

# 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  
 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**  
 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  
 licensee's trust account and financial reports, CYFS Reg. 156/18 ss. 72-74  
 offences, CYFS 240-242

**Adoption licensing** — *cont'd.*  
 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  
 certificate, issuing of by Registrar General, CN 7  
 check with Ministry of the Solicitor General, CN 7.1

**Change of Name Act** — *cont'd.*

child's name, application to change, CN 5  
 definitions, CN 1  
 elections —  
   resuming pre-election surname, CN 12.0.2  
 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  
 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  
 best interest of child, considerations re, CYFS 74(3)  
 care prohibition, CYFS 139  
 child abuse register —  
   hearing, CYFS 134  
   requirements, CYFS 133

**Child protection** — *cont'd.*

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 —  
   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

**Child protection — cont'd.**

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  
 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

**Child protection — cont'd.**

status review — *cont'd.*  
 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)  
 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)

**Child Support Calculation Service —***cont'd.*notice — *cont'd.*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 accountabilityadoption. *See* Adoption; Adoption  
licensing

alternative dispute resolution,

methods of, CYFS Reg. 155/18 s. 31

approval of agencies, CYFS Reg. 157/  
18 s. 1Child and Family Services Review  
Board, CYFS 333child and youth mental health, CYFS  
Reg. 155/18 ss. 24-27child 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. 48.71passport, Canadian, CYSF Reg  
156/18, s. 48.91social insurance number, CYSF  
Reg 156/18, s. 48.81transition requirements, CYSF  
Reg 156/18, s. 48.101

child's identity characteristics,

meaning of, CYFS Reg. 156/18 s. 2

**Child, Youth and Family Services Act,  
2017 — cont'd.**child's identity documents, CYFS  
Reg 156/18, s. 48.2-48.3child's membership to First Nations,  
Inuit or Métis group, CYFS Reg  
156/18, s. 48.4child's social history, CYSF Reg 156/  
18, s. 48.12

children's aid societies —

accountability agreements, CYFS  
41, CYFS, Reg. 157/18 s. 4alternative procedures during  
emergency, CYFS 156/18 ss.  
52.1-52.5appointment of supervisor, CYFS  
46appointment of supervisor for  
restructuring, CYFS 49appointments to board by  
Minister, CYFS 45budgets and accountability  
agreements, CYFS Reg. 156/18  
ss. 12-16

compliance orders, CYFS 43

Corporations Act, etc., conflict  
with, CYFS 50designation of, CYFS 34, CYFS  
Reg. 157/18 s. 2directives to, CYFS 42, Reg. 157/  
18 s. 5

director's duties, CYFS 54

financial records of, CYFS Reg,  
156/18 ss. 9-11functions, CYFS 35, CYFS, Reg.  
157/18 s. 3

funding agreements, CYFS 40

governance matters, CYFS 36

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

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

- children's aid societies — *cont'd.*
  - 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
- 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
- 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

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

- First Nations, Inuit and Métis child and family services — *cont'd.*
  - 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
  - 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

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

funding and accountability — *cont'd.*  
 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  
 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  
 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  
 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

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

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  
 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



**Children’s Law Reform Act — *cont’d.***

- decision-making responsibility, parenting time, contact and guardianship — *cont’d.*
  - application for parenting or contact order — *cont’d.*
    - 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
- 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

**Children’s Law Reform Act — *cont’d.***

- decision-making responsibility, parenting time, contact and guardianship — *cont’d.*
  - extra-provincial matters — *cont’d.*
    - 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)
- 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

**Children's Law Reform Act — cont'd.**

guardians — *cont'd.*  
 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  
 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

**Children's Law Reform Act — cont'd.**

parentage, establishment of — *cont'd.*  
 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  
 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)

**Children’s Law Reform Act** — *cont’d.*

- status of children — *cont’d.*
  - 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
- 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

**Divorce Act** — *cont’d.*

corollary relief — *cont’d.*

- 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
    - 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

**Divorce Act — cont'd.**

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  
 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

