

TABLE OF CONTENTS

Preface	ix
Table of Cases	xi
Introduction	1

CROWN LIABILITY AND PROCEEDINGS ACT

SHORT TITLE

1 Short title	8
---------------------	---

INTERPRETATION

2 Definitions	8
2.1 Definition of “person”	11

PART I — LIABILITY

Liability and Civil Salvage

3 Liability	12
4 Motor vehicles	69
5 Civil salvage	70
6 [Repealed 2001, c. 6, s. 113.]	
7 Limitation period for salvage proceedings	70
8 Saving in respect of prerogative and statutory powers	71

Special Provisions respecting Liability

9 No proceedings lie where pension payable	74
10 Liability for acts of servants	81
11 Motor vehicles	126
12 [Repealed 1999, c. 31, s. 70.]	

Property

13 Application of subparagraphs 3(a)(ii) and (b)(ii)	127
--	-----

Proceedings in rem

14 Proceedings in rem	128
15 [Repealed 1990, c. 8, s. 24.]	

Invasion of Privacy

16 Definitions	130
17 Crown liable for interception	131
18 Crown liable for disclosure	133
18.1 Consent to interception	136
19 No punitive damages	137
20 Indemnity	137

Environmental and Labour Cooperation Treaties

20.1 Definitions	138
------------------------	-----

Table of Contents

20.2	Panel determination may be made an order of the Federal Court	141
20.3	Enforcement proceedings	141
20.4	Determinations, orders and decisions are final	142
PART II — PROCEEDINGS		
<i>Jurisdiction</i>		
21	Concurrent jurisdiction of provincial court	143
22	Declaration of rights	150
<i>Procedure</i>		
23	Taking of proceedings against Crown	173
24	Defences	176
25	No judgment by default without leave	178
26	No jury trials	180
27	Rules of court	182
<i>Costs</i>		
28	Costs	183
<i>Execution of Judgment</i>		
29	No execution against Crown	185
30	Payment of judgment	186
<i>Interest</i>		
31	Prejudgment interest, cause of action within province	189
31.1	Judgment interest, causes of action within province	193
<i>Tenders</i>		
31.2	Tenders	194
<i>Prescription and Limitation</i>		
32	Provincial laws applicable	195
<i>Application of Statutes to the Crown</i>		
33	Application of statutes to Crown	214
<i>Regulations</i>		
34	Regulations	222
<i>Agencies and Servants of the Crown</i>		
35	Proceedings against Crown agencies	223
36	Status of Canadian Forces and R.C.M.P.	234
SCHEDULE [1]		
		245

CROWN LIABILITY AND PROCEEDINGS (PROVINCIAL COURT) REGULATIONS

SHORT TITLE

1	248
---	-----------	-----

INTERPRETATION

2	249
---	-----------	-----

Table of Contents

	APPLICATION	
3	.....	249
	SERVICE OF DOCUMENTS	
4	.....	250
	FILING OF DEFENCE OR REPLY AND COUNTERCLAIM	
5	.....	255
	JUDGMENT OR ORDER	
6	.....	256
	EXAMINATION FOR DISCOVERY	
7	.....	258
	FILE LIST OF DOCUMENTS	
8	.....	263
	CONFESION OF JUDGMENT	
9	.....	265
	GENERAL	
10	.....	267
11	.....	267
12	.....	268
Index	.....	269