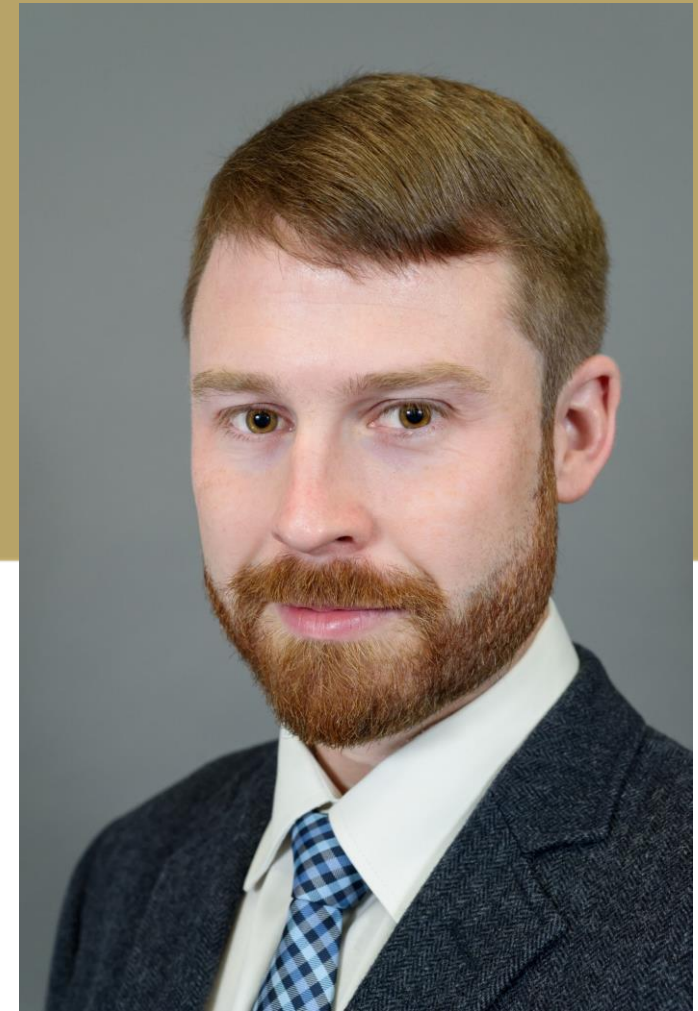


# Legal Resources

**Alan Kilpatrick**  
**Reference Librarian**  
Law Society Library (Regina)  
[Lawsociety.sk.ca/legal-resources](https://lawsociety.sk.ca/legal-resources)



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of Saskatchewan

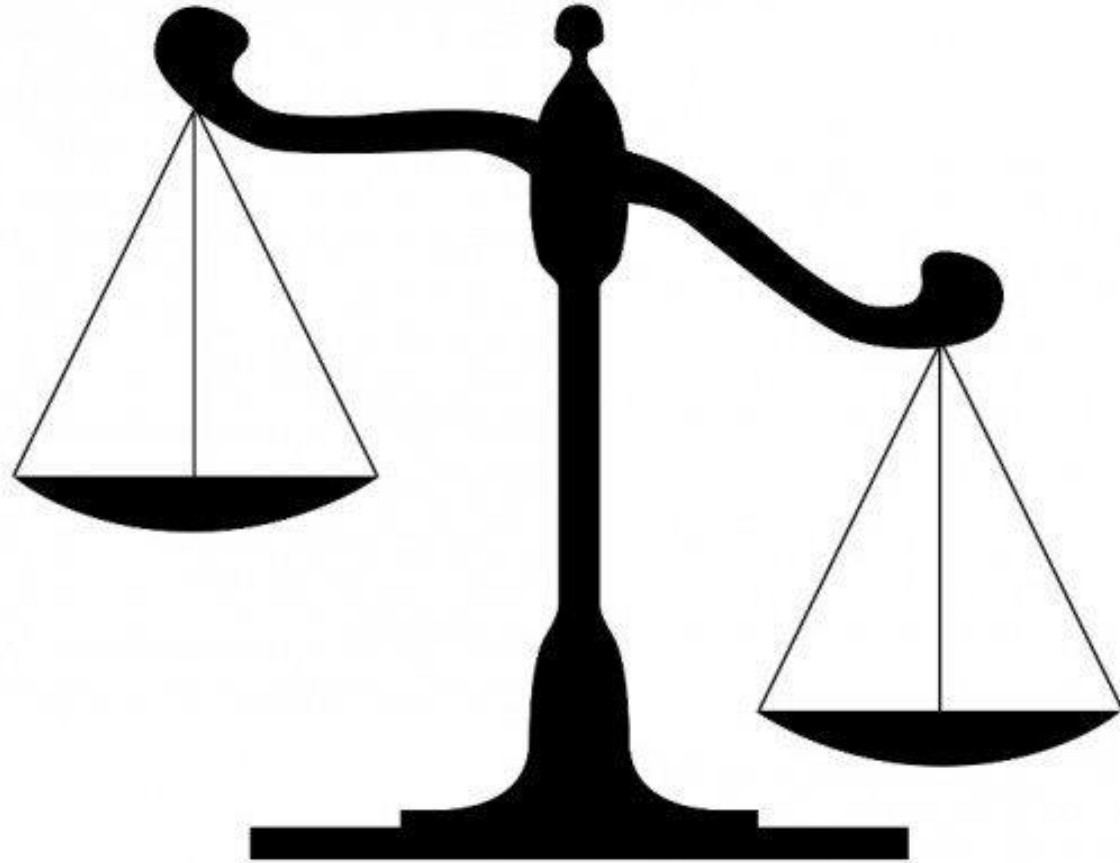


# Overview

- What is the Law?
- Who are Canada's Legal Publishers?
- Researching Legislation
- Canada's Legal System
- Researching Case Law



# What is the Law?

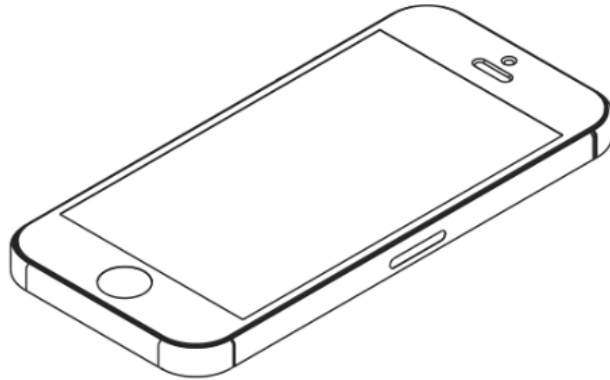


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# What is the Law?

Go to **www.menti.com** and use the code

i



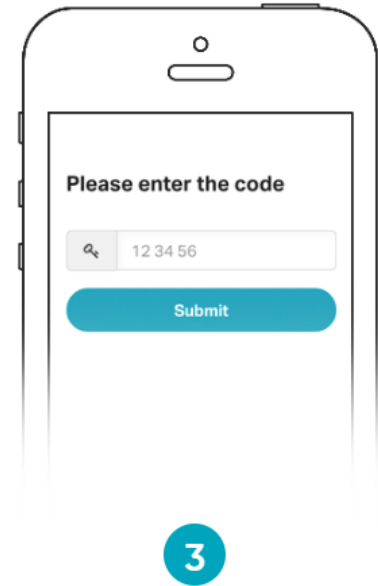
1

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2

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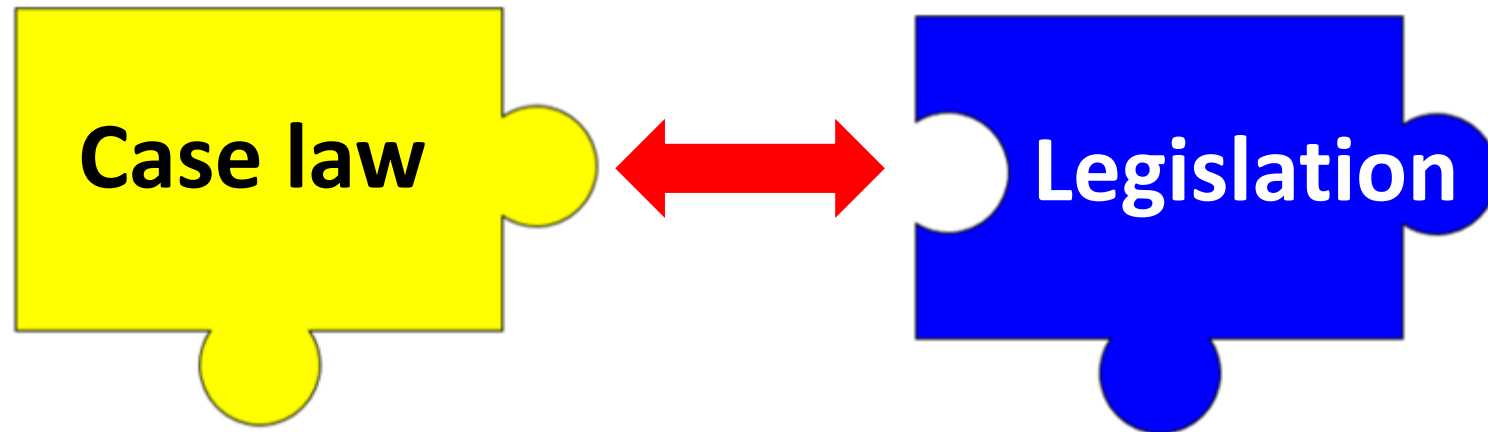


3

Enter the code **86 04 42** and vote!



