

(3) *Report of Commissioner.*

In any uncontested case, the Commissioner shall report his recommendations to the Senate's Standing Committee on Divorce, together with such facts and finding as may be required in each instance by the Committee or the Chairman thereof and the Committee may recommend the passage of a Resolution in accordance with the Commissioner's recommendation and on the authority thereof, or may take such other action as to it seems just.

(4) *Notification of Parties.*

Following the hearing of each contested case the Commissioner shall deliver personally or by registered mail to the parties or their respective legal representatives of record a copy of his report and recommendation and on the expiration of thirty days thereafter such report and recommendation may be taken into consideration by the Standing Committee of the Senate on Divorce.

Provision for Appeal in Parliamentary Divorce

3. (1) During the said thirty days, any of the parties to such contested case may give notice of appeal against the recommendation of the Commissioner to the Standing Committee of the Senate on Divorce, which shall hear the appeal on the evidence already submitted, together with arguments and representations of the parties or their legal representatives.

(2) If no such appeal is lodged within the said thirty days, the said Standing Committee may recommend the passage of a resolution in accordance with the Commissioner's recommendation and on the authority thereof, or may take such other action as to it seems just.

(3) If an appeal is lodged with the said Standing Committee within the said thirty days, the Committee shall hear the appeal on the evidence already presented, together with the arguments and representations of the parties or their legal representatives, and may approve the Commissioner's recommendation or may vary and amend it as to the Committee seems just and may recommend to the Senate accordingly.

CONCLUSION

In the foregoing pages is set forth what your Committee believes to be a comprehensive reform of the divorce laws of Canada. The acceptance of the Committee's recommendations would broaden the grounds upon which marriages may be dissolved, in order to meet the needs of modern society. It would give to the courts of the provinces and to the Senate on resolution, authority to dissolve marriages on proof of such marital offences as adultery, cruelty and desertion, and to dispose of the legal ties in cases where the marriage is irretrievably broken down because of the incapacitating illness of one of the spouses, whether mental or physical, or of criminality and long-term imprisonment, alcoholism, drug addiction or non-consummation, or of the disappearance of one of the marriage partners, and in addition where the marriage has broken down although there is no triable fault alleged or incapacity but in which there is no reasonable prospect of a resumption of cohabitation.

The exercise of these powers by the courts and the Senate, in accordance with the safeguards provided, will bring relief to many thousands of Canadian citizens, a relief which is sorely needed, and will contribute to the well-being of society and to the happiness of many.