

# Legal Resources for the Library & Information Technology Program

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Legal Resources
Law Society of Saskatchewan

### Overview

- What is Legal Information?
  - What is the Law?
  - What is Secondary Law?
- Legislation Resources
- Canada's Court System
- Case Law Resources



# What is Legal Information?

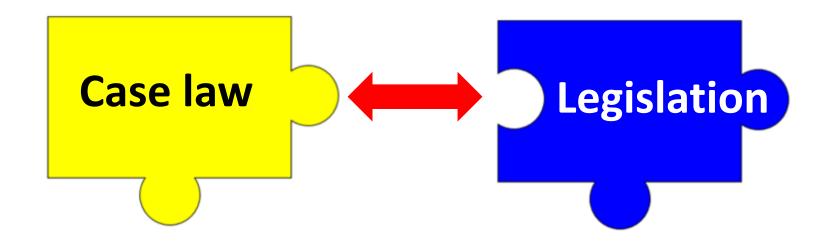


Primary Law

Content written to explain the law

Secondary Law







- What is legislation?
  - Bills are proposed statutes that have not yet passed the legislative process
  - Statutes (Acts) are written laws passed by the legislature
  - Regulations are subordinate legislation that provide additional details about a statute



- What is case law?
  - Written decisions from judges in the courts across Canada

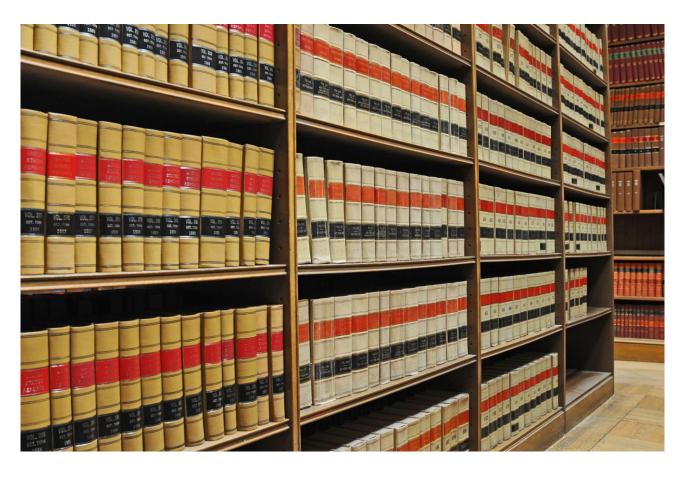








# What is Secondary Law?





### What is Secondary Law?

- Content that explains, summarizes, or analyzes the law:
  - Annotated legislation
  - Blog posts
  - Case law summaries
  - Conference materials
  - Encyclopedias
  - Government websites
  - Journals
  - Legal dictionaries
  - Textbooks & eBooks



# What is Secondary Law?

Who are Canada's legal publishers?

- Carswell (Thomson Reuters)
- LexisNexis (Reed Elsevier)
- Irwin Law
- Emond Montgomery Publishing
- Emergence of nontraditional publishers?







- How does legislation become law?
  - Proposed legislation is introduced as a bill:
    - To introduce new legislation
    - To change, amend, or repeal existing legislation
  - Bills must pass the "legislative process" to become law



- 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



- Bills (Proposed Acts)
  - Locating Provincial bills
    - Legislative Assembly of Saskatchewan
  - Locating Federal bills
    - LegisInfo



- Locating Provincial Bills
  - Legislative Assembly of Saskatchewan
    - As the body that overseas the creation of legislation in Saskatchewan, the Legislative Assembly hosts a wealth of useful resources on the "Legislative Business" area of its website





FIND ASSEMBLY RECORDS

LEGISLATIVE COMMITTEES

DEBATES (HANSARD)

MINUTES (VOTES)

ORDERS OF THE DAY

BILLS

ESTIMATES

JOURNALS

WATCH LEGISLATIVE PROCEEDINGS

LEGISLATIVE MEETING ARCHIVE

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
Parliamentary Calendar

Tabling of Documents

Current Statutes

LEGISLATIVE MEETING ARCHIVE

FIND ASSEMBLY RECORDS

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DEBATES (HANSARD)

MINUTES (VOTES)

ORDERS OF THE DAY

BILLS

**ESTIMATES** 

**JOURNALS** 

WATCH LEGISLATIVE PROCEEDINGS

Home > Legislative Business > Bills

#### 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.

Current Bills before the Assembly:

Progress of Bills



Alphabetical List of Bills

Progress of Bills charts from previous sessions of the Legislature:

4th Session 28th Legislature

2019-2020

3rd Session 28th Legislature

2018-2019

2nd Session 28th Legislature

2017-2018

1st Session 28th Legislature

#### Related Links

Statutes of Saskatchewan

Legislative Process

Specified Bills Process

Regulations Process

Allocation of Business to Committees



### **Progress of Bills**

### 29th Legislature 1st Session

#### Standing Committees (SC):

Bill comes into force on:

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

\* Specified Bills

EN - Explanatory notes

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

#### **Government Bills**



No.	EN	*	Title	Member	1st Reading	Royal Rec.	Comm.	2nd Reading	Comm.	Amend Date	3rd Reading	Royal Assent	Comes Into Force On
1	EN	*	The Income Tax (Strong Recovery Home Renovation Tax Credit) Amendment Act, 2020	Harpauer, Donna	Dec 03, 2020	Dec 03, 2020		Dec 10, 2020	CW Dec 10, 2020		Dec 10, 2020	Dec 10, 2020	A
2	EN	*	The Income Tax (Strong Recovery Small Business Tax Reduction) Amendment Act, 2020	Harpauer, Donna	Dec 07, 2020	Dec 08, 2020		Dec 10, 2020	CW Dec 10, 2020		Dec 10, 2020	Dec 10, 2020	А
3		*	The Massage Therapy Act	Merriman, Paul	Dec 07, 2020	Dec 08, 2020		Apr 21, 2021	HUS May 10, 2021		May 11, 2021	May 13, 2021	Р
4		*	The Construction Codes Act	McMorris, Don	Dec 07, 2020	Dec 08, 2020		Apr 20, 2021	IAJ May 05, 2021		May 06, 2021	May 13, 2021	Р
<u>5</u>		*	The Business Corporations Act, 2020	Wyant, Gordon	Dec 08, 2020	Dec 08, 2020		Apr 12, 2021	IAJ May 01, 2021		May 03, 2021	May 13, 2021	Р
<u>6</u>		*	The Business Corporations Consequential Amendments Act, 2020 / Loi de 2020 corrélative de la loi intitulée The Business Corporations Act, 2020	Wyant, Gordon	Dec 08, 2020			Apr 13, 2021	IAJ May 01, 2021		May 03, 2021	May 13, 2021	SE
Z		*	The Marriage Act, 2020 / Loi de 2020 sur le mariage	Wyant, Gordon	Dec 08, 2020			Apr 13, 2021	IAJ May 01, 2021		May 03, 2021	May 13, 2021	P
8		*	The Marriage Consequential Amendment Act, 2020	Wyant, Gordon	Dec 08, 2020			Apr 13, 2021	IAJ May 01, 2021		May 03, 2021	May 13, 2021	SE
9		*	The Miscellaneous Statutes (Appeal Provisions) Amendment Act, 2020	Wyant, Gordon	Dec 08, 2020			Apr 13, 2021	IAJ May 01, 2021	May 01, 2021	May 03, 2021	May 13, 2021	А



### **Progress of Bills**

### 29th Legislature 1st Session

#### Standing Committees (SC):

Bill comes into force on:

