



## An amendment to the *Family Property and Support Act* has removed the time limit for common-law spouses to apply for spousal support

### What was changed and how does it apply?

On March 1, 2022, the Act to Amend the *Family Property and Support Act (2021)* came into force. This amendment removed the time limit for common-law spouses to apply for spousal support found in section 37 of the *Family Property and Support Act*.

No other changes to the *Family Property and Support Act* or other Yukon laws were made by this amendment.

**Common-law spouses whose date of separation is on or after March 1, 2022**, will have no deadline to apply for spousal support.

**For common-law spouses whose date of separation is before March 1, 2022**, the Act as it read before this amendment came into force will apply to them. These individuals must make their application for spousal support within three months of the date of separation.

### Why was this change made?

The short time limit for common-law spouses to apply for spousal support (three months) was different from the law in most other provinces and territories. While most jurisdictions have no time limit, others set a limit of two or three years for common-law spouses.

Removing the time limit has aligned the Yukon's legislation with the majority of Canadian jurisdictions and ensures that common-law spouses are not denied access to spousal support because their claim for support was not made before the three month deadline. The change also allows spouses time to decide that the relationship has permanently ended before they must either apply for support or have their right to claim support lapse.

Please note that this document is for information purposes only and is not intended to be used as legal advice.