations, FO 78
 request to terminate application
 of, FO 72-75
 release authorization, FO 79-82
 release of information provisions —
 applications for release of
 information, FO 6.1-6.2, 13-16,
 16.1
 applications to court, FO 7-12
 authorization, FO 10
 definitions, FO 2
 duty to inform, FO 12.1

Family Orders and Agreements

Enforcement Assistance Act — *cont'd.*
 release of information provisions —
cont'd.
 federal-provincial agreements, FO
 3-6
 information banks —
 request, FO 17, 20.1
 safeguards, FO 20
 searchable, FO 15

 release of information by
 Minister, FO 19.1
 transmission of information to
 Minister, FO 19
 non-disclosure of order, FO 11
 processing of applications, FO 17-
 21
 regulations re, FO 22
 search request, FO 4
 research, matters governed by Act,
 FO 78.2
 short title, FO 1
**Family Responsibility and Support
 Arrears Enforcement Act**
 commencement of, FR 74
 confidentiality, FR 29, 54, 61
 contracting state, FR 1(1)
 cost of living adjustments, calculation
 of, FR 7(4)-(7), Reg. 176/98
 Crown bound by, FR 62
 Crown liability, FR 58(2)
 definitions, FR 1
 director of family responsibility
 office —
 access to information by, FR 54,
 Reg 167/97, s. 2.1
 appointment of, FR 2
 assignment of powers of, FR 4
 cease enforcement by, FR 8-8.4
 delegation, FR 3
 duty of, FR 5
 enforcement of orders by, FR 6
 personal liability, FR 59
 powers of, FR 6
 refusal to enforce orders by, FR 7

Family Responsibility and Support**Arrears Enforcement Act — *cont'd.***

disclosure of information by director,
FR Reg. 167/97, ss. 20, 20.1

disclosure of personal information,
FR 61, 61.1

documents, service and delivery of,
FR Reg. 167/97 ss. 16-18

enforcement mechanisms —

- arrest, FR 49
- default hearing, FR 41
- disclosure to consumer reporting
agency, FR 47-47.2, Reg. 167/97,
ss. 20, 20.1
- disclosure to prescribed entity, FR
47.1, 47.2
- financial statements, FR 40, Reg.
167/97 ss. 14, 15, Form 4
- garnishment of joint accounts, FR
45
- lottery winnings, deductions from,
FR 46
- Personal Property Security Act
registration, FR 43
- recognition of extra-provincial
garnishment, FR 50
- registration against land, FR 42
- restraining order, FR 48
- writs of seizure and sale, FR 44

federal-provincial agreement re
information, FR 55

fees, FR 58(3), Reg. 160/00

fees, FR 58, Reg. 160/00

forms, FR Reg. 167/97, s. 23

lottery prize winnings, FR 46

offences —

- assignees, FR 52
- contempt under Act, FR 53
- income sources, FR 51(2), (3)
- payors, FR 51(1)

payments, application of, FR Reg.
167/97 s. 19

payments, delivery of, FR Reg. 167/
97, s. 22

payments pending court decision, FR
56, 57

Family Responsibility and Support**Arrears Enforcement Act — *cont'd.***

penalties. *See* offences, *supra*

posting of information on Internet,
FR 61.1

regulations under, FR 63

repeals of Acts, FR 73

short title of, FR 75

solicitor acting for person, FR 60

support deduction order —

- alternative payment order, FR 28,
Reg. 167/97, ss. 11-13, Form 3
- anti-avoidance, FR 31
- change of address obligations, FR
19
- confidentiality requirement, FR 29
- conflict with support order, FR
11.1
- conflict with other Acts, FR 32
- Crown bound by, FR 24
- deemed to be made, FR 21
- disputes by payor, FR 27
- enforcement of, *see also*
enforcement mechanisms, *supra*
director, by, FR 6, 20
- form of, FR 11, Reg. 167/97 ss. 7,
8, Forms 1, 2
- reciprocating jurisdiction or
contracting state, FR 14(1.1)