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

\* Specified Bills

EN - Explanatory notes

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- Locating Federal bills
  - LegisInfo
    - 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



**Additional Resources** 2nd Session) LEGISinfo Search Quick search by bill number or Results 1 - 20 of 201 (approximate) title: Filter By: Parliament - Session: 43-2 Search LEGISinfo Advanced Search Sort By: | Latest Activity Date | Bill Number A Stay in Touch P∃Show Details ■ Hide Details Subscribe to a news feed to get the latest updates on the 43rd Parliament, 2nd Session following topics: C-1 An Act respecting the administration of oaths of office ■ Legislative Activities Show Details Progress: ■ Legislative Summaries 43rd Parliament, 2nd Session Name 
■ Create a custom RSS feed C-2 An Act relating to economic recovery in response to COVID-19 National Parliament − Session (43-2) **Short Title** COVID-19 Economic Recovery Act Progress: 43rd Parliament, 2nd Session C-3 An Act to amend the Judges Act and the Criminal Code Statute of Canada: 2021, c. 8 Show Details Progress: 43rd Parliament, 2nd Session C-4 An Act relating to certain measures in response to COVID-19 **Short Title** COVID-19 Response Measures Act Statute of Canada: 2020, c. 12 Show Details Progress: 43rd Parliament, 2nd Session C-5 An Act to amend the Bills of Exchange Act, the Interpretation Act and the Canada Labour Code (National Day for Truth and

## All Bills for the Current Session (43rd Parliament,

#### Refine Your Search



#### Parliament - Session

#### ☑ 43-2 (2020-09-23 - )

- 43-1 (2019-12-05 2020-08-18)
- 42-1 (2015-12-03 2019-09-11)
- 41-2 (2013-10-16 2015-08-02)
- 41-1 (2011-06-02 2013-09-13)

More parliamentary sessions

#### **Originating Chamber**

- Senate (43)
- House of Commons (158)

#### Type

- Senate Government Bill (4)
- Senate Private Bill (1)
- Senate Public Bill (38)
- House Government Bill (36)
- Private Member's Bill (122)

#### **Political Affiliation**

- Bloc Québécois (16)
- Canadian Senators Group (1)
- Conservative (56)
- Green Party (5)
- Independent Senators Group (23)
- Liberal (49)
- NDP (46)
- Progressive Senate Group (5)

#### Status

- . Bills Defeated (16)
- . House Senate Bills Awaiting First Reading (3)
- House At Second Reading (33)
- House At Report Stage (6) House – Consideration in
- Committee (2) \* David Assent Descrived (20)

#### House Government Bill

#### 43rd Parliament, 2nd Session

September 23, 2020 - Present

**C-4** 





An Act relating to certain measures in response to COVID-19

Short Title

COVID-19 Response Measures Act

Sponsor

Minister of Employment, Workforce Development and Disability Inclusion

Statute of Canada

2020, c. 12

Last Stage Completed

Royal Assent (2020-10-02)

Progress:



#### Text of the Bill

Latest Publication

☐ All Published Versions

- First Reading
- · As passed by the House of Commons
- Royal Assent

#### Status of the Bill

Status Overview

#### Additional Information

- · Speaker's Rulings and Statements
- · Major Speeches at Second Reading
- Similar Bills Introduced in Previous Sessions
- Recorded Votes
- Coming into Force

#### About this Bill

- Departmental Information
- Legislative Summary
- Legislative Costing Note
- Further Reading

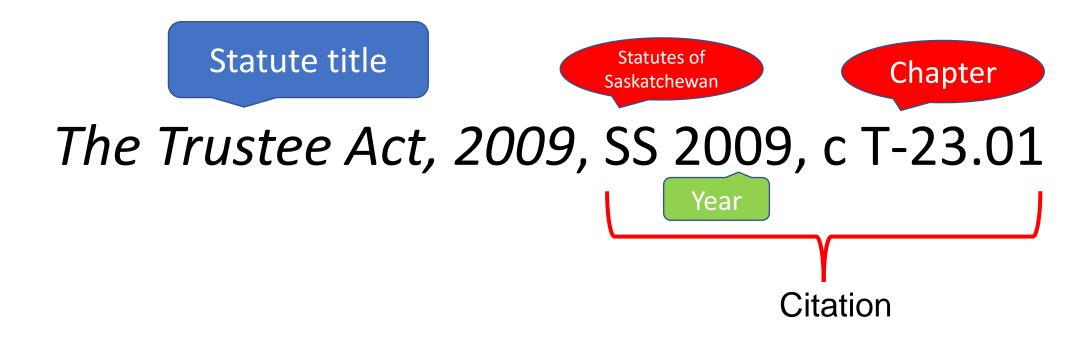
#### Senate First reading First Reading 2020-09-30 Second reading Show Sittings Second Reading 2020-10-01 Third reading Third Reading 2020-10-02 Bill passed by the Senate without amendment Royal assent **Royal Assent** 2020-10-02

Statutes of Canada: 2020, c. 12

- Statutes (Acts)
  - Locating Provincial Statutes
    - Publications Saskatchewan
  - Locating Federal Statutes
    - Justice Laws
  - Canadian Legal Information Institute
    - CanLII



Statute citation





Canada Elections Act, SC 2000, c 9

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



### Freelaw®

Authoritative online source for all current Government of Saskatchewan legislation. Paper copies of legislation are sold to fund Freelaw®

Search by title, subtitle, subject terms, author, ministry or agency. Search Freelaw® Search Resources a Welcome to Freelaw. Using Internet Explorer will open files immediately instead of forcing to download; other browsers will force files to download until this gets resolved. **Publications Centre** To search for specific legislation, select the Search icon above and on the subsequent page, select Acts with Regulations Legislation under Product Type, and under Product Subtype select the relevant legislative Assessments category. To include historical legislation in your search results, also select the Archived filter located under Status. Links Copyright FAQ Categories About Help Acts (Consolidated Statutes) Acts (Separate Chapters) **Contact Us Federal Legislation Publications Saskatchewan First Reading Bills** Walter Scott Building B19 - 3085 Albert Street Regina SK S4S 0B1

Forms

### 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



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.

#### Table of Contents

	PART I		DIVISION 2
	Preliminary Matters	35	Accounting Duty to account
1	Short title	36	Discharge without passing of accounts
2	Interpretation	37	Approval of accounts binding
3	Powers of the court	01	77
	PART II		PART VII Resealing
	Procedure on Application for Probate or	38	Application for resealing
	Administration	39	Security required on resealing
4	Application for probate or administration	00	
5	Notice of application		PART VIII Official Administrator
6	Duty of registrar re notices	40	Official administrator
7	Duty of local registrar re documents	41	Official administrator to take possession of neglected
8	Proof of execution of will	41	property of deceased persons
9	Disposal of property under certain amount without grant	41.1	
10	Priority to apply – will	42	Grant of administration to official administrator
11	Priority to apply – intestacy	43	No security by official administrator
	PART III	44	Official administrator required to act
	Renunciation	44.1	When letters of administration not required
12	Renouncing probate		Claims on estates administered by
13	Renouncing right to administration		official administrator
14	Failure to apply for probate	45	Fees of official administrator
	PART IV	46	Common fund
(	Granting Letters of Administration in Certain Circumstances	46.1	Unclaimed money
15	Temporary administration		PART IX
16	Grant of administration to attorney		Rights and Liabilities of Executors and
17	Appointment of administrator in special		Administrators
	circumstances	46.2	
18	Death of executor or administrator	46.3	Relief of executor or administrator from liability under contract of deceased
18.1	Executors of executors	46.4	Application for direction
19	Administration pending litigation	10.1	••
	PART V		PART X  Procedure and Evidence
	Security	47	Production of testamentary documents
20	Bond required	48	Jury trials
21	Amount of bond	49	Deposit of wills
22	Assignment of bonds	50	Rules of court
23	New or additional security	-	PART XI
24	Substituting security		Devolution of Real Property
25	Reduction of security	50.1	Interpretation of Part
	PART VI		Application of Part
	Administration of Estates		Devolution of real property
	DIVISION 1		Powers of sale
	Generally	50.5	Sale for distribution only
26	Effect of grant on subsequent proceedings	50.6	When a minor is interested
27	Payments pursuant to grant	50.7	Power to divide or partition real property