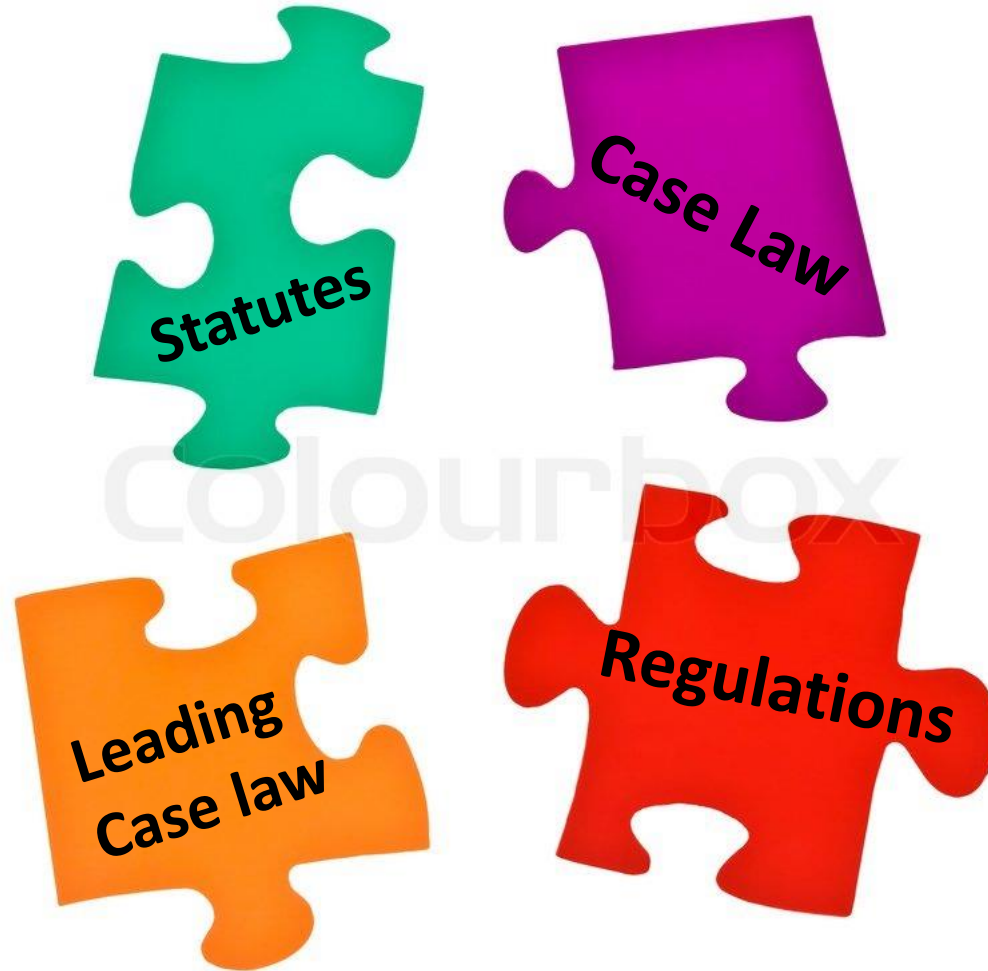
# What is the law?



# What is the law?

- Legislation
  - **Bills** are proposed statutes that have not yet passed through the legislative process
  - **Statutes** (acts) are written laws passed by the legislature that deal with a specific subject
  - **Regulations** are subordinate legislation that provide additional details about an act
- Case law
  - **Written decisions** from judges in the courts across Canada. It is also known as judge-made law or common law

# What is the law?





# What is the law?

- Public law
  - Constitutional law, Criminal law, Administrative law, Tax law.
- Private law
  - Contract law, Family law, Property law, Tort law, etc.



# What is the law?

- Origins of Canadian law
  - Establishment of colonial law
  - English common law
  - French civil law
  - Statute of Westminster, 1931





# What is the law?

- The Canadian Constitution
  - Section 52(2) of the Constitution Act, 1982 states that the constitution includes:
    - Canada Act, 1982
    - Constitution Act, 1867 (BNA Act)
    - Charter of Rights and Freedoms
    - Over thirty other Acts including the Saskatchewan Act and the Statute of Westminster

<https://www.justice.gc.ca/eng/csj-sjc/just/05.html>

[https://laws-lois.justice.gc.ca/eng/Const/Const\\_index.html](https://laws-lois.justice.gc.ca/eng/Const/Const_index.html)





# Canada's Legal Publishers



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# Canada's Legal Publishers

- **Carswell** (Thomson Reuters)
  - Westlaw Next
- **LexisNexis** (Reed Elsevier)
  - Advanced Quicklaw
- **Irwin Law**
  - Essentials of Canadian Law Series
- **Emond Publishing**
  - Legal Practice Catalogue

# Researching Legislation



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# Researching legislation

- What is legislation?
  - **Bills** are proposed statutes that have not yet passed through the legislative process
  - **Statutes** (acts) are written laws passed by the legislature that deal with a specific subject
  - **Regulations** are subordinate legislation that provide additional details about an act



# Researching legislation

- How does legislation become law?
  - Draft legislation is prepared and introduced into the legislature as a bill:
    - To introduce new legislation
    - To change, amend, or repeal existing legislation
  - Bills must pass the “legislative process” to become law





# Researching legislation

- To become law, a bill must pass the “legislative process”
- **First Reading:** Bill introduced
- **Second Reading:** Debate occurs
- **Committee Stage:** Bill examined and researched
- **Third Reading:** Bill is put to a final vote
- **Royal Assent:** Royal assent is granted
- **Coming In Force:** Assent, Date, Proclamation

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Saskatchewan

**Amendments to Sask. trespass laws pass final reading in Legislature**

Those who wish to use someone else's land will need to get permission from the landowner beforehand



Bryan Eneas · CBC News · Posted: May 08, 2019 2:46 PM CT | Last Updated: May 8



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25 songs turning 25: What topped the Canadian charts back in 1994?

[READ IT ON CBC.CA/MUSIC >](https://www.cbc.ca/music/25-songs-turning-25)

<https://www.cbc.ca/news/canada/saskatchewan/amendments-sask-trespass-laws-become-official-1.5128355>

# Here are the bills that passed, or died, when Parliament rose for the summer

By Christian Paas-Lang The Canadian Press

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- A A +

OTTAWA – The House of Commons and Senate have risen for the summer, following several weeks of frenzied legislating as MPs hurried key pieces of legislation out the door ahead of an election this fall.

The House's efforts translated into a late night for senators, who stayed in the upper chamber Thursday until 11 p.m. to pass numerous pieces of legislation.



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# NDP tries again to get domestic violence law passed

For the fourth time in two years the Saskatchewan NDP is attempting to pass a law aimed at supporting victims of domestic violence.

D.C. FRASER, REGINA LEADER-POST Updated: May 1, 2018



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<https://globalnews.ca/news/5272547/saskatchewan-paid-leave-victims-domestic-violence/>



# Researching legislation

- Locating Provincial bills
  - Legislative Assembly of Saskatchewan website
- Locating Federal bills
  - LegisInfo website



# Researching legislation

- Locating Provincial Bills
  - Legislative Assembly of Saskatchewan website
    - As the body that oversees the creation of legislation in Saskatchewan, the Legislative Assembly hosts a wealth of useful resources on the “Legislative Business” area of its website
  - <https://www.legassembly.sk.ca/legislative-business>



[Home](#) > [Legislative Business](#)

## LEGISLATIVE BUSINESS



Whether you are looking to follow the progress of a bill through the legislative process, watch a replay of question period, read the minutes of a meeting, or dive in to every word spoken in the Assembly, you have come to the right place. Below you will find more information on all of the Assembly's official business.

### [Find Assembly Records](#)

Select a date and view all the legislative documents related to that day. You can also filter your search to a specific committee or type of document.

### [Legislative Committees](#)

Committees are the forum in which the assembly examines legislative proposals and budgetary estimates.

### [Debates \(Hansard\)](#)

The essentially verbatim report of the debates that take place in the Assembly each day.

### [Minutes \(Votes\)](#)

The record of the Assembly's daily business.

### [Orders of the Day](#)

The order of business before the Assembly for each sitting day.

### [Bills](#)

Legislation that is proposed and debated by the members in the Assembly and in committee.

### [Estimates](#)

The budgetary and financial processes of the Assembly.

### Related Documents

[Sessional Papers](#)  
[Written Questions](#)  
[Written Question and Return process guide](#)  
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## BILLS

A Bill proposes to create a new law or amend an existing one. Members debate its content in the Assembly and in committee.

### Stages of a Bill

All Bills introduced in the Assembly must go through the following stages to become law:

**First Reading:** The Bill is introduced and read for the first time. No debate occurs at this stage. Printed copies of the Bill are distributed for further consideration. The option exists to refer the Bill to a committee that will conduct public hearings on its content.

**Second Reading:** The Minister begins a debate of the Bill by outlining its purpose and its provisions. Other members join the debate by critiquing the principle of the Bill.

**Committee Stage:** The Bill is referred to a policy field committee or Committee of the Whole for a detailed examination of the Bill. Public hearings may be held before the Bill is examined clause by clause. Amendments may also be proposed before the Bill is reported back to the Assembly.

**Third Reading:** Members may debate the Bill one final time before voting on it.

**Royal Assent:** The Lieutenant Governor or her representative gives the Bill Royal Assent.

For a more detailed explanation of Bills, see [How Laws are Made](#).

### Related Links

[Statutes of Saskatchewan](#)[Legislative Process](#)[Specified Bills Process](#)[Estimates Process](#)[Regulations Process](#)

### Current Bills before the Assembly:

[Progress of Bills 3rd Session of the 28th Legislature](#)  
2018-2019



[Alphabetical List of Bills 3rd Session of the 28th Legislature](#)  
2018-2019

### Progress of Bills charts from previous sessions of the Legislature:

[2nd Session 28th Legislature](#)  
2017-2018

[1st Session 28th Legislature](#)  
2016-2017

[4th Session 27th Legislature](#)  
2014-2016

[3rd Session 27th Legislature](#)





# Progress of Bills

28th Legislature

3rd Session

## Standing Committees (SC):

### Bill comes into force on:

A - Assent      SD - Specific date  
P - Proclamation   SE - Specific event


CF - Committee of Finance  
CW - Committee of the Whole  
CCA - Crown and Central Agencies  
ECO - Economy  
HOS - House Services

HUS - Human Services  
IAJ - Intergovernmental Affairs and Justice  
PBC - Private Bills  
PAC - Public Accounts