income source —

- disputes by, FR 26, Reg. 167/97
Form 5
- duty of, FR 22, Reg. 167/97, s.
8.2
- duty to inform re payment
interruption, FR 25
- maximum deduction by, FR 23
- prescribed information, FR
Reg. 167/97 ss. 9, 10

notice of filing, FR 17

priority of, FR 30

requirement re, FR 10

social assistance benefits and, FR
24(2)

withdrawal of, FR 16, Reg. 167/97,
ss. 9(1), 30

Family Responsibility and Support

Arrears Enforcement Act — *cont'd.*

- support order —
 - change of address obligations, FR 19
 - contents of, FR 9
 - enforcement of. *See* director of family responsibility office; enforcement mechanisms, *supra*
 - filing notices of calculation, FR 12.1
 - filing notices of recalculation, FR 12.2
 - filing of —
 - by court, FR 12(1)
 - by Minister, FR 14
 - by payor/recipient, FR 15
 - notice of, FR 17
 - International Recovery of Child Support and Family Maintenance Convention Act, 2023, FR 35(6)
 - Interjurisdictional Support Orders Act, 2002, FR 35(6)
 - orders of other jurisdictions, FR 13(1)
 - orders of other jurisdictions, FR 13
 - precedence over support deduction order, FR 11.1
 - termination of, FR 8-8.2, Reg. 167/97 ss. 1-6.1
 - unfiled support order, FR 18
 - withdrawal of, FR 16
 - reciprocating jurisdiction or contracting state, FR 14(1.1)
- suspension of drivers' licences —
 - anti-avoidance, FR 39
 - certain support variation applications, FR 35(2)
 - direction to reinstate, FR 38
 - direction to suspend, FR 37
 - “driver’s licence”, meaning of, FR 33
 - extension of order, FR 35(21)
 - final notice, FR 36
 - first notice, FR 34

Family Responsibility and Support

Arrears Enforcement Act — *cont'd.*

- suspension of drivers' licences —
 - cont'd.*
 - order to refrain, FR 35, Reg. 167/97 s. 13.1, Form 6
 - “permit”, meaning of, FR 33
 - termination of support obligations, FR 8-8.4, Reg. 167/97 ss. 1-6.1
 - transition provisions, FR 73
- Federal Child Support Guidelines**
- amount of child support —
 - household standards of living test, FC Sched. II
 - incomes over \$150,000, FC 4
 - medical and dental insurance, FC 6
 - presumptive rule, FC 3
 - shared parenting time, FC 9
 - special/extraordinary expenses, FC 7
 - split parenting time, FC 8
 - spouse in place of parent, FC 5
 - undue hardship, FC 10, Sched. II
- coming into force of Guidelines, FC 27
- definitions, FC 2
- elements of child support order —
 - form of payment, FC 11
 - information to be specified in order, FC 13
 - security for payment, FC 12
- income —
 - adjustments to income, FC Sched. III
 - calculation of annual income, FC 16, Sched. III
 - determination of annual income, FC 15
 - inputting income, FC 19
 - non-resident, FC 20
 - pattern of income, FC 17
 - shareholder/director/officer, FC 18
- income information —
 - adverse inference, FC 23

Federal Child Support Guidelines —*cont'd.*

- income information — *cont'd.*
 - continuing obligation to provide, FC 25
 - failure to comply with court order, FC 24
 - failure to provide, FC 22
 - obligation to provide, FC 21
 - provincial child support service as requester, FC 26
- interpretation, FC 2
- objectives, FC 1
- tables, FC Sched. I
- variation of child support orders, FC 14

Financial statements. *See* Family Law Rules

First Nations, Inuit and Métis children.

See Adoption; Child, Youth and Family Services Act, 2017

Foster homes. *See* Residential licensing

Fraudulent Conveyances Act

- conveyances void —
 - as against creditors, FCA 2-4
 - as against purchasers, FCA 5, 6
- definitions, FCA 1
- revocable conveyances, FCA 7
- validity of conveyances duly registered, FCA 8

Garnishment

rules re. *See* Family Law Rules

Guardianship. *See* Children's Law

Reform Act; Partition Act

Income Tax Act

- accounting method, IT 248(24)
- beneficial interests, IT 248(25)
- child, defined, IT 252(1)
- child care expenses —
 - calculation of deduction re, IT 63(1)
 - commuter's, IT 63(4)
 - covid-19, IT 63(3.1)
 - definitions, IT 63(3)
 - equal incomes cases, IT 63(2.1)

Income Tax Act — cont'd.