#### 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; ("juge")

"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; ("dettres 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  $\it The$ 



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



### Laws Consolidated Acts Consolidated Regulations Annual Statutes Statutes Repeal Act: Reports, Deferrals and Repeals Miscellaneous Statute Law Amendment Program Typographical and Grammatical Corrections New Layout New Layout for Legislation Accessibility Buttons Search Basic Search Advanced Search Resources Table of Public Statutes and Responsible Ministers Table of Private Acts Consolidated Index of Statutory Instruments Related Resources Help Accessibility FAQ

General

Search Help

#### 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

#### Frequently Accessed Acts

- Access to Information Act PDF: 760 kB
- · Canada Elections Act PDF: 3756 kB
- Canada Emergency Response Benefit Act PDF: 138 kB
- · Canada Labour Code PDF: 2219 kB
- . Competition Act PDF: 1045 kB
- Contraventions Act PDF: 329 kB
- . Controlled Drugs and Substances Act PDF: 661 kB
- Copyright Act PDF: 1192 kB
- COVID-19 Emergency Response Act PDF: 563 kB
- COVID-19 Emergency Response Act, No. 2 PDF: 287 kB
- Criminal Code PDF: 7358 kB
- Divorce Act PDF: 940 kB
- Financial Administration Act PDF: 1098 kB
- Immigration and Refugee Protection Act PDF: 1189 kB
- Income Tax Act PDF: 19701 kB
- . Interpretation Act PDF: 345 kB
- . Pension Act PDF: 612 kB
- Privacy Act PDF: 523 kB
- Youth Criminal Justice Act PDF: 1058 kB

#### Frequently Accessed Regulations

- Canada Occupational Health and Safety Regulations PDF 1534 kB
- Federal Child Support Guidelines PDF 1701 kB
- . Food and Drug Regulations PDF 6119 kB
- . Income Tax Regulations PDF 7521 kB
- . Income Support Payment (Excluded Nominal Income) Regulations PDF 89 kB

#### Consolidation News

Unless otherwise indicated:

Acts current to 2021-06-16 Regulations current to 2021-06-16

#### What's New

2021-03-24

#### Update to Constitutional Documents

A consolidation of Constitution Acts, 1867 to 1982 using the French version contained in the 1990 Report of the French Constitutional Drafting Committee is now available.

2021-03-08

#### Corrections report (2020)

The Department of Justice has added the 2020 corrections to the report listing typographical and grammatical corrections made under paragraph 27(c) of the Legislation Revision and Consolidation Act.

2021-02-22

#### List of repeals

The Minister of Justice has published in the Canada Gazette the list of provisions that were repealed on December 31, 2020, by the operation of section 3 of the Statutes Repeal Act.

2021-02-12

#### 2021 Annual Report

The Minister of Justice tabled the 2021 Annual Report prepared in accordance with the Statutes Repeal Act in the House of Commons on January 26th, 2021 and in the Senate on February 8th, 2021. 2021 Annual Report (PDF [640 KB])

### Laws Constitutional Documents Consolidated Acts Consolidated Regulations Annual Statutes Statutes Repeal Act: Reports, Deferrals and Repeals Miscellaneous Statute Law Amendment Program New Layout New Layout for Legislation Search Basic Search Advanced Search Resources Table of Public Statutes and Responsible Ministers Table of Private Acts Consolidated Index of Statutory Instruments Related Resources Help Accessibility FAQ

#### 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



#### Frequently Accessed Acts

- · Access to Information Act PDF: 696 kB
- · Canada Elections Act PDF: 4393 kB
- · Canada Labour Code PDF: 2128 kB
- · Competition Act PDF: 1309 kB
- · Contraventions Act PDF: 491 kB
- · Controlled Drugs and Substances Act PDF: 895 kB
- . Copyright Act PDF: 1453 kB
- · Criminal Code PDF: 8030 kB
- . Divorce Act PDF: 426 kB
- · Financial Administration Act PDF: 1314 kB
- . Immigration and Refugee Protection Act PDF: 1499 kB
- Income Tax Act PDF: 19238 kB
- . Pension Act PDF: 750 kB
- · Privacy Act PDF: 632 kB
- . Youth Criminal Justice Act PDF: 1237 kB

Date modified: 2017-07-12

Search	Canada Council for the Arts Act		
Basic Search	R.S.C., 1985, c. C-2	<u>PDF</u> [236 KB]	
Advanced Search	Canada Deposit Insurance Corporation Act  R.S.C., 1985, c. C-3	PDF [859 KB]	
Resources	Canada Development Corporation Reorganization Act		
Table of Public Statutes and	S.C. 1985, c. 49	<u>PDF [</u> 268 KB]	
Responsible Ministers	Canada Disability Savings Act		
Table of Private Acts	<u>S.C.</u> 2007, c. 35, s. 136	<u>PDF [</u> 222 KB]	
Consolidated Index of Statutory Instruments	Canada Education Savings Act S.C. 2004, c. 26	<u>PDF [</u> 287 KB]	
Related Resources	Canada Elections Act		
lelp	S.C. 2000, c. 9	<u>PDF [</u> 3756 KB]	
•	Canada Emission Reduction Incentives Agency Act		
Accessibility	S.C. 2005, c. 30, s. 87	<u>PDF [</u> 277 KB]	
FAQ	Canada Employment Insurance Financing Board Act [Repealed, 2013, c. 40, s. 137]		
General	S.C. 2008, c. 28, s. 121	<u>PDF [</u> 94 KB]	
Search Help	Canada Evidence Act	DDE (474 KD)	
PDF Help	R.S.C., 1985, c. C-5	<u>PDF [</u> 474 KB]	
How to Create Stable Links	<u>Canada Foundation for Sustainable Development Technology Act</u> <u>S.C.</u> 2001, c. 23	<u>PDF [</u> 275 KB]	
Printing	Canada Fund for Africa Act		
Glossary	<u>S.C.</u> 2002, c. 9, s. 45	<u>PDF [</u> 197 KB]	
Important Note	Canada Grain Act R.S.C., 1985, c. G-10	<u>PDF [</u> 776 KB]	
acts/F-2.01/index.html	Canada Haalth Act	,	

https://laws.justice.gc.ca/eng/acts/F-2.01/index.html

#### **Constitutional Documents**

Consolidation of Constitution Acts, 1867 to 1982

Consolidation of Constitution Acts, 1867 to 1982 (1990 Report version)

French Constitutional Drafting Committee (1990)

#### Laws

Consolidated Acts

Consolidated Regulations

**Annual Statutes** 

Statutes Repeal Act: Reports, Deferrals and Repeals

Miscellaneous Statute Law Amendment Program

Typographical and Grammatical Corrections

**New Layout** 

#### Canada Elections Act (S.C. 2000, c. 9)

Full Document: HTML (Accessibility Buttons available) | XML [2285 KB] | PDF [3756 KB]



otes: • See coming into force provision and notes, where applicable.