### \* Specified Bills

EN - Explanatory notes

## Government Bills

No.	EN	*	Title	Member	1st Reading	Royal Rec.	Comm.	2nd Reading	Comm.	Amend Date	3rd Reading	Royal Assent	Comes Into Force On
<a href="#">132</a>	<a href="#">EN</a>	*	The Management and Reduction of Greenhouse Gases Amendment Act, 2018	Duncan	Oct 30, 2018	Oct 30, 2018		Nov 14, 2018	ECO Nov 27, 2018		Nov 27, 2018	Dec 05, 2018	A
<a href="#">133</a>	<a href="#">EN</a>	*	The Legislative Assembly (Election Dates) Amendment Act, 2018 / Loi modificative de 2018 sur l'Assemblée législative (dates d'élection)	Morgan	Oct 31, 2018			Mar 11, 2019	IAJ May 02, 2019		May 02, 2019	May 15, 2019	A
<a href="#">134</a>	<a href="#">EN</a>	*	The Local Government Election Amendment Act, 2018	Kaeding	Oct 31, 2018			Mar 12, 2019	IAJ Apr 03, 2019		Apr 03, 2019	May 15, 2019	A
<a href="#">135</a>	<a href="#">EN</a>	*	The Local Government Election Consequential Amendments Act, 2018 / Loi de 2018 corrélatrice de la loi intitulée The Local Government Election Amendment Act, 2018	Kaeding	Oct 31, 2018			Mar 12, 2019	IAJ Apr 03, 2019		Apr 03, 2019	May 15, 2019	SE
 <a href="#">136</a>		*	The Apprenticeship and Trade Certification Act, 2018	Harrison	Nov 01, 2018	Nov 05, 2018		Apr 03, 2019	ECO Apr 11, 2019		Apr 11, 2019	May 15, 2019	P



# Progress of Bills

28th Legislature

3rd Session

## Standing Committees (SC):

CF - Committee of Finance  
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## Government Bills

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<a href="#">136</a>		*	The Apprenticeship and Trade Certification Act, 2018	Harrison	Nov 01, 2018	Nov 05, 2018		Apr 03, 2019	ECO Apr 11, 2019		Apr 11, 2019	May 15, 2019	P

# Researching legislation

- **Your turn:**

- <https://www.legassembly.sk.ca/legislative-business>

- Can you locate this bill from our current Provincial session?
  - Clare's Law Act
    - What is its full name & bill number?
    - When did it pass second reading?
    - What committee was it sent to?
    - By which method did it come into force?

Saskatchewan

## Saskatchewan 1st to introduce Clare's Law, aimed at stopping domestic violence



Sask. has highest domestic violence rate among provinces and a victim in its own ranks

[Adam Hunter](#) · CBC News · Posted: Nov 05, 2018 2:25 PM CT | Last Updated: November 7, 2018



<https://www.cbc.ca/news/canada/saskatchewan/sask-clares-law-domestic-violence-1.4892606>



# Researching legislation

- Locating Federal bills
  - LegisInfo website
    - Created by the Senate, the House of Commons and the Library of Parliament.
    - Provides extensive information about Federal bills - including reading dates
    - <https://www.parl.ca/legisinfo>





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**LEGISinfo** is an essential research tool for finding information on legislation before Parliament. This tool provides electronic access to a wide range of information about individual bills... [\(more\)](#)

The information found on this Web site is updated after each sitting.

To refine the list of bills below, choose options from the menu on the right.


## All Bills for the Current Session (42nd Parliament, 1st Session)

Results 1 - 20 of 441 (approximate)

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42nd Parliament, 1st Session


**S-203**

[An Act to amend the Criminal Code and other Acts \(ending the captivity of whales and dolphins\)](#)

**Short Title**

[Ending the Captivity of Whales and Dolphins Act](#)

**Statute of Canada: 2019, c. 11**

 [Show Details](#)

Progress: 

42nd Parliament, 1st Session


**C-48**


[An Act respecting the regulation of vessels that transport crude oil or persistent oil to or from ports or marine installations located along British Columbia's north coast](#)

**Short Title**

[Oil Tanker Moratorium Act](#)

**Statute of Canada: 2019, c. 26**

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**Parliament - Session**

☒ **42-1 (2015-12-03 - )**

- [41-2 \(2013-10-16 - 2015-08-02\)](#)
- [41-1 \(2011-06-02 - 2013-09-13\)](#)
- [40-3 \(2010-03-03 - 2011-03-26\)](#)
- [40-2 \(2009-01-26 - 2009-12-30\)](#)

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**Originating Chamber**

- [Senate \(70\)](#)
- [House of Commons \(371\)](#)

**Type**

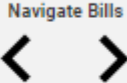
- [Senate Government Bill \(5\)](#)
- [Senate Private Bill \(3\)](#)
- [Senate Public Bill \(62\)](#)
- [House Government Bill \(102\)](#)
- [Private Member's Bill \(269\)](#)

**Political Affiliation**

- [Bloc Québécois \(15\)](#)
- [Conservative \(99\)](#)
- [Green Party \(5\)](#)
- [Independent \(9\)](#)
- [Independent Senators Group \(7\)](#)
- [Liberal \(172\)](#)
- [NDP \(130\)](#)
- [Non-affiliated \(4\)](#)

# House Government Bill

42nd Parliament, 1st Session  
December 3, 2015 - September 11, 2019



**C-48**      An Act respecting the regulation of vessels that transport crude oil or persistent oil to or from ports or marine installations located along British Columbia's north coast

Short Title  
Oil Tanker Moratorium Act

Sponsor  
**Minister of Transport**

Statute of Canada  
**2019, c. 26**

Last Stage Completed  
**Royal Assent** (2019-06-21)  
Progress:

## House of Commons

### First Reading

Show Sitings

Introduction and First Reading      2017-05-12

### Second Reading

Show Sitings

Show Votes

Second Reading and Referral to Committee      2017-10-04

### Committee

**STANDING COMMITTEE ON TRANSPORT, INFRASTRUCTURE AND COMMUNITIES**

Show Meetings

Show Sitings

Committee Reporting the Bill with an Amendment      2017-11-29

### Report Stage

Show Sitings

Concurrence at Report Stage      2018-05-01

### Third Reading

Show Sitings

Show Votes

Third Reading      2018-05-08

## Senate

Third Reading      2018-05-08

### First Reading

Show Sitings

First Reading      2018-05-09

### Second Reading

Show Sitings

Second Reading      2018-12-11

Referral to Committee      2018-12-11

### Committee

**STANDING SENATE COMMITTEE ON TRANSPORT AND COMMUNICATIONS**

Show Meetings

Show Sitings

Committee Report Presented with a Recommendation      2019-06-03

### Consideration of Committee Report

Show Sitings

Committee Report Defeated      2019-06-06

### Third Reading

Show Sitings

Third Reading      2019-06-13

*Bill passed by the Senate with an amendment*





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**LEGISinfo** is an essential research tool for finding information on legislation before Parliament. This tool provides electronic access to a wide range of information about individual bills... [\(more\)](#)

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Ending the Captivity of Whales and Dolphins Act

**Statute of Canada: 2019, c. 11**

 Show Details

Progress: 

42nd Parliament, 1st Session


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**Statute of Canada: 2019, c. 26**

 Show Details

Progress: 

### Refine Your Search

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☒ **42-1 (2015-12-03 - )**

- 41-2 (2013-10-16 - 2015-08-02)
- 41-1 (2011-06-02 - 2013-09-13)
- 40-3 (2010-03-03 - 2011-03-26)
- 40-2 (2009-01-26 - 2009-12-30)

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#### Originating Chamber

- Senate (70)
- House of Commons (371)

#### Type

- Senate Government Bill (5)
- Senate Private Bill (3)
- Senate Public Bill (62)
- House Government Bill (102)
- Private Member's Bill (269)

#### Political Affiliation

- Bloc Québécois (15)
- Conservative (99)
- Green Party (5)
- Independent (9)
- Independent Senators Group (7)
- Liberal (172)
- NDP (130)
- Non-affiliated (4)





# Researching legislation

- **Your turn:** <https://www.parl.ca/legisinfo>
- Can you locate this bill from the latest Federal session?
  - Bill C-262
    - What is its full name?
    - When did it pass first reading in the senate?
    - Has it come into force?

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# Justin Trudeau calls election and dissolves Canada's parliament

Opinion polls suggest opposition Conservative party running close behind prime minister's Liberals

**Samuel Osborne** | @SamuelOsborne93 | 2 days ago | 13 comments



<https://www.independent.co.uk/news/world/americas/canada-election-federal-general-justin-trudeau-news-latest-a9101286.html>



# Researching legislation

- Locating Provincial statutes:
  - Publications Saskatchewan website
- Locating Federal statutes
  - Justice Laws website



# Researching legislation

- Locating Provincial statutes:
  - Publications Saskatchewan website
    - Authoritative and quick source for Saskatchewan legislation
    - A comprehensive collection of current legislation
  - <http://www.publications.gov.sk.ca/freelaw/>



Search by title, subtitle, subject terms, author, ministry or agency.

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## Complete List of Acts And Regulations

- › [A-3.1 - The Accounting Profession Act](#)

An Act respecting the Accounting Profession and the Institute of Chartered Professional Accountants of Saskatchewan and making consequential amendments to other Acts

- › [A-4.1 - The Administration of Estates Act](#)

An Act respecting the Administration of Estates

- › [A-4.1 Reg 1 - The Administration of Estates Regulations](#)  
under The Administration of Estates Act



- › [A-5.2 - The Adoption Act, 1998](#)

An Act respecting Adoption

- › [A-5.2 Reg 1 - The Adoption Regulations, 2003](#)  
under The Adoption Act, 1998

- › [A-5.3 - The Adult Guardianship and Co-decision-making Act](#)

An Act respecting Adult Guardianship and Co-decision-making and making consequential amendments to other Acts

- › [A-5.3 Reg 1 - The Adult Guardianship and Co-decision-making Regulations](#)  
under The Adult Guardianship and Co-decision-making Act

- › [A-5.4 - The Advocate for Children and Youth Act](#)

An Act respecting the Advocate for Children and Youth

- › [A-6 - The Age of Majority Act](#)

An Act respecting the Age of Majority

- › [A-8.1 - The Agricultural Credit Corporation of Saskatchewan Act](#)

An Act to provide Financial Assistance to Encourage and Promote the Development and Expansion of the Agricultural Industry and to establish the Agricultural Credit Corporation of Saskatchewan

- › [A-8.1 Reg 2 - The Agricultural Credit Corporation of Saskatchewan Regulations, 1989](#)  
under The Agricultural Credit Corporation of Saskatchewan Act
- › [A-8.1 Reg 4 - The Livestock Drought Loan Program Regulations](#)

