

# FAUST LAW FIRM

BARRISTERS AND SOLICITORS

TELEPHONE: (416) 593-8871

Email: [info@faustlawfirm.com](mailto:info@faustlawfirm.com)

B.A. L.L.B.

April 1, 2013

Mr. [REDACTED]  
Ms. [REDACTED]  
[REDACTED] Court  
[REDACTED], Ontario

Dear Sir and Madam,

Re: Application for Marriage Licence - Recognition of Foreign Divorce

You wish to be married in Ontario and have retained me to provide an opinion concerning the recognition in Ontario of a Divorce granted on December 3, 2012 in the Department of Civil Affairs, [REDACTED] District, [REDACTED] of China, dissolving the marriage of Ms. [REDACTED] and Mr. [REDACTED] (the "Divorce").

Based on the information contained in the application for your Marriage Licence Application, the materials you have shown me in support of the Application, including an original **Notarial Certificate of Divorce Certificate**, and on the information you have provided to me orally, it is my opinion that the Divorce would be recognized in Ontario.

- a. Under subsection 22(1) of the Divorce Act (Canada), if either former spouse was ordinarily resident in the jurisdiction that granted the Divorce at least one year immediately preceding the commencement of the proceeding for the divorce, their divorce granted shall be recognized as valid in Ontario.
- b. Since both Ms. [REDACTED] and Mr. [REDACTED] were ordinarily resident in the People's Republic of China for more than one year preceding the commencement of proceeding for divorce, and they continued to reside therein after the commencement of proceeding for divorce, I am satisfied that the Court that granted the divorce had jurisdiction to do so according to its own law. Furthermore, there is no evidence of fraud or of a denial of natural justice concerning the granting of the divorce.

In my opinion, therefore, the divorce would be recognized in the province of Ontario and Ms. [REDACTED] according to the law of Ontario, would be considered free at this time to remarry.