

Divorce – Answer Key

- 1) What court in Manitoba deals with divorce?
The Court of Queen's Bench.
- 2) Can a 16 or 17-year-old get married in Manitoba? If so, under what circumstances?
Yes, but must have parental consent, consent of guardians, or of a judge.
- 3) How long do common law partners have to live together before having to share their property, if they have not registered their relationship with Vital Statistics?
Three years. However, a pension with the Canada Pension Plan becomes shareable after only one year of living with a common-law partner, and a pension under The Pension Benefits Act can also become shareable after one year.
- 4) How long does at least one of the spouses have to be resident in Manitoba before filing for a divorce in Manitoba?
1 year
- 5) Under what circumstances can a child over 18 still be a child of the marriage?
If the child is unable to support themselves because of illness or some other reason, for example, if they are going to school full-time.
- 6) How long can spouses be reconciled and not interrupt the living one year separate and apart?
90 days.
- 7) Is a marriage of short duration grounds for an annulment?
No.
- 8) How many days after it is granted does a divorce take effect?
Takes effect on the 31st day.
- 9) Can spouses be living under the same roof and still be separated?
Yes.
- 10) What relatives are not allowed to marry under *The Marriage Act*?
Brothers and sisters, parents and their children, grandparents and their grandchildren.
- 11) What is one of the ways to prove marriage break-down?
Any one of the following: Adultery, Mental or Physical cruelty or living separate and apart for a year.
- 12) Does the court recognize religious annulments?
No.