# *The Administration of Estates Act*

*being*

Chapter A-4.1 of the *Statutes of Saskatchewan, 1998*  
(effective July 1, 1999) as amended by the *Statutes of  
Saskatchewan, 1999, c.2; 2000, c.70; 2001, c.34; 2004, c.3;  
2008, c.2; 2012, c.C-43.101; 2015, c.22; and 2018, c.43.*

## **NOTE:**

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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## CHAPTER A-4.1

### An Act respecting the Administration of Estates

**NOTE:** This Act was Schedule B of *The Queen's Bench Revision Act*, being chapter Q-1.1 of the *Statutes of Saskatchewan, 1998*. That Act was assented to on June 11, 1998. (See Chapter Q-1.1, s.7)

#### PART I

#### Preliminary Matters

##### Short title

1 This Act may be cited as *The Administration of Estates Act*.

##### Interpretation

2 In this Act:

“**action**” means:

- (a) a civil proceeding commenced by statement of claim or in any other manner authorized or required by *The Queen's Bench Act, 1998* or the rules of court; or
- (b) any other original proceeding between a plaintiff and a defendant;  
(«*action*»)

“**court**” means Her Majesty's Court of Queen's Bench for Saskatchewan;  
(«*Cour*»)

“**judge**” means a judge of the court, and includes a supernumerary judge;  
(«*juges*»)

“**judicial centre**” means a judicial centre continued or established pursuant to section 21 of *The Queen's Bench Act, 1998*; («*centre judiciaire*»)

“**letters of administration**” means all letters of administration of the property of a deceased person, with or without the will annexed and whether granted for general, special or limited purposes; («*lettres d'administration*»)

“**local registrar**” means a local registrar of the court appointed pursuant to section 3 of *The Court Officials Act, 2012*, and includes a deputy local registrar appointed pursuant to that section; («*registraire local* »)

“**matter**” means every proceeding in the court that is not an action; («*affaire*»)

“**minister**” means the member of the Executive Council to whom for the time being the administration of this Act is assigned; («*ministre*»)

“**public guardian and trustee**” means the corporation sole of the Public Guardian and Trustee of Saskatchewan continued pursuant to section 3 of *The Public Guardian and Trustee Act, 1998*; («*gardien et fiduciaire public*»)

# Researching legislation

- **Your turn:**

- <http://www.publications.gov.sk.ca/freelaw/>

- Can you locate this Provincial statute?

- The All Terrain Vehicles Act

- Does it have any regulations?

- What doesn't the definition of all-terrain vehicle include?



# Researching legislation

- Locating Federal statutes
  - Justice Laws website
    - Online access to Federal legislation
    - Official for the purposes of law
    - <https://laws.justice.gc.ca>

# Justice Laws Website

Welcome to the online source of the consolidated Acts and regulations of Canada. The consolidations are generally updated every two weeks.



## Find a title

### Site Features

The site provides several important features.

- As of 2009-06-01, all consolidated Acts and regulations are "[official](#)"
- A side-by-side bilingual PDF version of consolidated Acts and regulations
- [Point-in-time](#) access to consolidated Acts and regulations
- Links to "Amendments Not in force" and "Related Provisions"
- Shading of provisions in original enactments that are not yet in force

### Frequently Accessed Acts

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- [Canada Elections Act](#) PDF: 4393 kB
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### Frequently Accessed Regulations

### Consolidation News

Acts current to 2019-06-20  
Regulations current to 2019-06-20

### What's New

- 2017-03-07

#### List of repeals

The Minister of Justice has published in the *Canada Gazette* the list of provisions that were repealed on December 31, 2016, by the operation of section 3 of the [Statutes Repeal Act](#).

- 2017-02-10

#### 2017 Annual Report

The Minister of Justice tabled the 2017 Annual Report prepared in accordance with the [Statutes Repeal Act](#) in the House of Commons on February 2, 2017 and in the Senate on February 7, 2017.  
[2017 Annual Report \(PDF \[400 KB\]\)](#)

- 2017-02-01

#### Consultation

Justice Canada is seeking comments regarding the [Fourth series of proposals to harmonize federal law with the civil law of the Province of Quebec and to amend certain Acts in order to ensure that each language version takes into account the common law and the civil law until May](#)

## Laws

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Consolidated Regulations

Annual Statutes

Statutes Repeal Act: Reports, Deferrals and Repeals

Miscellaneous Statute Law Amendment Program

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## ✓ New Layout for Legislation

As part of ongoing efforts to improve access to justice for Canadians, the print and PDF versions of federal legislation have been given a new appearance effective January 2016.

## Consolidated Acts

The Justice Laws Website provides an official consolidation, or updated version, of the federal Acts and regulations maintained by the Department of Justice as a convenient way for the public to view the state of the law, without having to carry out research and put together the various amended provisions.

- What are consolidated Acts and regulations?
- Are the consolidated Acts and regulations the official versions?

### Find a title

### Acts by title

#	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z
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## Frequently Accessed Acts

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- [Youth Criminal Justice Act](#) PDF: 1237 kB

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Printing	<a href="#">Canada Health Act</a>
Glossary	
Important Note	






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Deferrals and Repeals](#)[Miscellaneous Statute Law  
Amendment Program](#)**New Layout**[New Layout for Legislation](#)[Accessibility Buttons](#)**Canada Elections Act (S.C. 2000, c. 9)**Full Document: [HTML](#) (Accessibility Buttons available) | [XML](#) [2282 KB] | [PDF](#) [3756 KB] Act current to 2019-06-20 and last amended on 2019-06-13. [Previous Versions](#)Notes :

- See coming into force provision and notes, where applicable.
- Shaded provisions are not in force. [Help](#)

Search within this Act: 

Search

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CANADA

CONSOLIDATION

CODIFICATION

## Canada Elections Act

## Loi électorale du Canada

S.C. 2000, c. 9

L.C. 2000, ch. 9

# Researching legislation

- **Your turn:**

- <http://www.publications.gov.sk.ca/freelaw/>

- Can you locate this Federal statute?

- The Criminal Code

- What does section 365 address?



Politics

## Woman charged with witchcraft just 2 days before offence scrubbed from law



Timmins police allege woman was demanding money to avert a 'dreadful' event

[Kathleen Harris](#) · CBC News · Posted: Dec 19, 2018 4:00 AM ET | Last Updated: December 19, 2018



Zombie  
Laws

<https://www.cbc.ca/news/politics/witchcraft-criminal-code-charge-1.4951071>



# Researching legislation

- Legislative citation
  - *The Administration of Estates Act*, SS 1998, c A-4.1
  - *Canada Elections Act*, SC 2000, c 9



# Researching legislation

- Legislative citation
  - *The Business Name Registrations Act*, RSS 1978, c B-11
  - *Criminal Code*, RSC 1985, c C-46