- child care expenses — *cont'd.*
 - income exceeding that of supporting person, IT 63(2)
 - school expenses, IT 63(2.2)-(2.3)
- debt obligations, IT 248(26, 27)
- definitions, IT 252
- funds, transfer of, IT 146
- licensed annuities, FHSA, IT 146,(a.1),(a.2)
- matrimonial regimes, IT 248(22)-(23.1)
- particular property, qualifying individual, IT 54(f),(g)
- partition of property, IT 248(20)-(23)
- principal residence —
 - definition, IT 54
 - exception to rules re, IT 54.1
- property transfers and loans, inter vivos —
 - attribution rules, IT 74.1, 74.2
 - between spouses —
 - capital costs, IT 73(2)
 - deemed proceeds, IT 73(1)-(1.1)
 - corporations, to, IT 74.4
 - fair market consideration transfers, IT 74.5
- farm/fishing property to child, IT 73(3),(3.1)
- farm property to family farm corporations, IT 73(4),(4.1)
- trust, to, IT 74.3
- relationship, defined, IT 252(2)
- specified beneficiary, trust and the trustees, IT 54(c.1)(D)(I),(II)
- spouse, extended meaning of, IT 252(3)
- subdivision of property, IT 248(21)
- support payments —
 - deductions re, IT 60, 60.1
 - inclusion in income, IT 56(1), 60.1
 - registered disability savings plan, IT 74.5(12),(a.2)
- trusts, IT 248(25.1)-(25.4)

Intercountry Adoption Act, 1998

- adoption requirements, IA 5-7, Sched. ch.II
- commencement of, IA 26
- conflict with other Acts, IA 23
- convention on protection of children and co-operation in respect of intercountry adoption —
 - central authorities and accredited bodies, IA Sched. ch.III
 - implementation of, IA 2-4
 - procedural requirements, IA Sched. ch.IV
 - recognition and effects of adoption, IA Sched. ch.V
 - scope, IA Sched. ch.I
- declarations and notices, IA 22.2
- definitions, IA 1
- freedom of information, IA 21
- inspection powers of director, IA 17
- licences —
 - appeal, IA 16
 - conditions, IA 8.1
 - delivery, IA 18
 - hearing re refusal or revocation, IA 11-13, 15
 - issuance, IA 8
 - no automatic stay on appeal to court, IA 16.1
 - provisional suspension, IA 14
 - refusal to issue, IA 9
 - refusal to renew, IA 10
 - renewal, IA 8
 - revocation, IA 10
- offences and penalties, IA 19, 20
- police record checks, IA 22.1
- regulations, IA 24
- short title of, IA 27
- transition provisions, IA 25

Interjurisdictional Support Orders Act, 2002, see also Family Law Rules

- appeals, ISO 40
- commencement, ISO 58
- conversion —
 - adjustments, ISO Reg. 55/03, s. 19

Interjurisdictional Support Orders Act, 2002 — cont'd.

- conversion — *cont'd.*
 - Canadian currency, into, ISO 44, Reg. 55/03, s. 18
- court, designation of under Act, ISO 2
- definitions under, ISO 1
- designated authority, appointment of, ISO 41
- documents —
 - exception ISO, 17(3)
 - receiving documents, ISO 42.1
 - sending, ISO 42
 - sending, ISO 42(2)
 - translation, ISO 43
- foreign currency, order in, ISO 44, Reg. 55/03 s. 18
- forms, ISO Reg. 55/03, s. 20
- judicial notice of law, ISO 47
- methods of providing evidence, ISO 11(6)
- new orders —
 - application of Part, ISO 4
 - claimant in Ontario —
 - provisional order, ISO 7, Reg. 55/03 s. 5
 - submission of application, ISO 6, Reg. 55/03 ss. 3, 4
 - support application, ISO 5, Reg. 55/03 s. 2
 - claimant outside Ontario —
 - application of provisions re, ISO 8
 - choice of law rules, ISO 13
 - information to be considered, ISO 11
 - notice of hearing, ISO 10, Reg. 55/03 s. 10
 - order —
 - notice not complied with, where, ISO 15, Reg. 55/03 s. 7
 - sending to reciprocal jurisdiction, ISO 16
 - types available, ISO 14

