PART I SUPREME COURT

SUPREME COURT ACT

- 1 Definitions
- 2 Supreme Court of British Columbia
- 2.1 Powers of Chief Justice
- 3 Powers and privileges
 - § SCA3:1 Section 3(1) Powers and Privileges
 - § SCA3:2 Section 3(2) The Court
- 4 Precedence
- 4.1 [Repealed. 2018, c. 36, s. 11.]
- 5 [Repealed. 2018, c. 36, s. 11.]
- 6 Powers after leaving office—judges
 - § SCA6:1 Section 6(1) Powers After Leaving Office
- 7 Seal
- 8 Judicial districts
- 9 Jurisdiction and sittings
 - § SCA9:1 Section 9 Jurisdiction and Sittings
- 10 Repealed
- 11 Appointment of associate judges
- 11.1 Associate judges electing senior status
- 11.2 Term of office of associate judge
- 11.3 Duties and powers of associate judge
 - § SCA11.3:1 Section 11.3 Duties and Powers of Associate Judge
- 11.4 Powers after leaving office—associate judges
- 12 Pensions for associate judges
- 12.1 Pension for senior associate judges
- 13 Registrars
 - § SCA13:1 Section 13(2) Registrars
- 14 Trial and subsequent proceedings
 - § SCA14:1 Section 14 Trial and Subsequent Proceedings
- 15 Transfer to Provincial Court
 - § SCA15:1 Section 15 Transfer to Provincial Court
- 16 Power to reserve decision
 - § SCA16:1 Section 16 Power to Reserve Decision
- 17 Issues may be submitted to jury
- 18 Vexatious proceedings
 - § SCA18:1 Section 18 Vexatious Proceedings
- 18.1 Court administration

SUPREME COURT CIVIL RULES

PART 1 INTERPRETATION

- RULE 1-1 INTERPRETATION
 - § SCCR1-1:1 Rule 1-1(1) Definitions
- RULE 1-2 CITATION AND APPLICATION
 - § SCCR1-2:1 Rule 1-2 Citation and Application
 - § SCCR1-2:2 Rule 1-2(2) Application
 - § SCCR1-2:3 Rule 1-2(3) Waiver of Rule by Agreement
 - § SCCR1-2:4 Rule 1-2(4) Petitions and Applications
- RULE 1-3 OBJECT OF RULES
 - § SCCR1-3:1 Rule 1-3 Object of Rules
 - § SCCR1-3:2 Rule 1-3(2) Proportionality

PART 2 HOW TO MAKE A CLAIM

- RULE 2-1 CHOOSING THE CORRECT FORM OF PROCEEDING
 - § SCCR2-1:1 Rule 2-1(1) Commencing Proceedings by Notice of Civil Claim
 - § SCCR2-1:2 Rule 2-1(2) Commencing Proceedings by Petition or Requisition
 - § SCCR2-1:3 Rule 2-1(2)(c) Idem
 - § SCCR2-1:4 Rule 2-1(2)(d) Idem
- RULE 2-2 TRIBUNAL AWARDS