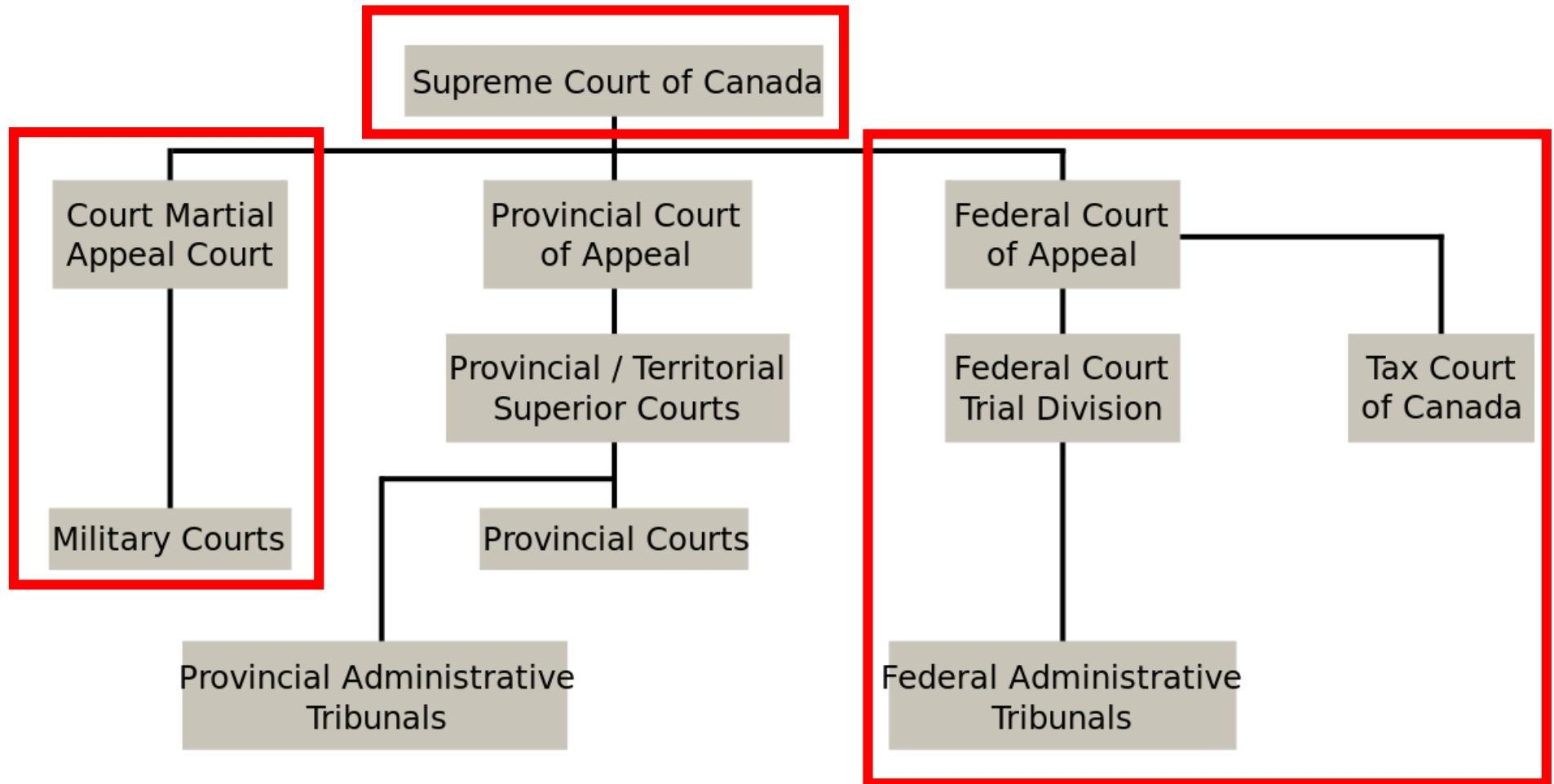
# Canada's Legal System



Law Society  
of Saskatchewan

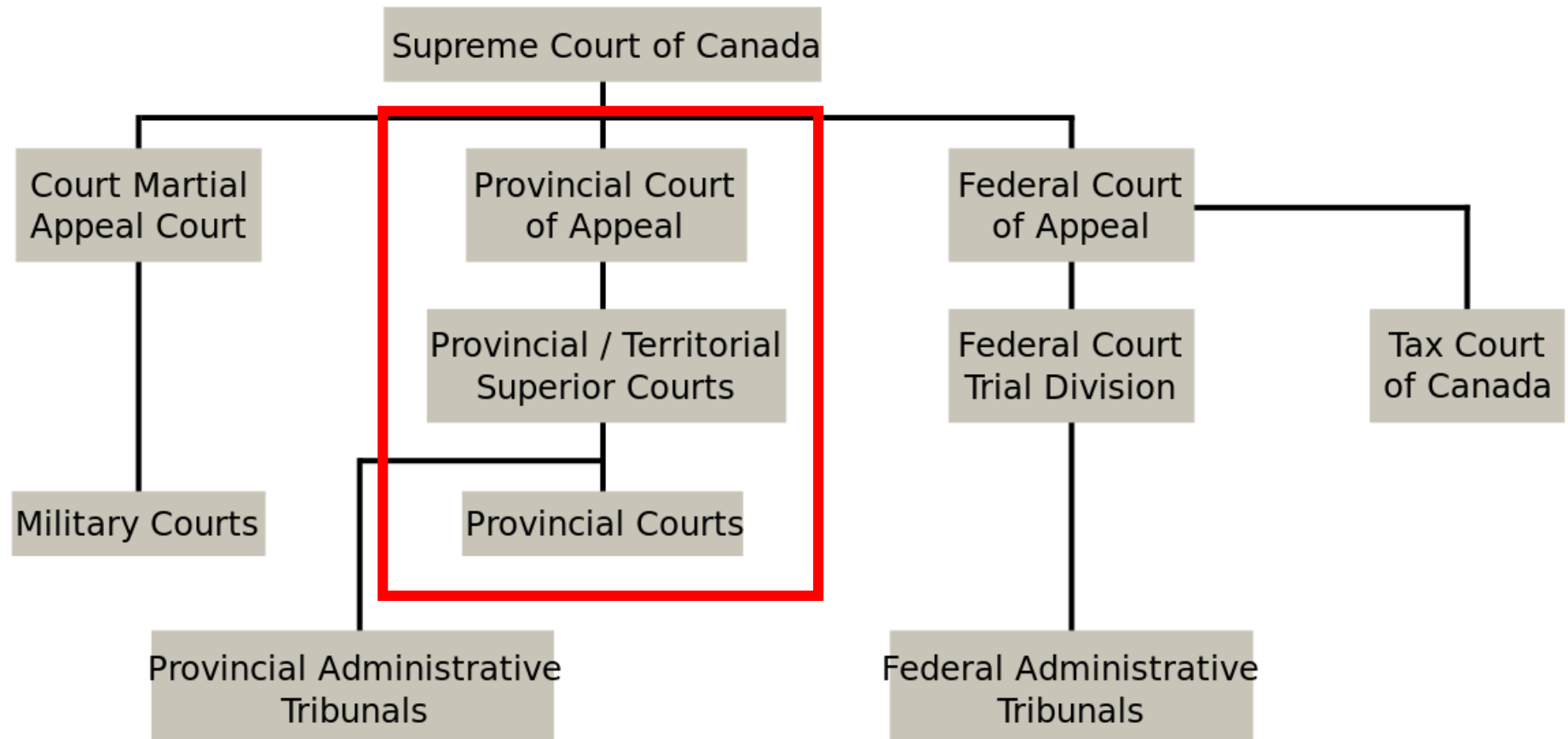
# Canada's legal system

## Outline of Canada's Court System



# Canada's legal system

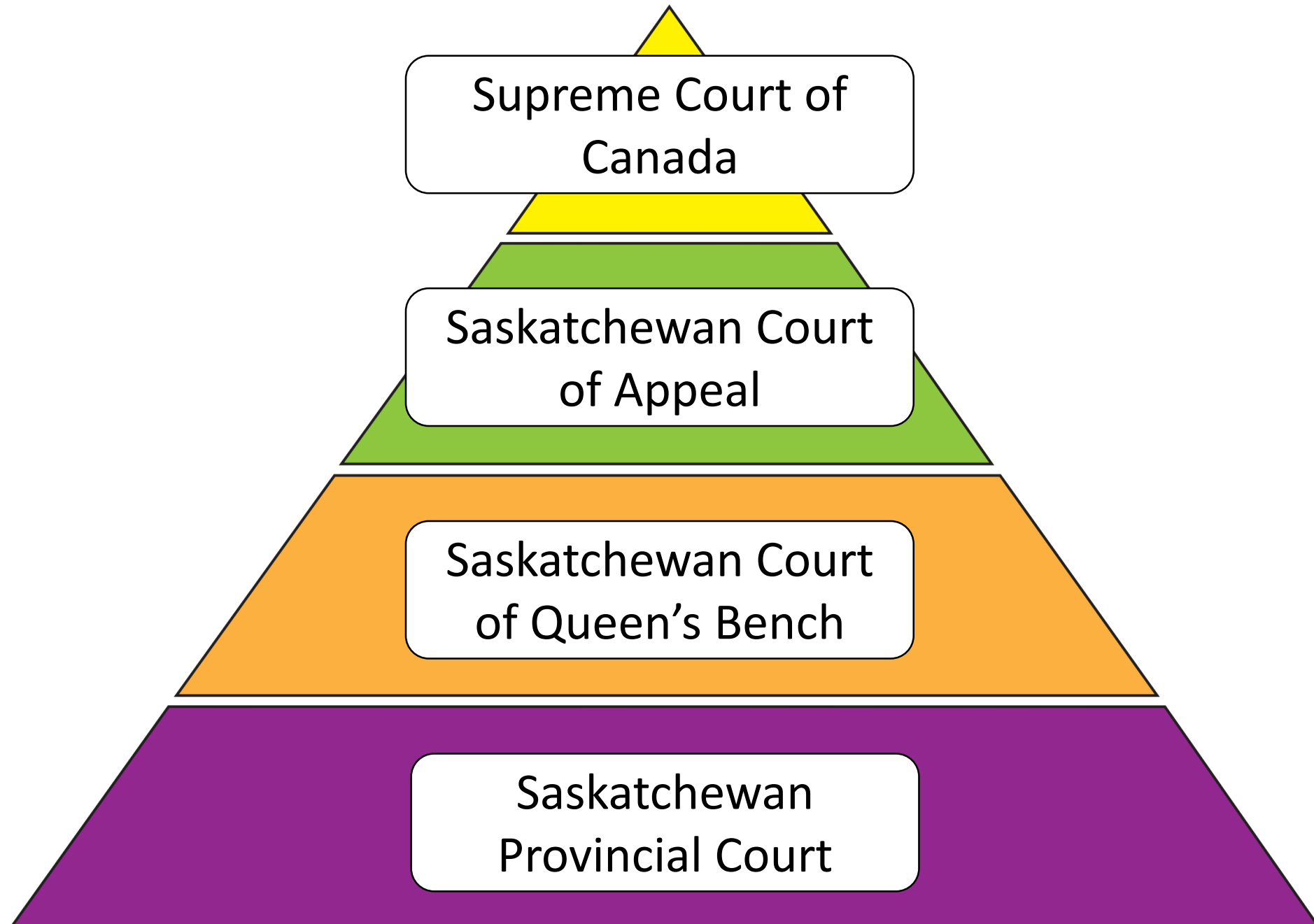
## Outline of Canada's Court System



# Canada's legal system

- Saskatchewan Provincial Court (SKPC)
  - Most criminal matters, youth matters, small claims, traffic tickets, bylaws, and some family matters
- Saskatchewan Queen's Bench (SKQB)
  - Serious criminal offences, most family law matters (including divorce) and civil matters greater than \$30,000
- Saskatchewan Court of Appeal (SKCA)
  - Hears appeals on all civil and criminal matters

sasklawcourts.ca





# Canada's Legal System

- Supreme Court of Canada
  - Canada's final court of appeal
  - Decided **Reference Re Secession of Quebec 1998** significant national importance: constitutional issues, opinions for the government, etc.
  - Leave to appeal (permission) is typically required to make an appeal



Saskatchewan

## Saskatchewan makes its legal case, arguing federal carbon tax is unconstitutional



3 provinces oppose federal policy, Ottawa and B.C. to speak in favour of it



Adam Hunter · CBC News · Posted: Feb 12, 2019 3:53 PM CT | Last Updated: February 13



Opponents of the carbon tax: Clockwise from top left are Saskatchewan Premier Scott Moe, Ontario Premier Doug Ford, New Brunswick Premier Blaine Higgs and Alberta's United Conservative Party Leader Jason Kenney. (CBC)

<https://www.cbc.ca/news/canada/saskatchewan/sask-canada-carbon-tax-court-1.5011932>



Law Society  
of Saskatchewan

# Court of Appeal: Sask. government loses carbon tax challenge

Here's a closer look at the Court of Appeal's carbon tax decision and some insight into what happens next.

ASHLEY MARTIN, REGINA LEADER-POST Updated: May 3, 2019



The Saskatchewan government is prepared to take its carbon-tax fight to the Supreme Court of Canada, after a Court of Appeal decision issued Friday determined the federal government is within its rights to impose a carbon tax upon specific provinces

<https://leaderpost.com/news/local-news/court-of-appeal-sask-government-loses-carbon-tax-challenge>



Law Society  
of Saskatchewan



# Date set for carbon case hearing before Canada's top court

The Dec. 5 date follows the federal election, but Justice Minister Don Morgan said Saskatchewan will pursue its reference case to the Supreme Court of Canada regardless of who becomes prime minister in October

ARTHUR WHITE-CRUMMEY, REGINA LEADER-POST Updated: June 25, 2019



Waiting for ijsrdn.com...