Shaded provisions are not in force. Help

Search within this Act:	Search	

### **Table of Contents**

- Canada Elections Act
  - 1 Short Title
  - 2 Interpretation
  - 3 PART 1 Electoral Rights
  - 13 PART 2 Chief Electoral Officer and Staff
    - 13 Chief Electoral Officer
    - 19 Staff
    - 21.1 Advisory Committee of Political Parties
  - 22 PART 3 Election Officers
    - 22 General
    - 23.2 Field Liaison Officers
    - 24 Returning Officers and Assistant Returning Officers
    - 32 Election Officers Appointed by Returning Officer
    - 40 <u>Equality of Votes</u>
    - 41 New Electoral Districts
    - 42 Merger of Registered Parties
    - 43 Prohibitions
  - 44 PART 4 Register of Electors and Register of Future Electors
    - 44 Maintenance and Communication
    - 46 Updates



- Locating Provincial & Federal statutes
  - Canadian Legal Information Institute (CanLII)
    - CanLII is a non-profit funded by lawyers
    - Free access to Canadian law (legislation and case law) at <a href="https://www.canlii.org">https://www.canlii.org</a>
    - An "unofficial" source of legislation

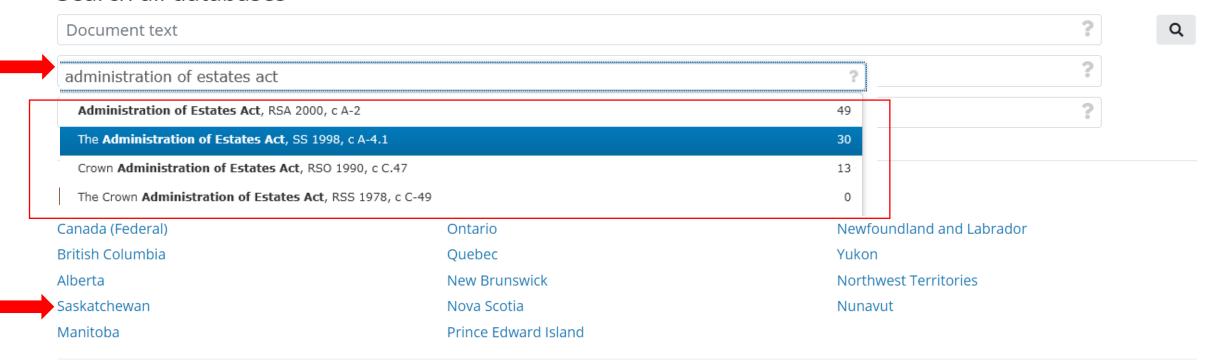


- Canadian Legal Information Institute (CanLII)
  - A complete collection of current Saskatchewan and Federal statutes.
  - Statutes can be located on CanLII:
    - With the legislative title
    - Browsed by province
    - The Administration of Estates Act, SS 1998, c A-4.1





#### Search all databases



#### Commentary

Books, articles, reports and more...

#### CanLII Connects

2021-07-07	Judicial Review: Da Silva v. M.N.R., 2010 TCC 235 (CanLII)
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2021-07-07	Right again: the Court of Appeal shuts down a prime + 5% interest clause: Tribute (Springwater) Limited v. Atif, 2021 ONCA 463 (CanLII)
2021-07-07	Unlifting Just Cause Case - GiVogue: GiVogue v International Union of Elevator Constructors, 2021 Canl II 56580 (AB PC)



#### Saskatchewan



Legislation 1	Continuous coverage	Last update	Number of documents
Consolidated Statutes	2022 -	2021-06-28	2,953
Regulations	2004 -	2021-07-03	1,576
Annual Statutes	1907 -	2021-07-03	9,921

#### Courts 1

SKCA	Court of Appeal for Saskatchewan	1979 -	2021-07-07	10,197
SKQB	Court of Queen's Bench for Saskatchewan	1981 -	2021-07-07	24,091
SKPC	Provincial Court of Saskatchewan	2001 -	2021-07-06	3,199
SKDC	Saskatchewan District Court	1907 -	2021-01-21	193
SKUFC	Saskatchewan Unified Family Court	1978 -	2020-05-14	93

#### Boards and Tribunals 1

Filter				
SKATMPA	Appeal Tribunal under the Medical Profession Act	1977 -	2014-06-27	3
SKAIA	Automobile Injury Appeal Commission	2003 -	2020-09-25	982
SKSEC	Financial and Consumer Affairs Authority of Saskatchewan	2008 -	2020-12-24	48

Q

CanLII

Find in document

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

#### In force

Administration of Estates Regulations, The, RRS c A-4.1 Reg 1

Administration of Estates Regulations, 2020, RRS c A-4.1 Reg 2

#### **Repealed or Spent**

Active Families Benefit Regulations, The, RRS c A-4.01 Reg 1

#### The Administration of

# Canada's Court System

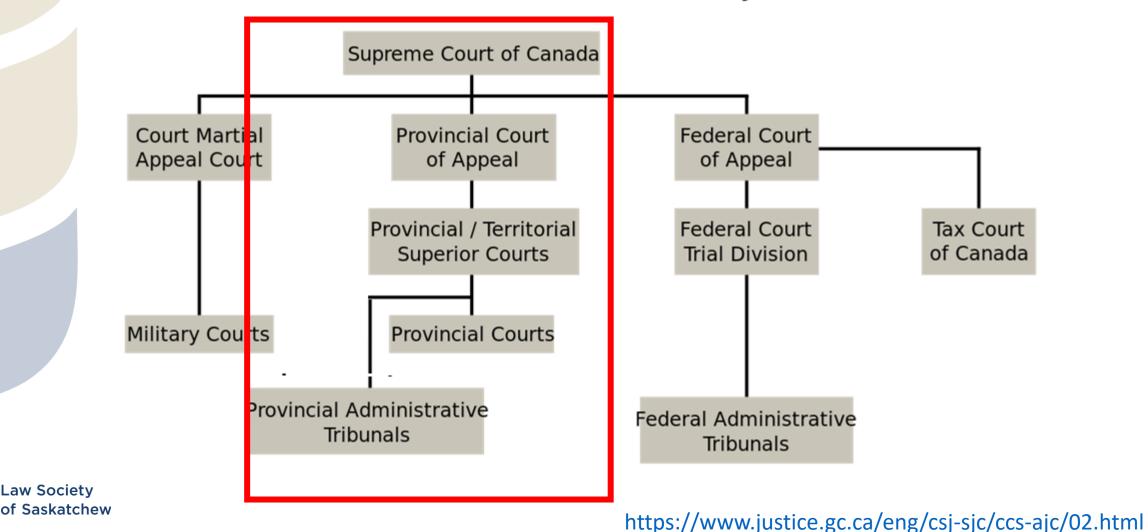




# Canada's Court System

Law Society

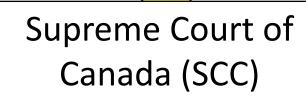
Outline of Canada's Court System



# Canada's Court System

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





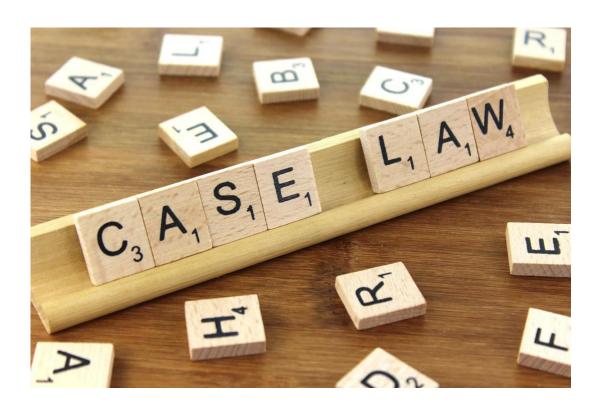
Saskatchewan Court of Appeal (SKCA)