**Divorce Act — cont'd.**

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  
   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 —

**Family Law Act — cont'd.**

- domestic contracts — *cont'd.*
  - family arbitration — *cont'd.*
    - 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
    - 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
  - 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)

**Family Law Act — cont'd.**

- family property — *cont'd.*
  - 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
  - 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

**Family Law Act** — *cont'd.*

- support obligations — *cont'd.*
  - order for support — *cont'd.*
    - child, of — *cont'd.*
      - 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)

**Family Law Rules** — *cont'd.*

- adoption — *cont'd.*
  - 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)
  - 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)

**Family Law Rules — *cont'd.***

answering case — *cont'd.*  
 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)  
     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)

**Family Law Rules — *cont'd.***

application. *See* starting case

application of —  
     case management, to, FLR 1(3),  
     (4), (4.1)  
     family law case combined with  
     another, FLR 1(5)  
     generally, FLR 1(2)

arrest —  
     bail on, FLR 32(13)  
     warrant for, FLR 32(12)

bonds, form and requirements, FLR  
     32(2)-(11)

case management —  
     by associate judge, Family Court  
     of the Superior Court of Justice  
     in Ottawa, 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)  
     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)

**Family Law Rules — cont'd.**

conferences — *cont'd.*  
 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)  
   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)

**Family Law Rules — cont'd.**

continuing record — *cont'd.*  
 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(7)  
   bad faith, FLR 24(8)  
   court's discretion, FLR 24(3)  
   decided at each step, FLR 24(10)  
   divided success, FLR 24(6)  
   factors considered, FLR 24(11)  
   lawyer's fault, FLR 24(9)  
   payment of expenses, FLR 24(18)  
   presumptions re, FLR 24(1), (2)  
   security for, FLR 24(13)-(17)  
   setting amounts, FLR 24(12)  
   successful party, FLR 24(1), (4), (5)  
   supporting materials, FLR 24(12.1), (12.2)  
 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)



**Family Law Rules — *cont'd.***

decision-making responsibility,  
parenting time and contact —  
*cont'd.*  
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)  
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)

**Family Law Rules — *cont'd.***

documents — *cont'd.*  
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)  
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)

**Family Law Rules — cont'd.**

family arbitration — *cont'd.*  
 appeals — *cont'd.*  
   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)  
 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)

**Family Law Rules — cont'd.**

financial disclosure — *cont'd.*  
 additional required — *cont'd.*  
   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)  
 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)  
 omissions, 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)

## INDEX

---

### Family Law Rules — *cont'd.*

financial disclosure — *cont'd.*  
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)  
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)

### Family Law Rules — *cont'd.*

interjurisdictional support orders — *cont'd.*  
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)  
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)

**Family Law Rules — cont'd.**

motions for temporary orders —  
*cont'd.*  
   documents — *cont'd.*  
     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)  
     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)

**Family Law Rules — cont'd.**

motions to change final order or  
 agreement — *cont'd.*  
   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 consequent on failure to  
     accept, FLR 18(14)-(16)  
   costs no dealt with in, FLR 18(11)  
   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)

**Family Law Rules — *cont'd.***

- orders — *cont'd.*
  - 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)
  - 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)

**Family Law Rules — *cont'd.***

- payment into and out of court — *cont'd.*
  - payment into court — *cont'd.*
    - 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)
    - 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)

**Family Law Rules — *cont'd.***

questioning witness and disclosure —  
*cont'd.*  
 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)  
 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)

**Family Law Rules — *cont'd.***

requiring financial information —  
*cont'd.*  
 financial examination — *cont'd.*  
 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 —  
 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)

## INDEX

---

### Family Law Rules — *cont'd.*

seizure and sale — *cont'd.*  
writ of — *cont'd.*  
    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)  
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)

### Family Law Rules — *cont'd.*

starting case, method of — *cont'd.*  
    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)  
    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)

**Family Law Rules — cont'd.**

time — *cont'd.*  
 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)  
 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