PART 3 PROCEEDINGS STARTED BY FILING A NOTICE OF CIVIL CLAIM

- RULE 3-1 NOTICE OF CIVIL CLAIM
 - § SCCR3-1:1 Rule 3-1 Notice of Civil Claim
 - § SCCR3-1:2 Rule 3-1(1) Notice of Civil Claim
 - § SCCR3-1:3 Rule 3-1(2) Contents of Notice of Civil Claim
 - § SCCR3-1:4 Rule 3-1(2)(a) Idem
 - § SCCR3-1:5 Rule 3-1(2)(c) Idem
- RULE 3-2 SERVING AND RENEWING THE NOTICE OF CIVIL CLAIM
 - § SCCR3-2:1 Rule 3-2(1) Renewal of Original Notice of Civil Claim
 - § SCCR3-2:2 Rule 3-2(1) and (3) Renewal of Original Notice of Civil Claim
 - § SCCR3-2:3 Rule 3-2(2) and (3) Further Renewal of Notice of Civil Claim
- RULE 3-3 RESPONDING TO A NOTICE OF CIVIL CLAIM
 - § SCCR3-3:1 Rule 3-3(2) Contents of Response to Civil Claim
 - § SCCR3-3:2 Rule 3-3(2)(a) Idem
 - § SCCR3-3:3 Rule 3-3(2)(a)(ii) Idem
 - § SCCR3-3:4 Rule 3-3(3) Period for Filing Response to Civil Claim
- RULE 3-4 COUNTERCLAIM
 - § SCCR3-4:1 Rule 3-4(1) Counterclaim
 - § SCCR3-4:2 Rule 3-4(2) Counterclaim Against Another Person
 - § SCCR3-4:3 Rule 3-4(7.1) Separate Trial of Counterclaim
- RULE 3-5 THIRD PARTY CLAIMS
 - § SCCR3-5:1 Rule 3-5 Third Party Claims
 - § SCCR3-5:2 Rule 3-5(1) Making a Third Party Claim

```
§ SCCR3-5:3
                 Rule 3-5(1)(c) Idem
  § SCCR3-5:4
                 Rule 3-5(4)(a) When Leave is Required
  § SCCR3-5:5
                 Rule 3-5(4)(b) Idem
  § SCCR3-5:6
                 Rule 3-5(6) Application for Leave
  § SCCR3-5:7
                 Rule 3-5(8) Application to Set Aside Third Party Notice
  § SCCR3-5:8
                 Rule 3-5(12) Response to Civil Claim
  § SCCR3-5:9
                 Rule 3-5(13) Application for Directions
  § SCCR3-5:10 Rule 3-5(14) Powers of Court
  § SCCR3-5:11 Rule 3-5(15) Third Party Issues
RULE 3-6 REPLY
  § SCCR3-6:1 Rule 3-6 Reply
  § SCCR3-6:2 Rule 3-6(1) Service of Reply
  § SCCR3-6:3 Rule 3-6(2) Pleading Subsequent to Reply
RULE 3-7 PLEADINGS GENERALLY
  § SCCR3-7:1 Rule 3-7 Pleadings Generally
  § SCCR3-7:2 Rule 3-7(1) Pleading Must Not Contain Evidence
                 Rule 3-7(2) Documents and Conversations
  § SCCR3-7:3
  § SCCR3-7:4
                 Rule 3-7(3) When Presumed Facts Need Not Be Pleaded
  § SCCR3-7:5
                 Rule 3-7(6) Inconsistent Allegations
  § SCCR3-7:6
                 Rule 3-7(9) Pleading Conclusions of Law
  § SCCR3-7:7
                 Rule 3-7(10) Status Admitted
  § SCCR3-7:8 Rule 3-7(11) Set-off or Counterclaim
  § SCCR3-7:9 Rule 3-7(12) Pleading After the Notice of Civil Claim
  § SCCR3-7:10 Rule 3-7(14) General Damages Must Not Be Pleaded
  § SCCR3-7:11 Rule 3-7(15) Substance to be Answered
  § SCCR3-7:12 Rule 3-7(17) Allegation of Malice
  § SCCR3-7:13 Rule 3-7(18) When Particulars Necessary
  § SCCR3-7:14 Rule 3-7(21) Particulars in Libel or Slander
  § SCCR3-7:15 Rule 3-7(21)(b) Idem
  § SCCR3-7:16 Rule 3-7(22) Order for Particulars
  § SCCR3-7:17 Rule 3-7(23) Demand for Particulars
RULE 3-8 DEFAULT JUDGMENT
  § SCCR3-8:1 Rule 3-8 Default Judgment
  § SCCR3-8:2 Rule 3-8(1) Default in Filing and Serving a Response to Civil
                  Claim
  § SCCR3-8:3 Rule 3-8(2) Filings Required
  § SCCR3-8:4 Rule 3-8(2)(a) Idem
  § SCCR3-8:5 Rule 3-8(3) Claim for Specified or Ascertainable Amount
  § SCCR3-8:6 Rule 3-8(10) Default by One of Several Defendants
  § SCCR3-8:7 Rule 3-8(11) Court May Set Aside or Vary Default Judgment
  § SCCR3-8:8 Rule 3-8(12) Method of Assessment
  § SCCR3-8:9 Rule 3-8(13) Alternative Methods of Assessment
```

PART 4 SERVICE

RULE 4-1 ADDRESS FOR SERVICE

§ SCCR4-1:1 Rule 4-1(1) Party Must Have Address for Service RULE 4-2 ORDINARY SERVICE