Saskatchewan Court of Queen's Bench (SKQB)

Administrative Tribunals

Saskatchewan
Provincial Court (SKPC)







# Legal Citation

Case law citation: Neutral Citations





- Accessing case law
  - Free resources
    - CanLII.org
  - Commercial resources
    - Westlaw Next (Carswell)
    - Advanced Quicklaw (Lexis Nexis)
    - vLex Canada (vLex Justis)



- Canadian Legal Information Institute (CanLII)
  - Provides free access to Canadian law (cases and legislation at <u>www.canlii.org</u>
  - CanLII features a nearly complete coverage of Saskatchewan court cases from 1909 to date







#### Search all databases



#### Commentary

Books, articles, reports and more...

#### CanLII Connects

2021-07-07	Judicial Review: Da Silva v. M.N.R., 2010 TCC 235 (CanLII)
2021-07-07	Burrell v Burrell: AUDIO Recording: Burrell v. Burrell, 2021 ONSC 681 (CanLII)
2021-07-07	Right again: the Court of Appeal shuts down a prime + 5% interest clause: Tribute (Springwater) Limited v. Atif, 2021 ONCA 463 (CanLII)
2021-07-07	Unlifting Just Cause Case - GiVogue: GiVogue v International Union of Elevator Constructors, 2021 Capl II 56580 (AB PC)



# Search all databases Document text Case name, document title file number, author or citation Noteup/Discussion (sited ase names, legislation titles, citations or dockets ?

#### Primary law

Canada (Federal) Newfoundland and Labrador

British Columbia Quebec Yukon

Alberta New Brunswick Northwest Territories

Saskatchewan Nova Scotia Nunavut

Manitoba Prince Edward Island

#### Commentary

Books, articles, reports and more...

#### CanLII Connects

2021-07-07 Judicial Review: Da Silva v. M.N.R., 2010 TCC 235 (CanLII)

2021-07-07 Burrell v Burrell: AUDIO Recording: Burrell v. Burrell, 2021 ONSC 681 (CanLII)

2021-07-07 Right again: the Court of Appeal shuts down a prime + 5% interest clause: Tribute (Springwater) Limited v. Atif, 2021 ONCA 463 (CanLII)

2021-07-07 Uplifting Just Cause Case - GiVogue: GiVogue v International Union of Elevator Constructors, 2021 CanLII 56580 (AB PC)

- CanLII
  - Search Scenarios
    - Searching for a known case
    - Searching for administrative tribunal decisions
    - Searching for a case with a common name
    - Searching for case law that cites legislation



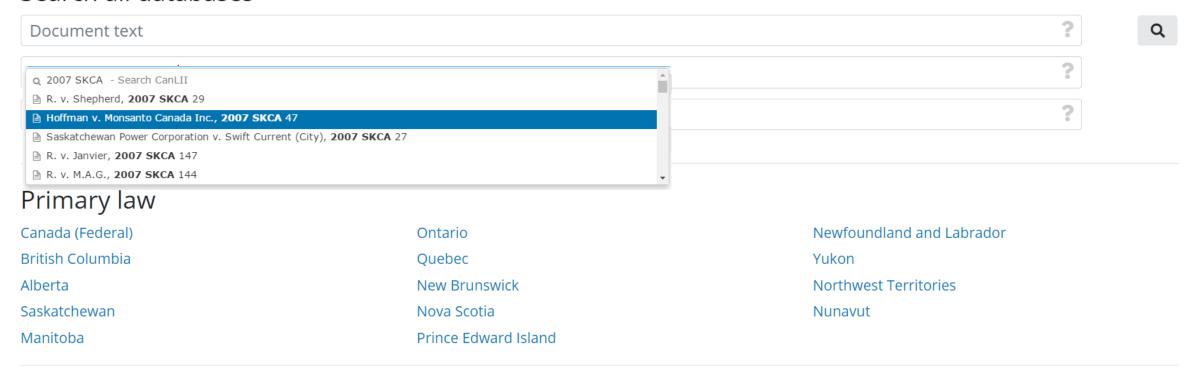
Keyword searching

- 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 all databases



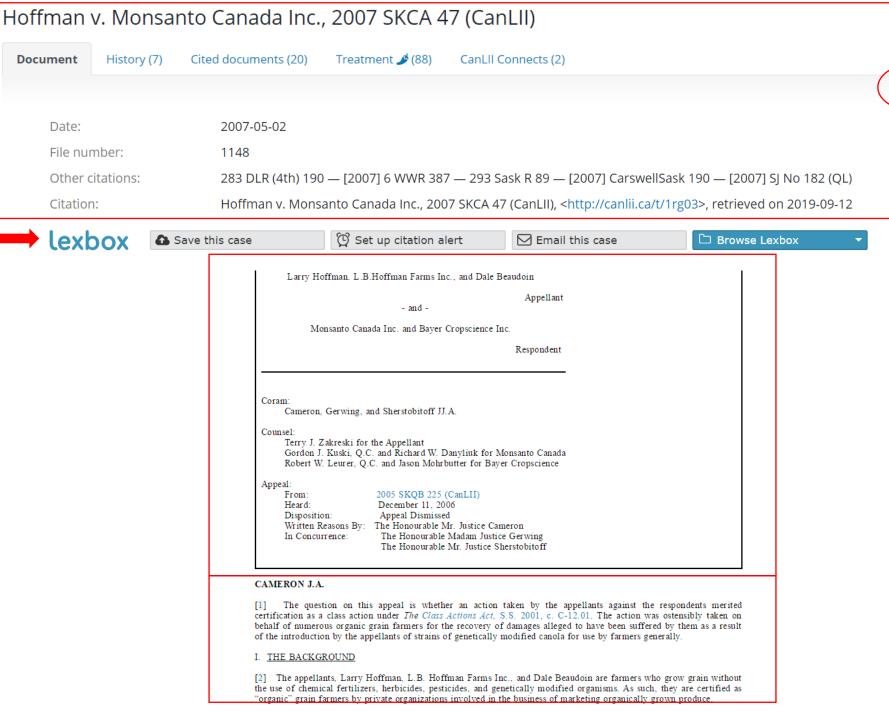
#### Commentary

Books, articles, reports and more...