Law Society  
of Saskatchewan

<https://leaderpost.com/news/local-news/court-of-appeal-sask-government-loses-carbon-tax-challenge>



# Researching Case Law







# Researching case law

- What is case law?
  - **Written decisions** from judges in the courts across Canada. It is also known as judge-made law or common law





# Researching case law

- Accessing case law
  - Free resources
    - CanLII
    - Various court websites
  - Commercial resources
    - Westlaw Next (Carswell)
    - Advanced Quicklaw (Lexis Nexis)



# Researching case law

- The Canadian Legal Information Institute (CanLII)
  - CanLII is a non-profit funded by lawyers
  - Provides free access to Canadian law at [canlii.org](http://canlii.org)
  - Easily accessible, fully searchable, and online
  - [www.canlii.org](http://www.canlii.org)

# Researching case law

- The Canadian Legal Information Institute (CanLII)
  - CanLII provides access to more than one million court cases and thousands of statutes
  - CanLII provides complete coverage of all Canadian court cases from 2000 to date
  - CanLII features a nearly complete coverage of Saskatchewan court cases from 1909 to date

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2016-03-14 [OCA: coverage not forfeited by technical non-compliance: Dams v. TD Home and Auto Insurance Company, 2016 ONCA 4 \(CanLII\)](#)

2016-03-14 [OCA decision highlights the 'nuts and bolts' of jury selection: R. v. Nouredine, 2015 ONCA 770 \(CanLII\)](#)

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2016-02-17  [What's Hot on CanLII](#) 

# Researching case law

- Case law citations

Plaintiff

Defendant

Neutral  
Citation

*Ravdahl v Saskatchewan*, 2009 SCC 7

Versus

Year

Court

Decision #







# Researching case law

- **Your turn:**

1. *R v Lewko*, 2002 SKCA 121

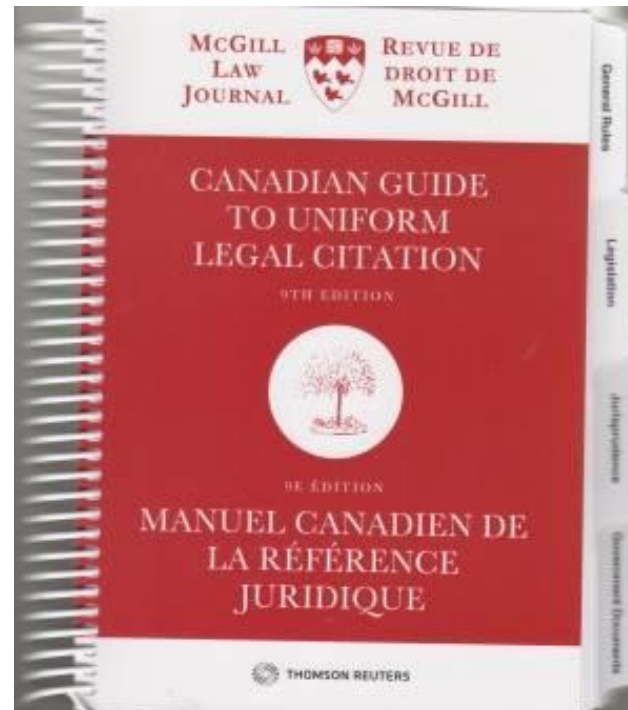
2. *Reiter v Powell*, 2016 SKQB 100

3. *R v A.M.*, 2019 SKPC 46

4. *R v Verma*, 2019 BCCA 313

# Researching case law

- Canadian Guide to Uniform Legal Citation (McGill Guide), 9th Edition



<https://store.thomsonreuters.ca/product-detail/canadian-guide-to-uniform-legal-citation-9th-edition-manuel-canadien-de-la-reference-juridique-9e-edition-mcgill-guide-hc-print/>



Law Society  
of Saskatchewan



# Researching case law

- Precedent basics
  - A system in which a court must decide all subsequent cases in line with previous cases, that deal with the same legal issue, that have been decided by the courts of the same level, or higher.
  - Cases decided at the highest court in your own jurisdiction may be the most influential

## Search

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Noteup: cited case names, legislation titles, citations or dockets

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# Researching case law

- CanLII
  - Search Scenarios
    - Searching for a known case
    - Searching for a case with a common name
    - Searching for case law that cites legislation
    - Keyword searching



# Researching case law

- CanLII
  - Searching for a known case law
    - The easiest way to find a case is to search by neutral citation
    - You can also search by case name
    - Let's locate *Hoffmann v Monsanto*, 2007 SKCA 47



## Search

 ?

 ?

- Q 2007 SKCA - Search CanLII
- R. v. Shepherd, **2007 SKCA 29**
- Hoffman v. Monsanto Canada Inc., 2007 SKCA 47**
- Saskatchewan Power Corporation v. Swift Current (City), **2007 SKCA 27**
- R. v. Janvier, **2007 SKCA 147**
- R. v. M.A.G., **2007 SKCA 144**

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## Commentary

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# Hoffman v. Monsanto Canada Inc., 2007 SKCA 47 (CanLII)

Document

History (6)

Cited documents (23)

Cited by (80)

CanLII Connects (2)

PDF

Date: 2007-05-02

File number: 1148

Other citations: 283 DLR (4th) 190 — [2007] 6 WWR 387 — 293 Sask R 89 — [2007] CarswellSask 190 — [2007] SJ No 182 (QL)

Citation: Hoffman v. Monsanto Canada Inc., 2007 SKCA 47 (CanLII), <<http://canlii.ca/t/1rg03>>, retrieved on 2019-09-12

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Set up citation alert

Email this case

Browse Lexbox

Larry Hoffman, L.B.Hoffman Farms Inc., and Dale Beaudoin

Appellant

- and -

Monsanto Canada Inc. and Bayer Cropscience Inc.

Respondent

Coram:

Cameron, Gerwing, and Sherstobitoff JJ.A.

Counsel:

Terry J. Zakreski for the Appellant  
Gordon J. Kuski, Q.C. and Richard W. Danyliuk for Monsanto Canada  
Robert W. Leurer, Q.C. and Jason Mohrbutter for Bayer Cropscience

Appeal:

From: 2005 SKQB 225 (CanLII)  
Heard: December 11, 2006  
Disposition: Appeal Dismissed  
Written Reasons By: The Honourable Mr. Justice Cameron  
In Concurrence: The Honourable Madam Justice Gerwing  
The Honourable Mr. Justice Sherstobitoff

CAMERON J.A.

[1] The question on this appeal is whether an action taken by the appellants against the respondents merited certification as a class action under *The Class Actions Act*, S.S. 2001, c. C-12.01. The action was ostensibly taken on behalf of numerous organic grain farmers for the recovery of damages alleged to have been suffered by them as a result of the introduction by the appellants of strains of genetically modified canola for use by farmers generally.

## I. THE BACKGROUND

[2] The appellants, Larry Hoffman, L.B. Hoffman Farms Inc., and Dale Beaudoin are farmers who grow grain without the use of chemical fertilizers, herbicides, pesticides, and genetically modified organisms. As such, they are certified as "organic" grain farmers by private organizations involved in the business of marketing organically grown produce.

Hoffman v. Monsanto Canada Inc., 2007 SKCA 47 (CanLII)

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Summaries and commentary from the legal community available. [Read them](#)

Summaries

2014-11-30	<a href="#">Finding an Actionable Claim to Satisfy a Class Action Proceeding - the case of Hoffman v. Monsanto Canada Inc. - Melissa Ragogna - University of Windsor Student's Law Society</a>
2014-03-17	<a href="#">Summary of Hoffman v. Monsanto Canada Inc. - Law Society of Saskatchewan</a>

3. [Lambert v. Guidant Corporation](#), 2009 CanLII 23379 (ON SC)  
Superior Court of Justice — Ontario  
2009-05-08 | 58 pages | cited by [73 documents](#)

2001-11-16	<a href="#">Cooper v. Hobart</a> , [2001] 3 SCR 537, 2001 SCC 79 (CanLII)	Cited by <a href="#">899 documents</a>
------------	---	--

behalf of numerous organic grain farmers for the recovery of damages alleged to have been suffered by them as a result of the introduction by the appellants of strains of genetically modified canola for use by farmers generally.

I. [THE BACKGROUND](#)

[2] The appellants, Larry Hoffman, L.B. Hoffman Farms Inc., and Dale Beaudoin are farmers who grow grain without the use of chemical fertilizers, herbicides, pesticides, and genetically modified organisms. As such, they are certified as “organic” grain farmers by private organizations involved in the business of marketing organically grown produce.



Mar 18,  
2014

# Summary of Hoffman v. Monsanto Canada Inc.

[Hoffman v. Monsanto Canada Inc., 2007 SKCA 47 \(CanLII\)](#)



I CONCUR



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This appeal concerned an action ostensibly taken on behalf of numerous organic grain farmers for the recovery of damages alleged to have resulted from the introduction by the respondents of strains of genetically modified canola for use by farmers generally. The appellants' application which was, in fact, driven not by the appellants, who were nominal plaintiffs only, but by the Saskatchewan Organic Directorate and especially the Organic Agriculture Protection Fund, was dismissed at trial for failing to satisfy the requirements for certification as a class action. The issues on appeal were 1) Did the trial judge misapply s. 6(a) of the Class Actions Act: a) by adopting an excessively rigorous approach to the application of s. 6(a); or b) by concluding that the proceedings disclosed no cause of action except under the Environmental Protection Act, 2002 and The Environmental Assessment Act?; 2) Did the trial judge misapply s. 6(b) of The Class Actions Act?; and 3) Additional grounds based on ss. 6(c)(d) and (e) of the Act. HELD: 1. Appeal dismissed. There will be no order for costs in keeping with the provisions of s. 40 of The Class Actions Act. a) Thoroughness should not be confused with excessive rigour. The trial judge did not adopt an excessively rigorous approach. Section 6 of the Class Actions Act is essentially a screening mechanism that places an onus on the representative plaintiff to satisfy the judge that the pleadings disclose an apparently veritable cause of action on the basis of the facts as pleaded and the law that applies. b) Having noted that each of the causes of action was novel in some respects, the trial judge went on to consider each of them, beginning with the common law causes of action in negligence, nuisance and trespass. Applying the governing body of principle to each cause of action as pleaded, the judge concluded that the pleadings did not disclose a cause of action. The Court can find no material error in her reasons, nor

by [Law Society of Saskatchewan](#)



# Researching legislation

- **Your turn:** <https://www.canlii.org>
- Can you locate this case?
  - *Frank v Linn*, 2013 SKQB 28
    - The name of the judge?
    - The name of a federal statute this case cited?
    - The name of a cases that cites *Frank v Linn*?
    - Any content available on CanLII Connects?