- § SCCR4-2:1 Rule 4-2(1) Documents Normally to be Served by Ordinary Service
- § SCCR4-2:2 Rule 4-2(1) and (2) Ordinary Service
- § SCCR4-2:3 Rule 4-2(2) How to Serve Documents by Ordinary Service
- § SCCR4-2:4 Rule 4-2(7) If No Address for Service Given

RULE 4-3 PERSONAL SERVICE

- § SCCR4-3:1 Rule 4-3(2) How to Serve Documents by Personal Service
- § SCCR4-3:2 Rule 4-3(2)(b) Idem
- § SCCR4-3:3 Rule 4-3(8) Date of Deemed Service

RULE 4-4 ALTERNATIVE METHODS OF SERVICE

- § SCCR4-4:1 Rule 4-4 Alternative Methods of Service
- § SCCR4-4:2 Rule 4-4(1) Alternative Service Methods
- § SCCR4-4:3 Rule 4-4(2) If an Alternative Service Method is Permitted

RULE 4-5 SERVICE OUTSIDE BRITISH COLUMBIA

- § SCCR4-5:4 Rule 4-5(1) Service Outside British Columbia Without Leave
- § SCCR4-5:5 Rule 4-5(2) Required Endorsement
- § SCCR4-5:6 Rule 4-5(3) Application for Leave to Serve Outside the Jurisdiction
- § SCCR4-5:7 Rule 4-5(10) Manner of Service Abroad

RULE 4-6 PROVING SERVICE

- § SCCR4-6:1 Rule 4-6(4) Admissibility of Other Evidence of Service RULE 4-7 RELIEF
 - § SCCR4-7:1 Rule 4-7 Relief

PART 5 CASE PLANNING

- RULE 5-1 REQUESTING A CASE PLANNING CONFERENCE
- RULE 5-2 CONDUCT OF CASE PLANNING CONFERENCE
- § SCCR5-2:1 Rule 5-2(7) Proceedings Must be Recorded

RULE 5-3 CASE PLANNING CONFERENCE ORDERS

- § SCCR5-3:1 Rule 5-3(1) Orders
- § SCCR5-3:2 Rule 5-3(1)(f) Idem
- § SCCR5-3:3 Rule 5-3(1)(k)(i) Idem
- § SCCR5-3:4 Rule 5-3(2) Prohibited Orders
- RULE 5-4 [Repealed. B.C. Reg. 321/2021, Sch. 1, s. 4]

PART 6 AMENDMENT OF PLEADINGS AND CHANGE OF PARTIES

RULE 6-1 AMENDMENT OF PLEADINGS

- § SCCR6-1:1 Rule 6-1 Amendment of Pleadings
- § SCCR6-1:2 Rule 6-1(1) When Pleadings May be Amended
- § SCCR6-1:3 Rule 6-1(1)(a) Idem
- § SCCR6-1:4 Rule 6-1(5) Response of a Party to Amended Document
- § SCCR6-1:5 Rule 6-1(8) Amendment at Trial

RULE 6-2 CHANGE OF PARTIES

- § SCCR6-2:1 Rule 6-2 Change of Parties
- § SCCR6-2:2 Rule 6-2(1) Party Ceasing to Exist
- § SCCR6-2:3 Rule 6-2(2) Effect of Death
- § SCCR6-2:4 Rule 6-2(3) Assignment or Conveyance of Interest

§ SCCR6-2:5 Rule 6-2(4) Change or Transmission of Interest or Liability
 § SCCR6-2:6 Rule 6-2(5) Prosecution of Action if Plaintiff or Petitioner Dies
 § SCCR6-2:7 Rule 6-2(7) Adding, Removing or Substituting Parties by Order
 § SCCR6-2:8 Rule 6-2(7)(a) Idem
 § SCCR6-2:9 Rule 6-2(7)(b) Idem
 § SCCR6-2:10 Rule 6-2(7)(c) Idem
 § SCCR6-2:11 Rule 6-2(9.1) Application Without Notice