CanLII Connects

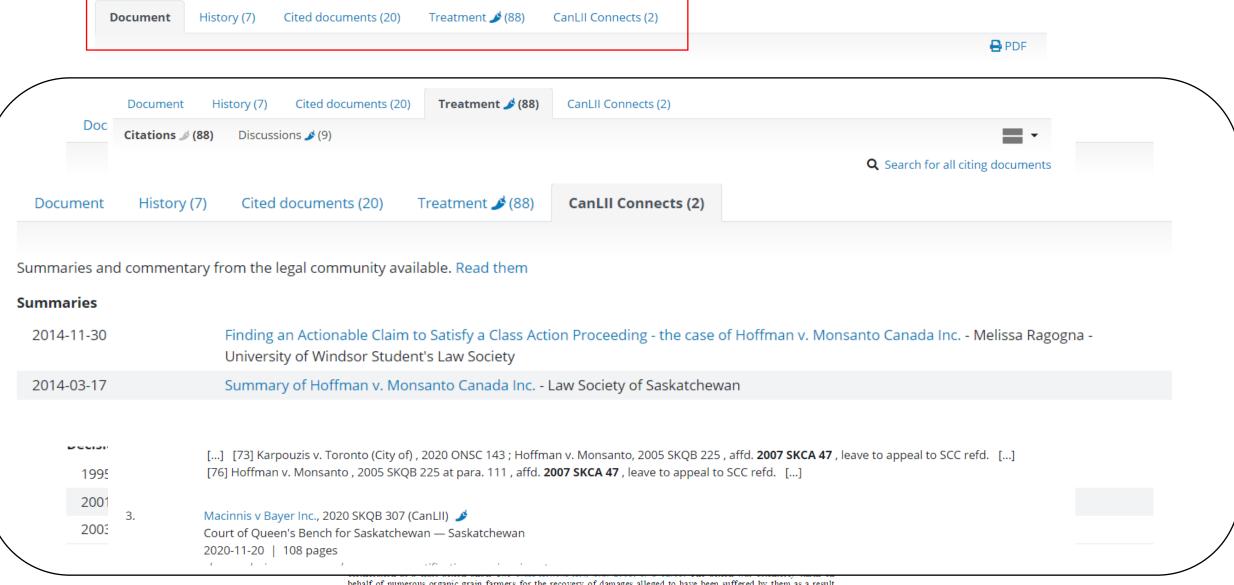
2021-07-07 Judicial Review: Da Silva v. M.N.R., 2010 TCC 235 (CanLII)

Quick Survey 🖒



🖶 PDF

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



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)





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content

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 displace a course of action. The Court can find no material error in her reasons, nor

by Law Society of Saskatchewan



# Researching Case Law

- CanLII
  - Searching for administrative tribunal decisions
    - CanLII provides access to a decisions from over twenty Saskatchewan tribunals
    - For example, the Office of Residential Tenancies, the Information and Privacy Commissioner, the Human Rights Tribunal, etc.





#### Search all databases

Document text

Case name, document title, file number, author or citation

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

#### Primary law

Canada (Federal) Newfoundland and Labrador Ontario

British Columbia Quebec Yukon

Alberta New Brunswick

**Northwest Territories** Saskatchewan Nova Scotia Nunavut

Prince Edward Island Manitoba

#### Commentary

Books, articles, reports and more...

CanLII Connects

2021-07-07 Judicial Review: Da Silva v. M.N.R., 2010 TCC 235 (CanLII)

Dismall & Dismall AllDIO December Dismall & Dismall 2021 ONCC C01 (Cont. II)





#### Boards and Tribunals 1

Filter				
SKATMPA	Appeal Tribunal under the Medical Profession Act	1977 -	2014-06-27	3
SKAIA	Automobile Injury Appeal Commission	2003 -	2020-09-25	982
SKSEC	Financial and Consumer Affairs Authority of Saskatchewan	2008 -	2020-12-24	48
SKIPC	Information and Privacy Commissioner	2004 -	2021-07-06	749
SKLA	Labour Arbitration Awards	N/A	2021-06-25	1,167
SKLSS	Law Society of Saskatchewan	2010 -	2020-10-05	92
SKAC	Saskatchewan Assessment Commission	2010 -	2014-10-23	1
SKFCA	Saskatchewan Board of Review under the Farmers' Creditors Arrangement Act, 1934	1907 -	2014-06-06	11
SKCPPDC	Saskatchewan College of Pharmacy Professionals	2015 -	2021-05-07	44
SKHRC	Saskatchewan Human Rights Commission	2009 -	2021-04-23	19
SKHRT	Saskatchewan Human Rights Tribunal	2006 -	2021-07-06	354
SKLRB	Saskatchewan Labour Relations Board	2008 -	2021-06-29	750
SKLGB	Saskatchewan Local Government Board	1922 -	2014-10-21	8
SKMT	Saskatchewan Master of Titles	1907 -	2014-11-04	48
SKMB	Saskatchewan Municipal Board	2013 -	2021-06-09	670
SKMBR	Saskatchewan Municipal Boards of Revision	2015 -	2020-02-20	40
SKORT	Saskatchewan Office of Residential Tenancies	2006 -	2021-06-28	6,711
SKPMB	Saskatchewan Provincial Mediation Board	2006 -	2017-03-22	Back to top7
SKREC	Saskatchewan Real Estate Commission	1998 -	2021-06-15	Quick Survey



#### Saskatchewan Office of Residential Tenancies - Saskatchewan

Document text

Case name, citation or docket

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

?

#### About this database

Continuous coverage 2006-01-01 to present

Total number of decisions 6,835

Last update 2021-07-12

Official website

#### Access by date

Choose a year...

#### Recent decisions

2021-07-09	Duff v Andres, 2021 SKORT 1855 (CanLII)	
2021-07-09	Dauk Developments Ltd. v Smarch, 2021 SKORT 1854 (CanLII)	
2021-07-09	Menke Holdings Ltd. v Larson, 2021 SKORT 1853 (CanLII)	
2021-07-09	Kachur v Tetz, 2021 SKORT 1852 (CanLII)	
2021-07-09	Webb v Brooks, 2021 SKORT 1851 (CanLII)	
2021-07-09	Pyramid Property Mgt. v Mortensen, 2021 SKORT 1850 (CanLII)	Quick Survey 🖒

#### Duff v Andres, 2021 SKORT 1855 (CanLII)

**Document** History (0) Cited documents (0) Treatment (0) CanLII Connects (0)

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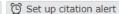
Date: 2021-07-09

File number: 213008; 213016; 214084

Citation: Duff v Andres, 2021 SKORT 1855 (CanLII), <a href="https://canlii.ca/t/jgw0f">https://canlii.ca/t/jgw0f</a>, retrieved on 2021-07-14









☐ Browse Lexbox

### OFFICE OF RESIDENTIAL TENANCIES SASKATCHEWAN

File #213016, 213008, 214084

Citation: Duff v Andres, 2021 SKORT 1855

Date: 7/9/2021 Hearing Officer: K. Petrescue Judicial Centre: Saskatoon

BETWEEN:

Meghan Duff aka Anison Duff

LANDLORD

- and -

Arlene Andres and Eldon Andres

TENANT

#### Appearing:

Meghan Duff self-represented Arlene Andres and Eldon Andres self-represented

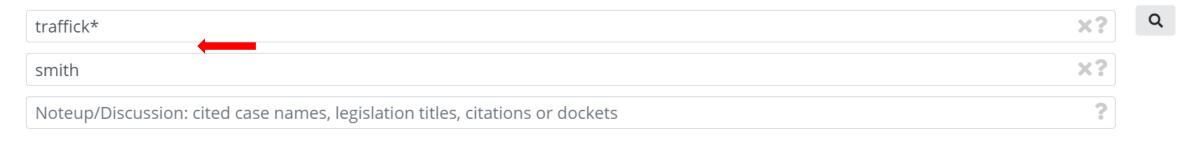
#### NATURE OF APPLICATION AND ONUS:

- 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 all databases



#### Primary law

Canada (Federal) Ontario Newfoundland and Labrador

British Columbia Quebec Yukon

Alberta New Brunswick Northwest Territories

Saskatchewan Nova Scotia Nunavut

Manitoba Prince Edward Island

#### Commentary

Books, articles, reports and more...

