



### Question One (50 per cent)

Suppose that drafters in the Department of Justice have prepared draft legislation that would amend the Civil Marriage Act, S.C. 2005, c. 33, as follows. From a perspective informed by federal and provincial family law and policy, please assess the draft legislation.

*Marriage — certain aspects of capacity*

2. Marriage, for civil purposes, is the lawful union of two persons **who have undergone a solemnization of marriage or who have cohabited**  
**(a) continuously for a period of not less than three years or**  
**(b) in a relationship of some permanence, if they are the natural or**  
**adoptive parents of a child,**

to the exclusion of all others.

### Question Two (50 per cent)

In the light of common-law and civil-law family law and policy, would it be a good idea to abrogate the second paragraph of article 532 of the Civil Code of Québec? Justify your answer.