



**LAW COMMISSION OF ONTARIO
COMMISSION DU DROIT DE L'ONTARIO**

**Law Commission of Ontario Launches Public Consultation on
Division of Pensions Upon Marriage Breakdown**

FOR IMMEDIATE RELEASE

TORONTO, May 15, 2008 – The Law Commission of Ontario today issued a Consultation Paper on the division of pensions upon marriage breakdown. It is seeking public input on how the law in this area should be reformed.

The Consultation Paper summarizes current problems with the law relating to pensions and marriage breakdown and the two main approaches that have been suggested as a basis for reform. It is intended as a focal point for discussion and consultation. Written submissions will be accepted until July 31, 2008. Based on the Law Commission's independent research and responses to the Consultation Paper, the Law Commission will issue a report with its findings and recommendations.

Ontario law in this area is widely acknowledged to be complex, confusing, and fraught with difficulties, leading to unnecessary expense and administrative burdens. Two main approaches to reform have been identified, and most other Canadian provinces have adopted one or the other in addressing the issue of how to deal with pensions when a marriage fails.

"Concerns have raised about the current state of Ontario law in this area by lawyers, judges, pension plan administrators, actuaries and people who have gone through a marital breakdown", said Dr. Patricia Hughes, Executive Director of the Law Commission. "There is no real dispute that Ontario should address this matter legislatively. The critical question is which approach is the most fair and appropriate."

Dr. Hughes said that public consultation is a vital element of the Law Commission's work and that while the Commission naturally expects to receive submissions from people who have expertise in the area concerned, it hopes to have input from all Ontarians who have a view on what should be done. "The Law Commission wants to ensure that its work is accessible and responsive to all who have been or who potentially may be affected by the law relating to marriage breakdown and pensions."

Launched last September, the Law Commission operates independently of government to recommend law reform to enhance access to justice.

- 30 -

Aussi disponible en français

John Hill
Ministry of the Attorney General LCO Counsel in Residence
Law Commission of Ontario
(416) 650-8406
pensiondivision@lco-cdo.org