CanLII Connects

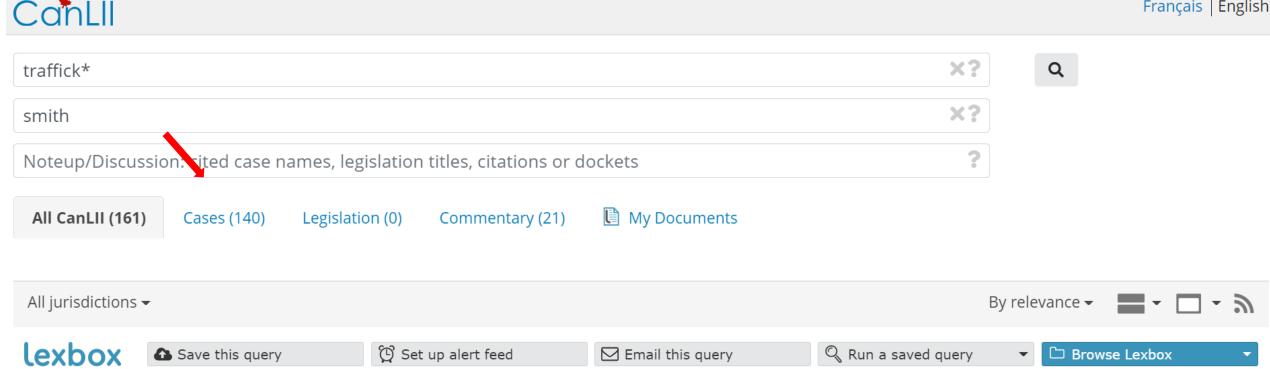
2021 07 07

2021-07-07 Judicial Review: Da Silva v. M.N.R., 2010 TCC 235 (CanLII)

Dismall & Dismall, AUDIO Decording Dismall & Dismall 2024 ONCC 694 (Cont. II)



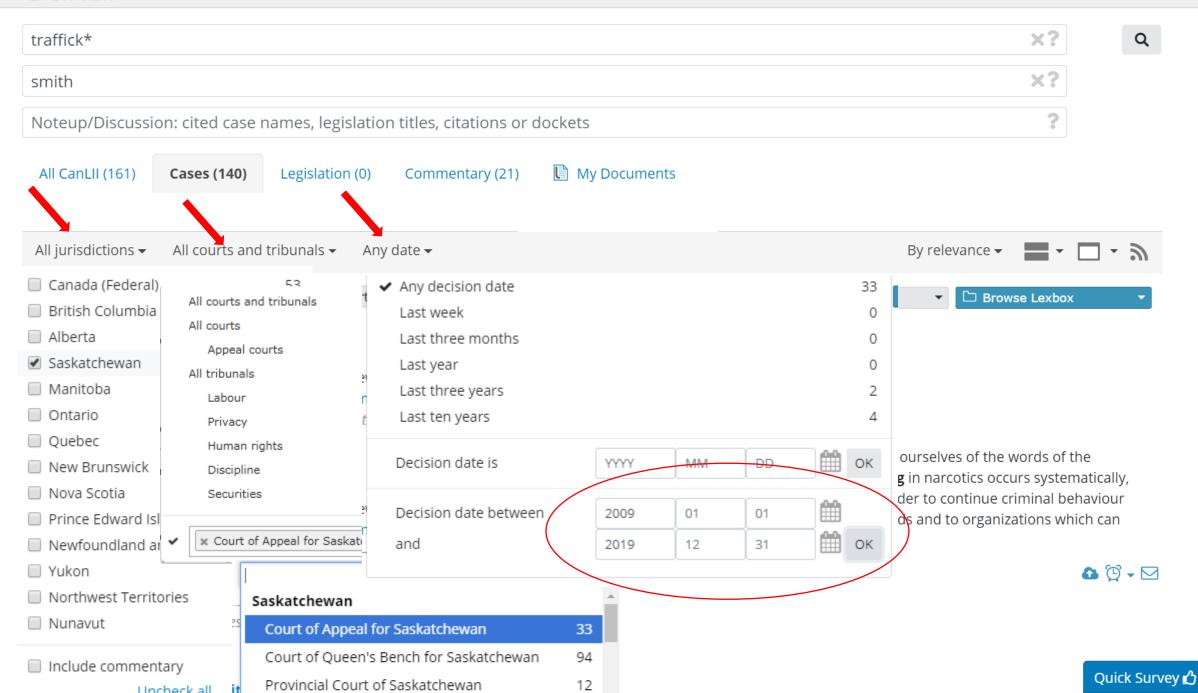




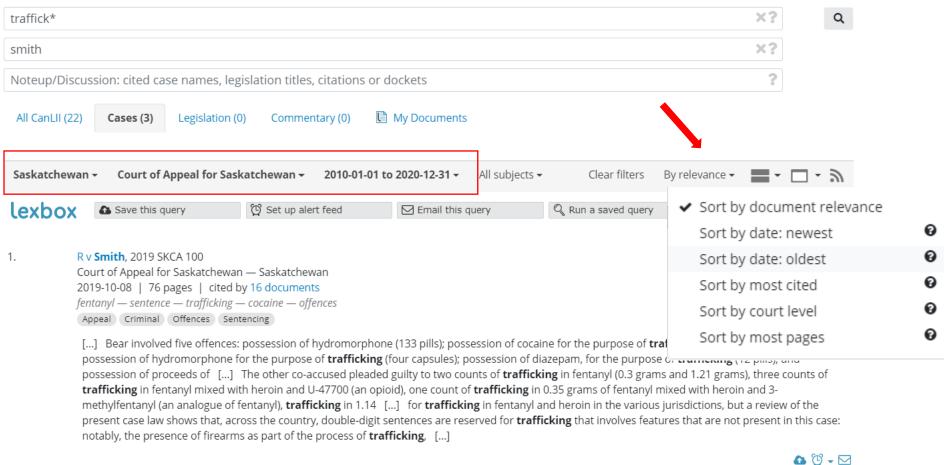
- R. v. Smith, 2003 ABQB 714 Court of Queen's Bench — Alberta 2003-08-15 | 22 pages | cited by 9 documents bail — co-accused — detention — jail — custody
  - [...] [27] Moreover, in accepting that a reverse onus applied to Mr. Smith at the original hearing, it is useful to remind ourselves of the words of the Supreme Court of Canada in Pearson when it sanctioned a reverse onus on bail for drug **traffickers**: [...] Trafficking in narcotics occurs systematically, usually within a highly sophisticated and lucrative [page669] commercial setting, creating huge incentives for an offender to continue criminal behaviour even after arrest and release on bail. [...] Drug importers and **traffickers** have access both to a large amount of funds and to organizations which can assist in a flight from justice. [...]











2. R v Smith, 2017 SKCA 81

> Court of Appeal for Saskatchewan — Saskatchewan 2017-09-28 | 53 pages | cited by 8 documents wit — criminal organization — guilty pleas — plea — police agent Appeal Conviction Criminal Offences Practice and procedure

[...] 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. [...]

- 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
    - How many times has section 14 of been considered in the court?