# Researching case law

- CanLII
  - Searching for a case with a common name
    - You are looking for a Saskatchewan Court of Appeal criminal judgment involving an individual with the surname Smith
    - You seem to recall the case took place in the last five or ten years and dealt with drug trafficking



## Search



Q r v smith - Search CanLII

- R. v. Smith**, [1992] 2 SCR 915, 1992 CanLII 79 (SCC)
- R. v. Smith** (Edward Dewey), [1987] 1 SCR 1045, 1987 CanLII 64 (SCC)
- R. v. Smith**, [1989] 2 SCR 1120, 1989 CanLII 12 (SCC)
- R. v. Smith**, [1989] 2 SCR 368, 1989 CanLII 27 (SCC)
- R. v. Smith**, [1991] 1 SCR 714, 1991 CanLII 91 (SCC)

[Saskatchewan](#)[Manitoba](#)[Nova Scotia](#)[Prince Edward Island](#)[Nunavut](#)

## Commentary

[Books, articles, reports and more...](#)

Document text ?

r v smith x ?

Noteup: cited case names, legislation titles, citations or dockets ?

All CanLII (1,009) Cases (944) Legislation (0) Commentary (65)

All jurisdictions ▾ All courts and tribunals ▾ Any date ▾

By relevance ▾ [Icons]

<input type="checkbox"/> Canada (Federal)	53	<input type="checkbox"/> Set up alert feed	<input type="checkbox"/> Email this query	<input type="text" value="Run a saved query"/>	<input type="button" value="Browse Lexbox"/>
<input type="checkbox"/> British Columbia	123				
<input type="checkbox"/> Alberta	98				
<input checked="" type="checkbox"/> Saskatchewan	141				
<input type="checkbox"/> Manitoba	136				
<input type="checkbox"/> Ontario	254				
<input type="checkbox"/> Quebec	2				
<input type="checkbox"/> New Brunswick	16				
<input type="checkbox"/> Nova Scotia	56				
<input type="checkbox"/> Prince Edward Island	4				
<input type="checkbox"/> Newfoundland and Labrador	32				
<input type="checkbox"/> Yukon	25				
<input type="checkbox"/> Northwest Territories	4				
<input type="checkbox"/> Nunavut	0				
<input type="checkbox"/> Include commentary	65				

Uncheck all

Noteup: cited case names, legislation titles, citations or dockets

All CanLII (141)

Cases (41)

Legislation (0)

Commentary (0)

Saskatchewan

All courts and tribunals

Any date

Clear filters

By relevance



There are 2

lexbox



S

All courts and tribunals

82

Item to your results.

All courts

82

Appeal courts

28

Run a saved query

Browse Lexbox

All tribunals

0

Labour

0

Privacy

0

Human rights

0

Discipline

0

Securities

0



1.

R. v. S

Court

1979-1

degree

2.

R. v. S

Court

1935-0

game preserves — t

3.

R. v. Smith, 2008 S

Court of Appeal fo

2008-02-14 | 50 p

sentence — parole

4.

R. v. Smith, 2003 S

× Court of Appeal for Saskatchewan (SK)

### Saskatchewan

Court of Appeal for Saskatchewan

33

Court of Queen's Bench for Saskatchewan

94

Provincial Court of Saskatchewan

12

Saskatchewan District Court

2

Saskatchewan Surrogate Court

0

Saskatchewan Unified Family Court

0



Noteup: cited case names, legislation titles, citations or dockets

All CanLII (141)

Cases (33)

Legislation (0)

Commentary (0)

Saskatchewan

Court of Appeal for Saskatchewan

Any date

Clear filters

By relevance



lexbox

Save this query

Set up alert for

✓ Any decision date

33

Last week

0

Last three months

0

Last year

0

Last three years

2

Last ten years

4



Decision date is

YYYY

MM

DD



OK

Decision date between

2009

01

01



and

2019

12

31



OK



1.

**R. v. Smith**, 1979 CanLII 2233 (SK CA)

Court of Appeal for Saskatchewan — Saskatchewan

1979-12-31 | 12 pages | cited by [48 documents](#)

*degree murder — shotgun — planned — deliberate —*

2.

**R. v. Smith**, 1935 CanLII 140 (SK CA)

Court of Appeal for Saskatchewan — Saskatchewan

1935-06-12 | 16 pages | cited by [47 documents](#)

*game preserves — treaty — unoccupied — lands —*

3.

**R. v. Smith**, 2008 SKCA 20

Court of Appeal for Saskatchewan — Saskatchewan

2008-02-14 | 50 pages | cited by [41 documents](#)

*sentence — parole — offender — forfeiture — criminal organization*



4.

**R. v. Smith**, 2003 SKCA 8

Court of Appeal for Saskatchewan — Saskatchewan

2003-01-24 | 42 pages | cited by [31 documents](#)

traffick\* ←

?



r v smith

x ?

Noteup: cited case names, legislation titles, citations or dockets ?

All CanLII (141)

Cases (5)

Legislation (0)

Commentary (0)

Saskatchewan ▾

Court of Appeal for Saskatchewan ▾

2009-01-01 to 2019-12-31 ▾

Clear filters

By relevance ▾



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Save this query

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1.

**R. v. Smith**, 2009 SKCA 139

Court of Appeal for Saskatchewan — Saskatchewan

2009-12-07 | 4 pages | cited by [19 documents](#)*officer — elapsed — minutes — test — last drink*

2.

**R. v. Smith**, 2009 SKCA 38

Court of Appeal for Saskatchewan — Saskatchewan

2009-03-12 | 8 pages | cited by [11 documents](#)*sentence — vehicle — driving prohibition — speed — dangerous driving causing*

3.

**R v Smith**, 2017 SKCA 81

Court of Appeal for Saskatchewan — Saskatchewan

2017-09-28 | 63 pages | cited by [5 documents](#)*wit — criminal organization — guilty pleas — plea — police agent*

✓ Sort by document relevance

Sort by date: newest ?

Sort by date: oldest ?

Sort by most cited ?

Sort by court level ?

Sort by most pages ?



traffick\*

x ?

r v smith

x ?

Noteup: cited case names, legislation titles, citations or dockets

?

All CanLII (18)

Cases (1)

Legislation (0)

Commentary (0)

Saskatchewan ▾

Court of Appeal for Saskatchewan ▾

2009-01-01 to 2019-12-31 ▾

Clear filters

By relevance ▾



lexbox

Save this query

Set up alert feed

Email this query

Run a saved query ▾

Browse Lexbox ▾

1.

**R v Smith**, 2017 SKCA 81

Court of Appeal for Saskatchewan — Saskatchewan

2017-09-28 | 63 pages | cited by [5 documents](#)*wit — criminal organization — guilty pleas — plea — police agent*

[...] Pursuant to CRM 114/16, Mr. Smith pled guilty to conspiracy to traffic in cocaine (count 1), the unlawful transfer of a firearm (count 2), possession of a handgun (count 3), **trafficking** in fentanyl (count 7), **trafficking** in heroin (count 8), **trafficking** in cocaine (count 9), and possession of proceeds of crime (count 10). [...] The Crown would jointly submit for 9 years incarceration: 6 years for the fentanyl **trafficking**, 3 years for the firearms **trafficking** (consecutive) and 1 year for the proceeds (concurrent) and a fine in lieu with consecutive default time. [...] So they would commit crimes, drug **trafficking**, and the idea was, over a period of time, that they would come to dominate the drug **trafficking** scene in Saskatoon. [...]







# Researching legislation

- **Your turn:** <https://www.canlii.org>
- Can you locate this case?
  - A British Columbia Court of Appeal criminal case:
  - The case involved someone with the surname Thompson, a sawed-off gun, and an attempted murder
  - You seem to recall the case took place sometime in the mid 1990s



# Researching case law

- CanLII
  - Legislation can be located on CanLII in two ways:
    - Browsed by province
    - With the legislative title
  - *The Administration of Estates Act, SS 1998, c A-4.1*

## Search



## Browse

[Canada \(Federal\)](#)[British Columbia](#)[Alberta](#)[Saskatchewan](#)[Manitoba](#)[Ontario](#)[Quebec](#)[New Brunswick](#)[Nova Scotia](#)[Prince Edward Island](#)[Newfoundland and Labrador](#)[Yukon](#)[Northwest Territories](#)[Nunavut](#)

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## Commentary

[Books, articles, reports and more...](#)

# Saskatchewan



Document text



Case name, legislation title, citation or docket



Noteup: cited case names, legislation titles, citations or dockets



## Legislation



[Statutes and Regulations](#)

## Courts

[Court of Appeal for Saskatchewan](#)

[Court of Queen's Bench for Saskatchewan](#)

[Provincial Court of Saskatchewan](#)

## Boards and Tribunals

[Automobile Injury Appeal Commission](#)

[Information and Privacy Commissioner](#)

[Labour Arbitration Awards](#)

[Law Society of Saskatchewan](#)

[Saskatchewan Financial Services Commission](#)

[Saskatchewan Human Rights Commission](#)

[Saskatchewan Labour Relations Board](#)

## Frequently consulted documents

[Labour Standards Act](#)

[Limitations Act](#)

[Business Corporations Act](#)

[Firearm Safety/Hunter Education Regulations, 2009](#)

[Trade Union Act](#)

[Saskatchewan Insurance Act](#)

# Statutes and Regulations of Saskatchewan

These databases have been put together based on materials available on the Saskatchewan Queen's Printer [Freelaw](#) website. Before using these databases for the first time, we encourage you to read our [details page](#).

-

Document text ?

Legislation title or citation ?

Noteup: cited case names, legislation titles, citations or dockets ?