Interjurisdictional Support Orders Act,**2002** — *cont'd.*

- new orders — *cont'd.*
 - claimant outside Ontario — *cont'd.*
 - parentage, determination of, ISO 12
 - steps taken by designated authority, ISO 9
 - “respondent”, meaning of, ISO 3
- orders made outside Ontario, registration and enforcement of —
 - other regulations, ISO 53
 - application of Part, ISO 17
 - certified copy, ISO 20(3.1)
 - notice of registration, ISO 20, Reg. 55/03 ss. 9-11
 - receipt of order in Ontario, ISO 18
 - reciprocating jurisdiction outside Canada, ISO 17(2)
 - registration of order, ISO 19
 - request for certified copy, ISO 18(3)
 - sending order to court, ISO Reg. 55/03 s. 8
 - setting aside registration, ISO 20(4)-(6), 21
- proceedings under Divorce Act (Canada), ISO 51.1
- proof of appointment, ISO 48
- receipt in evidence, 49(1)
- reciprocating jurisdictions, ISO Reg. 53/03
- regulations, ISO 52, 53
- remedies, alternative, ISO 51
- repeal, ISO 55
- short title, ISO 59
- spouses as witnesses, ISO 50
- subrogation, right of, ISO 45
- sworn statements as evidence, ISO 49
- terminology, ISO 46
- transition provisions, ISO 54
- unsworn documents, 49(3)

Interjurisdictional Support Orders Act,**2002** — *cont'd.*

- variation of orders —
 - applicant in Ontario —
 - provisional order, ISO 30, Reg. 55/03 s. 15
 - respondent not resident in reciprocating jurisdiction, ISO 29
 - submission of application, ISO 28, Reg. 55/03 ss. 13, 14
 - support variation application, ISO 27, Reg. 55/03 s. 12
 - support variation application, ISO 27(2),(3)
 - applicant outside Ontario —
 - application of provisions re, ISO 31
 - choice of law rules, ISO 35
 - information to be considered, ISO 34
 - methods of providing evidence, ISO 34(6)
 - notice of hearing, ISO 33, Reg. 55/03 s. 16
 - order —
 - notice not complied with, where, ISO 37, Reg. 55/03 s. 17
 - sending to reciprocal jurisdiction, ISO 38
 - types available, ISO 36
 - steps taken by designated authority, ISO 32
 - “application”, meaning of, ISO 22
 - application of Part, ISO 23
 - reciprocating jurisdiction, in, ISO 25
 - registered order, of, ISO 24
 - registered owners, variation of, ISO 39
 - “respondent”, meaning of, ISO 22
 - restrictions on jurisdiction, ISO 26