Q

Find in document

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



Home > Saskatchewan > Consolidated Statutes > SS 1998, c A-4.1

Français | English

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

Document

Versions (7)

Regulations (3)

Amendments (8)

Citations (99)

1. Picketts v Picketts Estate, 2017 SKQB 93 (CanLII)

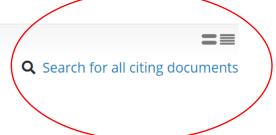
Court of Queen's Bench for Saskatchewan — Saskatchewan

2017-03-29 | 12 pages | cited by 1 document

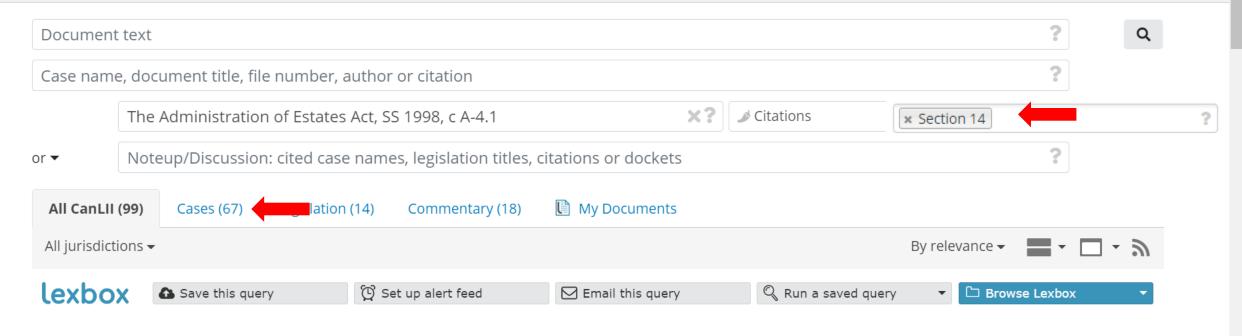
estate — administrator — deceased — probate — death

Wills and estates

[...] The daughters in part 1 seek an order appointing one of them, Anne Summach, as interim administrator of the estate pursuant to **s. 17(1)** of The **Administration of Estates Act, SS 1998, c A-4.1** [Act ]. [...] Application pursuant to **section 17(1)** of the **Act** to appoint Anne Summach as an interim administrator of the estate. [...] **Section 19** of the **Act** is the more appropriate section on which to proceed. [...]







1. Picketts v Picketts Estate, 2017 SKQB 93 (CanLII)
Court of Queen's Bench for Saskatchewan — Saskatchewan
2017-03-29 | 12 pages | cited by 1 document
estate — administrator — deceased — probate — death
Wills and estates

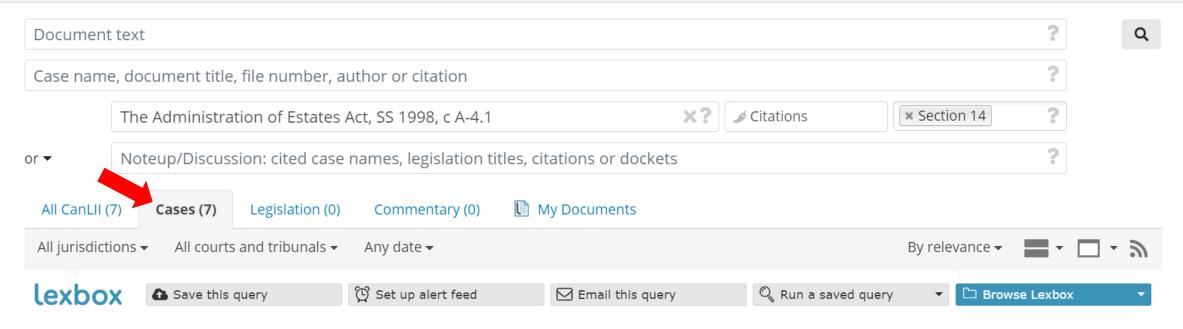
[...] The daughters in part 1 seek an order appointing one of them, Anne Summach, as interim administrator of the estate pursuant to **s. 17(1)** of The **Administration of Estates Act, SS 1998, c A-4.1** [Act ]. [...] Application pursuant to **section 17(1)** of the **Act** to appoint Anne Summach as an interim administrator of the estate. [...] **Section 19** of the **Act** is the more appropriate section on which to proceed. [...]



2. The Statute Law Amendment Act, 2015 (No. 2), SS 2015, c 22
Annual Statutes of Saskatchewan — Saskatchewan
8 pages | cited by 12 documents

Outels Comment A





1. Neumann v Neumann, 2016 SKQB 55 (CanLII)

Court of Queen's Bench for Saskatchewan — Saskatchewan

2016-02-18 | 16 pages | cited by 3 documents

estate — executor — administrator — death — probate

Interpretation Wills and estates

[...] Walter cites **s. 14** of The Administration of Estates Act, SS 1998, c A-4.1 [Act ] and Rule 16-44 of The Queen's Bench Rules. [...] Rule 16-44 of The Queen's Bench Rules and **s. 14** of the Act contemplate that an executor should reasonably be expected to apply for Letters Probate within 60 days, not seven years, after a testator's death. [...] [33] Based on the entirety of the circumstances placed before me, considered within the principles of **s. 14** and s. 17 of the Act and the inherent jurisdiction of the court, I order as follows, in OB 284 of 2012: [...]



2. Hagel v. Lacoursiere, 2005 SKQB 410 (CanLII)

Court of Queen's Bench for Saskatchewan — Saskatchewan

2005-09-29 | 9 pages | cited by 2 documents

nrobate \_\_ executors \_\_ estate \_\_ codicil \_\_ beneficiaries

Quick Survey 🖒

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





França

#### Search



pet /p sheep

Case name, legislation title, citation or docket

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

#### Browse

Canada (Federal)

Ontario

British Columbia Alberta

Quebec

Saskatchewan

Manitoba

New Brunswick

Nova Scotia

Prince Edward Island

Newfoundland and Labrador

Yukon

Northwest Territories

Nunavut

#### Commentary

Books, articles, reports and more...

pet /p sheep

Case name, do

Noteup: cited

All CanLII (4)

Saskatchewar

#### 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.



# Thank you!

Email: alan.Kilpatrick@lawsociety.sk.ca

Twitter: @Alan\_Kilpat

• Phone: 306-569-8020



• (1) Your turn:

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

- Can you locate this bill from the current Provincial session?
  - A strategy for suicide prevention,
    - 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?



- (2) Your turn: <a href="https://www.parl.ca/legisinfo">https://www.parl.ca/legisinfo</a>
  - Can you locate this bill from the most recent Federal session?
    - Bill C-33
      - What is its full name?
      - When did it pass first reading in the senate?
      - Has it come into force?



- (3) Your turn: <a href="http://www.publications.gov.sk.ca/freelaw/">http://www.publications.gov.sk.ca/freelaw/</a>
  - Can you locate this Provincial statute?
    - The All-Terrain Vehicles Act, SS 1988-89, c A 18.02
      - Does it have any regulations?
      - What doesn't the definition of all-terrain vehicle include?



- (4) Your turn:
- https://laws-lois.justice.gc.ca/eng/
  - Can you locate this Federal statute?
    - Criminal Code, RSC 1985, C-46
      - What does section 365 address?



- (5) Your turn:
  - Can you identify these case law citations?

R v Lewko, 2002 SKCA 121 Reiter v Powell, 2016 SKQB 100 R v A.M., 2019 SKPC 46 R v Verma, 2019 BCCA 313



Who is the plantiff? Where did they take place at?

- (6) Your turn: <a href="https://www.canlii.org">https://www.canlii.org</a>
  - 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 case that cites Frank v Linn?
      - Any content available on CanLII Connects?



- (7) Your turn: <a href="https://www.canlii.org">https://www.canlii.org</a>
  - 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



• (8) Your turn: <a href="https://www.canlii.org">https://www.canlii.org</a>



- 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?