Q

## Consolidated Statutes of Saskatchewan

Last updated from the [Freelaw](#) site on 2014-04-03 [\[About this database\]](#)

[0-9] [A](#) [B](#) [C](#) [D](#) [E](#) [F](#) [G](#) [H](#) [I](#) [J](#) [K](#) [L](#) [M](#) [N](#) [O](#) [P](#) [Q](#) [R](#) [S](#) [T](#) [U](#) [V](#) [W](#) [X](#) [Y](#) [Z](#)

## Consolidated Regulations of Saskatchewan

Last updated from the [Freelaw](#) site on 2014-04-03 [\[About this database\]](#)

[0-9] [A](#) [B](#) [C](#) [D](#) [E](#) [F](#) [G](#) [H](#) [I](#) [J](#) [K](#) [L](#) [M](#) [N](#) [O](#) [P](#) [Q](#) [R](#) [S](#) [T](#) [U](#) [V](#) [W](#) [X](#) [Y](#) [Z](#)

## Search




**Administration of Estates Act**, RSA 2000, c A-2

49

The **Administration of Estates Act**, SS 1998, c A-4.1

30

Crown **Administration of Estates Act**, RSO 1990, c C.47

13

The Crown **Administration of Estates Act**, RSS 1978, c C-49

0

1 Labrador

[British Columbia](#)

[Quebec](#)

[Yukon](#)

[Alberta](#)

[New Brunswick](#)

[Northwest Territories](#)

[Saskatchewan](#)

[Nova Scotia](#)

[Nunavut](#)

[Manitoba](#)

[Prince Edward Island](#)

## Commentary

[Books, articles, reports and more...](#)



# The Administration of Estates Act, SS 1998, c A-4.1

Document

[Versions \(6\)](#)

[Cited by \(70\)](#)

[Regulations \(2\)](#)

[Amendments \(7\)](#)

 PDF  TXT

Current version: in force since May 9, 2018

Link to the [latest version](#) :

<http://canlii.ca/t/x15>

Stable link to [this version](#) :

<http://canlii.ca/t/53gn5>


Citation to this version:


The Administration of Estates Act, SS 1998, c A-4.1, <<http://canlii.ca/t/53gn5>> retrieved on 2019-09-13


Currency:


Last updated from the [Freelaw](#) site on 2019-09-12

lexbox

 Save this legislation

 Set up amendment alert

 Set up citation alert

 Email this legislation

 Browse Lexbox



*The  
Administration of  
E . . . A . .*



# Researching case law

- CanLII
  - Searching for case law that cites legislation
    - You are searching for case law that comments on *The Saskatchewan Administration of Estates Act*, SS 1998, c A-4.1
    - Specifically, you are trying to determine how many times Section 14 of act has been considered in court

## The Administration of Estates Act, SS 1998, c A-4.1

Document

Versions (6)

Cited by (70)

Regulations (2)

Amendments (7)

 PDF  TXT



## The Administration of Estates Act, SS 1998, c A-4.1

Document

Versions (6)

Cited by (70)

Regulations (2)

Amendments (7)

You can search for documents citing this statute on CanLII

- ☒ Noteup any citation to this statute
- ☐ Noteup a specific section or subsection from this statute:



### Citing or noting up a specific section or subsection

If the present statute has a "Show Table of Contents" button, you will see that each section and subsection number is displayed with a link offering you convenient citation and noteup tools that are specific to each provision. You may want to use these tools instead of the above search box.

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Citing

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[All CanLII \(70\)](#)**Cases (54)**[Legislation \(9\)](#)[Commentary \(7\)](#)

All jurisdictions ▼

All courts and tribunals ▼

Any date ▼

By relevance ▼



lexbox

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Browse Lexbox ▼

1.

[Viczko v Choquette](#), 2016 SKCA 52 (CanLII)

Court of Appeal for Saskatchewan — Saskatchewan

2016-04-07 | 31 pages | cited by [38 documents](#)*genuine issue requiring — good faith — summary — evidence — proportionate*

[...] [12] The parties later discovered The Devolution of Real Property Act had been replaced by The **Administration of Estates Act, SS 1998, c A-4.1** [Estates Act], which contained a provision requiring the consent of the beneficiaries to such a sale. [...] (2) Was Yvonne's consent to the sale of the land required by The **Administration of Estates Act, SS 1998, c A-4.1**? [...]



2.

[Ferguson v. Armbrust](#), 2001 SKCA 122 (CanLII)

Court of Appeal for Saskatchewan — Saskatchewan

2001-11-21 | 28 pages | cited by [8 documents](#)*intestate — deceased — spouse — cohabiting partner — estate*

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Citing

x ?

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or ▾

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[All CanLII \(6\)](#)**Cases (6)**[Legislation \(0\)](#)[Commentary \(0\)](#)

All jurisdictions ▾

All courts and tribunals ▾

Any date ▾

By relevance ▾



lexbox

Save this query

Set up alert feed

Email this query

Run a saved query ▾

Browse Lexbox ▾

1.

[Ballagh v Ballagh](#), 2012 SKQB 199 (CanLII)

Court of Queen's Bench for Saskatchewan — Saskatchewan

2012-05-14 | 18 pages | cited by [3 documents](#)*testamentary capacity — children — solemn form — will — genuine issue to be tried*

[...] In the first, Brenda Ballagh applies pursuant to **s. 14(1)** of The Administration of Estates Act, S.S. 1998, c. A-4.1 to be appointed as administrator under a Grant of Administration with Will Annexed in the estate of Leslie Cameron Ballagh. [...]



2.

[Andrews v. Steele](#), 2006 SKQB 250 (CanLII)

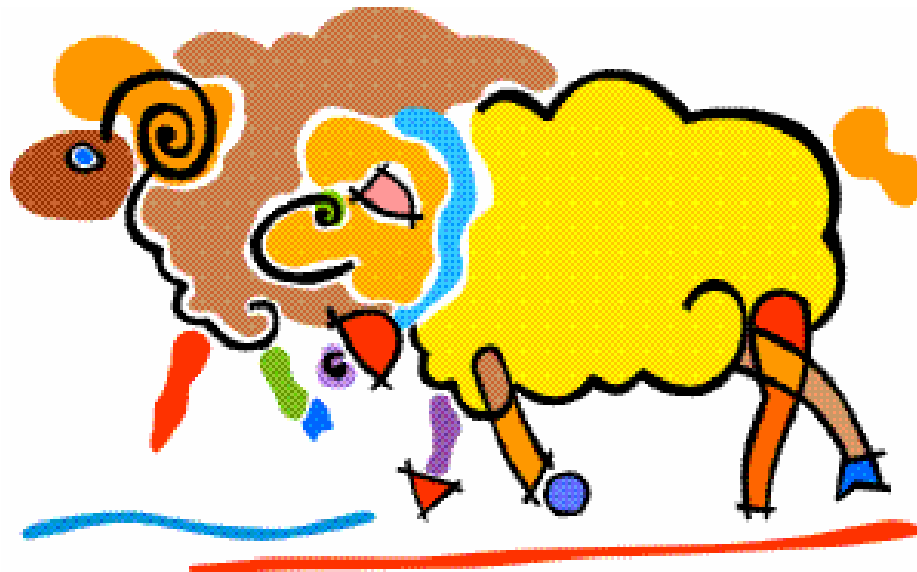
Court of Queen's Bench for Saskatchewan — Saskatchewan

2006-05-26 | 17 pages | cited by [3 documents](#)*testatrix — farmland — surface leases — attests — value*

[...] 4. For an Order pursuant to **s. 14** of The Administration of Estates Act directing the Respondent to execute the documents for Letters Probate within such time as the Court may direct or alternatively, rescind probate. [...]

# Researching case law

- CanLII
  - Searching for case law on a point of law
    - Can I keep a sheep as a pet in Saskatchewan?



## Search



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## Browse

[Canada \(Federal\)](#)[British Columbia](#)[Alberta](#)[Saskatchewan](#)[Manitoba](#)[Ontario](#)[Quebec](#)[New Brunswick](#)[Nova Scotia](#)[Prince Edward Island](#)[Newfoundland and Labrador](#)[Yukon](#)[Northwest Territories](#)[Nunavut](#)

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## Commentary

[Books, articles, reports and more...](#)



x ?



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[All CanLII \(4\)](#)[Saskatchewan](#)

lexbox

1.

could not stand because the information did not allege any offence for which they could be convicted. The bylaw does not define what is meant by the term animal husbandry nor uses the term. They were not breeding, raising or caring for farm animals but merely kept a sheep, not unlike a large dog, in their back yard as a pet for their children. The city did not charge them with a nuisance type of offence, for a breach of public health regulations nor a breach of the animal control bylaw. It charged them with a zoning violation. Many activities conducted by veterinarians in the city or at the university would violate the bylaw. The role of the court is to interpret a bylaw in a purposive manner, not to make law by rewriting it. No evidence was adduced at trial as to what kinds of animals are considered by the community to be acceptable as pets in the city. (ii) Even if the information were amended to delete reference to animal husbandry, it was still unclear whether keeping one small sheep was an offence under the Act and the bylaw. (iii) It was clear they were not conducting any enterprise. Some findings of material facts by the bylaw court justice were not supported by the evidence.



box

the meaning of  
their back yard

# Researching legislation

- **Your turn:** <https://www.canlii.org>

- Can you locate this case?

- I heard a rumour that Columbia Pictures was involved in a lawsuit with someone in Saskatchewan who was the author of the movie Crouching Tiger, Hidden Dragon. Is it true?



# Researching case law

- CanLII Tutorials

## CanLII Series - Searching the New CanLII



1: A Basic "How-To" (5:57)

- Searching CanLII by keyword and case name
- Limiting your search by jurisdiction
- Sorting your search by "most cited", "most recent", and "court level"
- Example search scenarios





# Law Society Library

Phone: 306-569-8020

Email: [reference@lawsociety.sk.ca](mailto:reference@lawsociety.sk.ca)

Website: <http://www.lawsociety.sk.ca/library>

In person: Court House, 2<sup>nd</sup> Floor  
2425 Victoria Avenue  
Regina

# Thank you!

- Email: [alan.Kilpatrick@lawsociety.sk.ca](mailto:alan.Kilpatrick@lawsociety.sk.ca)
- Twitter: [@Alan\\_Kilpat](https://twitter.com/Alan_Kilpat)
- Blog: [librarycanuck.com](http://librarycanuck.com)
- Phone: 306-569-8020