Maintenance. *See* Income Tax Act**Marriage Act**

- administration of Act, MA 2

Marriage Act — *cont'd.*

- authority to marry, MA 4
- banns —
 - no publication of, MA 18
 - publication of, MA 17
- breach of promise abolished, MA 32
- civil marriage, MA 24, Reg. 738 s. 1.1
- declaration of death, MA 9
- definitions, MA 1
- delegation of powers and duties, MA 3
- dissolution of former marriage, MA 8
- entitlement to marry, MA 5
- false statements, MA 35
- fee for solemnization, MA Reg. 738 s. 3
- gifts made in contemplation of marriage, recovery of, MA 33
- Indians, MA 16, Reg. 738 Form 8
- marriage licences —
 - application for, form re, MA Reg. 738 s. 1
 - evidence on application, MA 12
 - issuers of, MA 11
 - duties of, MA Reg. 738 s. 4
 - fees, remission of, MA Reg. 738 s. 5
 - material forwarded to Registrar General, MA 14
 - record of, MA 13
 - replacement of non-extendable licence, declaration of emergency, MA Reg. 738, s. 1(4), Sched. 1
- mental capacity, persons lacking, MA 7
- Minister's power to authorize licence, MA 10
- notice, powers of, MA 33.1
- oaths, MA 15
- prohibited degrees, MA 19
- regulations under, MA 34
- solemnization —
 - attendance and witnesses, MA 25
 - entitlement, MA 20, Reg. 738 s. 2
 - good faith re, MA 30, 31

Marriage Act — *cont'd.*

- solemnization — *cont'd.*
 - register —
 - cancellation of entry, MA 22
 - entry in, MA 28
 - maintenance of, MA 21
 - publication, MA 23
 - supply of, MA 29
 - who may be registered —
 - band, First Nation, Métis or Inuit organization, community or entity, MA 20.2
 - religious body, MA 20.1
 - rights of person registered, MA 20.4
 - where no person recognized as authorized, MA 20.3
 - who may solemnize, MA 20
- time, MA 27
 - extension of time, declaration of emergency, MA 27(4), Sched. 1
- Marriage contracts**, FL 52
- Matrimonial home.** *See* Family Law Act
- Mediation**
 - parenting or contact order, CLR 31
- Oppression remedy.** *See* Business Corporations Act
- Orders.** *See* Adoption; Child protection; Family Law Rules; Family Orders and Agreements Enforcement Assistance Act; Interjurisdictional Support Orders Act, 2002
- Parentage, establishment of.** *See* Children's Law Reform Act
- Partition Act,** *see also* Income Tax Act
 - appeals, PA 7
 - application for partition, entitlement to, PA 3
 - compulsion to make partition or sale, PA 2
 - definitions under, PA 1
 - guardian, appointment of, PA 4
 - particular estates, sales of, PA 5
 - persons under disability, PA 6
- Passport.** *See* Criminal Code

Paternity

agreements, FL 59

Pension Benefits Act

administrator's documents,

inspection of, PB 29

annual statement of benefits, PB 27

benefits —

ancillary, PB 40

deferred pension, PB 39

disabled person, variation of

payment to, PB 49

early retirement option, PB 41

information for payment, PB 45

joint and survivor —

generally, PB 44

waiver of, PB 46

optional, PB 40.1

pre-retirement death benefit, PB 48

purchase of, PB 43, 43.1

remarriage of spouse, PB 47

sex discrimination and, PB 52

target, PB 39.2

transfer of, PB 42

variable, PB 39.1 - 39.1.2

commutation of surrender, PB 67

C.P.P./Q.P.P. offsets, PB 54

deferred pension —

early retirement, PB 37

past service, for, PB 36

definitions, PB 1

exemption from execution etc., PB 66

family law matters —

division of pension, PB 67.4-67.5

interpretation, PB 67.1

restriction on other ways of

dividing funds, PB 67.9

transfer of lump sum from

pension, PB 67.3, 67.3.1, 67.7

transitional matters, PB 67.6

valuation of benefits or pension,

PB 67.2, 67.2.1, 67.7

filed documents, inspection of, PB 30

inflation protection, PB 53

locking in —

refunds, PB 63

retirement —

Pension Benefits Act — cont'd.

retirement — *cont'd.*

date, PB 35

phased option, PB 35.1

termination of membership in plan,

PB 38

Pension Benefits Division Act

adjustment, PBD SOR/94-612 s. 19

amounts paid before adjustment,

PBD 11

amounts transferred in error, PBD 10

application for division

calculation of separation period,

PBD 4(3)

entitlement, PBD 4(1), (2)

form of, PBD 4(4)

notice provisions, PBD 5

objections to, PBD 6

applications of Act, PBD SOR/94-612

ss. 3-8

charging, PBD SOR/94-612 ss. 18-25

consolidated revenue fund, payment

out of, PBD 14

court order, PBD 13

definitions, PBD 2

division —

approval of, PBD 7

method of, PBD 8

regulations re, PBD SOR/94-612 s.