**Family Law Rules — cont'd.**

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  
 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



**Family Orders and Agreements**

**Enforcement Assistance Act** — *cont'd.*  
 licence denial provisions — *cont'd.*  
 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  
 form of, FO SOR/87-315 s. 4  
 applications to court, FO 7-12  
*authorization, FO 10*  
 definitions, FO 2  
*duty to inform, FO 12.1*  
 federal-provincial agreements, FO 3-6  
 information banks —  
*request, FO 17, 20.1*  
*safeguards, FO 20*  
 search of, FO SOR/87-315 s. 6  
 searchable, FO 15, SOR/87-315 s. 3  
 release of information by, FO SOR/87-315 ss. 7, 8, 18  
 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

**Family Orders and Agreements**

**Enforcement Assistance Act** — *cont'd.*  
 release of information provisions — *cont'd.*  
 search request, FO 4, SOR/87-315 s. 5  
 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  
 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

**Family Responsibility and Support**

**Arrears Enforcement Act** — *cont'd.*  
 enforcement mechanisms — *cont'd.*  
 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  
 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

**Family Responsibility and Support**

**Arrears Enforcement Act** — *cont'd.*  
 support deduction order — *cont'd.*  
 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  
 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

**Family Responsibility and Support**

**Arrears Enforcement Act — *cont'd.***

- support order — *cont'd.*
  - 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
  - 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

**Federal Child Support Guidelines —**

*cont'd.*

- amount of child support — *cont'd.*
  - 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
  - imputting income, FC 19
  - non-resident, FC 20
  - pattern of income, FC 17
  - shareholder/director/officer, FC 18
- income information —
  - adverse inference, FC 23
  - 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

- Federal Child Support Guidelines** —  
*cont'd.*  
 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 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)
- Income Tax Act** — *cont'd.*  
 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

**Intercountry Adoption Act, 1998 —**

*cont'd.*

- convention on protection of children and co-operation in respect of intercountry adoption — *cont'd.*
  - scope, IA Sched. ch.I
- 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
  - 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
- 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
  - 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

**Interjurisdictional Support Orders Act,**

**2002 — cont'd.**

- 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
  - 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

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

orders made outside Ontario,  
 registration and enforcement of —  
*cont'd.*  
   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)  
 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

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

variation of orders — *cont'd.*  
 applicant outside Ontario —  
*cont'd.*  
   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  
 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

**Marriage Act** — *cont'd.*

- 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
  - 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

**Marriage Act** — *cont'd.*

- solemnization — *cont'd.*
  - who may be registered — *cont'd.*
    - 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

**Pension Benefits Act** — *cont'd.*

- benefits — *cont'd.*
  - 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 —
  - 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

**Pension Benefits Division Act** — *cont'd.*

- 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
  - 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**  
amount charged by licensee, CYFS 268



**Residential licensing — *cont'd.***

- 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
- 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
- hearings by Tribunal —
  - appeal from Tribunal, CYFS 267
  - grounds for request, CYFS 265
  - powers of Tribunal, CYFS 265

**Residential licensing — *cont'd.***

- hearings by Tribunal — *cont'd.*
    - 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
  - 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
  - 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
  - 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

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

consent to service, CYFS 22  
 consents and agreements, CYFS 21  
 corporal punishment prohibition,  
 CYFS 4  
 counselling services, CYFS 23  
 detention restricted, CYFS 5  
 French language services, CYFS 16  
 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  
 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  
 Crown bound, SLR 78  
 definitions, SLR 57

**Succession Law Reform Act — cont'd.**

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

INDEX

---

**Youth justice — *cont'd.***

mechanical restraints, limits on use,  
CYFS 156, CYFS Reg. 155/18 ss.  
58-66  
programs and officers, CYFS 145  
reports and information, CYFS 147

**Youth justice — *cont'd.***

searches, CYFS 155, CYFS Reg. 155/  
18 ss. 67-73  
temporary detention, CYFS 148  
transition provisions, CYFS Reg.  
157/18 ss. 23-27