17

subsequent divisions, PBD 9

inconsistency with other law, PBD 3

information to spouse/common-law

partner or ex-spouse/common-law

partner, PBD SOR/94-612 ss. 9, 10

offence under, PBD 15

refusal of information request, PBD

SOR/94-612 s. 11

regulations, power to make, PBD 16

short title, PBD 1

supplementary death benefit, PBD

SOR/94-612 s. 12

valuation rules, PBD SOR/94-612 ss.

13-16

vested, meaning of, PBD SOR/94-612

s. 12

Pension Benefits Division Act — *cont'd.*

void transactions, PBD 12

Polygamy, FL 1(2)

Principal residence

definition, IT 54

exception to rules re, IT 54.1

Religious remarriage. *See* Divorce Act

Residential licensing

administrative penalties —

notice of administrative penalty,
CYFS 279.8

amount charged by licensee, CYFS
268

application fees, CYFS Reg. 155/18 s.
114

fees during emergency, CYFS Reg.
155/18 s. 114.1

applications, CYFS Reg. 155/18 s. 113

cease of operation by licensee, CYFS
269, 270

children's residence, exclusions from
definition, CYFS Reg. 155/18, s.
112.1

children's residence licensees —

financial requirements, CYFS
Reg, 156/18 s. 115

insurance requirements, CYFS
Reg, 156/18 s. 116

operation requirements, CYFS
Reg, 156/18 ss. 80-114

class of licence, CYFS 258, 260

conditions of licence, CYFS 255

definitions, CYFS 243

directives by Minister, CYFS 252,
CYFS Reg. 155/18 s. 115

director's power to exempt, CYFS 251

duty to keep licence and post
information, CYFS 248

duty to provide licence and
information, CYFS 249

enforcement —

actions by inspector in case of non-
compliance, CYFS 279.1

compliance orders, CYFS 279.2

form and service of orders, CYFS
279.7

Residential licensing — *cont'd.*

enforcement — *cont'd.*

order requiring management,
CYFS 279.4

order to return funds or pay,
CYFS 279.5

production order, CYFS 279.6

restraining orders, CYFS 279.3

exemption, customary care, CYFS
247.1

foster homes —

administration of, CYFS Reg,
156/18 ss. 118-124

alternative procedure for licensees
during emergency, CYFS Reg.
156/18 ss. 141.1-141.8

foster parent learning plans,
CYFS, Reg 156/18, s. 120.1

placement of children in, CYFS
Reg, 156/18 ss. 125-132

requirements for, CYFS Reg, 156/
18 ss. 133-136

general —

service, CYFS 280.1

hearings by Tribunal —

appeal from Tribunal, CYFS 267

grounds for request, CYFS 265

no automatic stay on appeal to
court, CYFS 267.1

powers of Tribunal, CYFS 265

rules for proceedings, CYFS 266

injunction, CYFS 272

inspections —

admissibility of certain documents,
CYFS 279

inspectors, CYFS 273

powers on, CYFS 276

purpose of, CYFS 274

report, CYFS 278

warrant, application for, CYFS
277

without warrant, CYFS 275

issuance and renewal of licence,

CYFS 254, 257, CYFS Reg, 156/18
s. 80

licences, public interest, CYFS 261.1

Residential licensing — *cont'd.*

- licence required, CYFS 244
- maximum number of children, CYFS 259, 260
- Minister's occupation, order for, CYFS 271
- non-children's residence/foster home care places, licence requirements, CYFS Reg, 156/18 s. 117
- offences, CYFS 280, CYFS Reg. 155/18 s. 115.1
- placement must comply with Act and regulations, CYFS 247
- prohibitions, CYFS 245, 246, CYFS Reg, 156/18 s. 79
- publication of information by Minister, CYFS 253
- records and reporting requirements, CYFS Reg, 156/18 ss. 137-141
- refusals and revocations, CYFS 261-263
- reportable matters, CYFS 250
- reviews —
 - crown debt, CYFS 279.13
 - designated senior employee re order, CYFS 279.10
 - notice of designated senior employee's decision, CYFS 279.11
 - order to return or pay funds and administrative penalty, CYFS 279.12
 - order to return or pay funds and of notice of administrative penalty, CYFS 279.9
- suspension of licence, CYFS 264
- term of licence, CYFS 256
- transitional provisions, CYFS Reg. 157/18 s. 42

Rights of children and young persons

- alternative dispute resolution, CYFS 17
- complaints and reviews, CYFS 18-20, CYFS Reg. 155/18 ss. 22-23.2
- consent to service, CYFS 22
- consents and agreements, CYFS 21

Rights of children and young persons — *cont'd.*

- corporal punishment prohibition, CYFS 4
 - counselling services, CYFS 23
 - designation, CYFS 7.1
 - detention restricted, CYFS 5
 - French language services, CYFS 16
 - information re Ombudsman, CYFS 15.1
 - mechanical restraint restricted, CYFS 7, CYFS Reg. 155/18 s. 21
 - parental consent, etc., CYFS 14
 - personal liberties, CYFS 12
 - physical restraint restricted, CYFS 6, CYFS Reg. 155/18 ss. 10-20
 - plan of care, CYFS 13
 - respectful services, rights to, CYFS 15
 - right to be heard, CYFS 8
 - right to be informed re placement, CYFS 9, CYFS Reg. 155/18 ss. 5, 9
 - rights of communication, etc., CYFS 10
 - rights re Ombudsman, CYFS 9.1
 - service provider, duties of, CYFS Reg. 155/18 ss. 4-8, CYFS Reg, 156/18 ss. 3-8
 - service provider, use of mechanical restraint by, CYFS Reg. 155/18 s. 21
 - service provider, use of physical restraint by, CYFS Reg. 155/18 ss. 10-20
 - services, receiving, CYFS 3
 - visitors, conditions and limitations on, CYFS 11
- Runaway child.** *See* Child protection
- Secure treatment.** *See* Child, Youth and Family Services Act, 2017
- Separation agreements,** FL 54
- Spousal Support Advisory Guidelines,** SAG 1-16
- Succession Law Reform Act**
- appeals, SLR 76
 - application of Act, SLR 79
 - application under, SLR 60
 - costs re, SLR 75

INDEX

Succession Law Reform Act — *cont'd.*

Crown bound, SLR 78
definitions, SLR 57
dependant's support —
 conditions and restriction on, SLR 63
 determination of amount, SLR 62
 further orders, SLR 65
 incidence of provision ordered, SLR 68
 interim order, SLR 64
 order re, SLR 63, 70
 powers of court, SLR 66
devised property, SLR 71
enforcement of orders, SLR 77
institutionalized persons, SLR 74
limitation period, SLR 61
mortgages, validity of, SLR 73
order for support, SLR 58
stay of distribution, SLR 67
suspensory order, SLR 59
transactions deemed part of estate, SLR 72

Support. *See* Creditors' Relief Act; Divorce Act; Family Law Act; Family Law Rules; Family Responsibility and Support Arrears Enforcement Act; Federal Child Support Guidelines;

Interjurisdictional Support Orders Act, 2002; Spousal Support Advisory Guidelines

Wardship. *See* Child protection

Wills and estates. *See* Succession Law Reform Act

Youth justice

appointments by Minister, CYFS 146
apprehension of absent young person, CYFS 153
custody, CYFS 149, 150
custody review board —
 application to, CYFS 152, CYFS Reg. 155/18 ss. 56, 57
 composition of, CYFS 151
definitions, CYFS 144
inspections and investigations, CYFS 154
mechanical restraints, limits on use, CYFS 156, CYFS Reg. 155/18 ss. 58-66
programs and officers, CYFS 145
reports and information, CYFS 147
searches, CYFS 155, CYFS Reg. 155/18 ss. 67-73
temporary detention, CYFS 148
transition provisions, CYFS Reg. 157/18 ss. 23-27