PART 7 PROCEDURES FOR ASCERTAINING FACTS

```
RULE 7-1 DISCOVERY AND INSPECTION OF DOCUMENTS
  § SCCR7-1:1
                 Rule 7-1 Discovery and Inspection of Documents
  § SCCR7-1:2
                 Rule 7-1(1) List of Documents
  § SCCR7-1:3
                 Rule 7-1(2) Documents to be Enumerated
                 Rule 7-1(3) Insurance Policy
  § SCCR7-1:4
  § SCCR7-1:5
                 Rule 7-1(6) Claim for Privilege
                 Rule 7-1(7) Nature of Privileged Documents to be Described
  § SCCR7-1:6
  § SCCR7-1:7
                 Rule 7-1(8) Affidavit Verifying List of Documents
  § SCCR7-1:8
                 Rule 7-1(9) Supplementary List of Documents
  § SCCR7-1:9
                 Rule 7-1(10) Party May Demand Documents Required
                   under this Rule
  § SCCR7-1:10 Rule 7-1(11) Party May Demand Additional Documents
  § SCCR7-1:11 Rule 7-1(12) Response to Demand for Documents
  § SCCR7-1:12 Rule 7-1(13) Application for Production of Documents
  § SCCR7-1:13 Rule 7-1(14) Court May Alter Requirements
  § SCCR7-1:14 Rule 7-1(16) Copies of Documents
  § SCCR7-1:15 Rule 7-1(17) Order to Produce Document
  § SCCR7-1:16 Rule 7-1(18) Documents Not in Possession of Party
  § SCCR7-1:17 Rule 7-1(19) Order by Consent
  § SCCR7-1:18 Rule 7-1(20) Inspection of Document by Court
  § SCCR7-1:19 Rule 7-1(21) Party May Not Use Document
  § SCCR7-1:20 Rule 7-1(22) Determination of Issue Before Discovery
RULE 7-2 EXAMINATIONS FOR DISCOVERY
  § SCCR7-2:1
                 Rule 7-2 Examination for Discovery
  § SCCR7-2:2
                 Rule 7-2(1) Examination of Parties
                 Rule 7-2(2) Limitations
  § SCCR7-2:3
                 Rule 7-2(3) Considerations of the Court
  § SCCR7-2:4
  § SCCR7-2:5
                 Rule 7-2(3)(a) Idem
  § SCCR7-2:6
                 Rule 7-2(3)(d) Idem
                 Rule 7-2(5) Examination of a Party that is Not an
  § SCCR7-2:7
                   Individual
  § SCCR7-2:8
                 Rule 7-2(5)(b) Idem
  § SCCR7-2:9
                 Rule 7-2(5)(c) Idem
  § SCCR7-2:10 Rule 7-2(6) Examination of Person for Whose Benefit Action
                   Brought
  § SCCR7-2:11 Rule 7-2(7) Examination of Assignor
```

§ SCCR7-2:12 Rule 7-2(8) Examination of Guardian and Infants

```
§ SCCR7-2:13 Rule 7-2(9) Examination of Mentally Incompetent Person
  § SCCR7-2:14 Rule 7-2(11) Place
  § SCCR7-2:15 Rule 7-2(13) Service of Notice
  § SCCR7-2:16 Rule 7-2(16) Production of Documents
  § SCCR7-2:17 Rule 7-2(17) Examination and Re-Examination
  § SCCR7-2:18 Rule 7-2(18) Scope of Examination
  § SCCR7-2:19 Rule 7-2(22) Person Must Inform Self
  § SCCR7-2:20 Rule 7-2(23) Response May Be Provided by Letter
  § SCCR7-2:21 Rule 7-2(25) Objections
  § SCCR7-2:22 Rule 7-2(26) How Recorded
  § SCCR7-2:23 Rule 7-2(27) and (28) Application to Persons Outside British
                   Columbia
RULE 7-3 DISCOVERY BY INTERROGATORIES
  § SCCR7-3:1 Rule 7-3 Discovery by Interrogatories
  § SCCR7-3:2 Rule 7-3(1) Party May Serve Interrogatories by Consent or
                  with Leave
  § SCCR7-3:3 Rule 7-3(2) If a Party is a Body of Persons
  § SCCR7-3:4 Rule 7-3(3) Powers of Court
  § SCCR7-3:5 Rule 7-3(4) Timing of Answer to Interrogatories
  § SCCR7-3:6 Rule 7-3(6) Objection to Answer Interrogatory
  § SCCR7-3:7 Rule 7-3(7) Insufficient Answer to Interrogatory
  § SCCR7-3:8 Rule 7-3(8) Application to Strike Out Interrogatory
RULE 7-4 [Repealed. B.C. Reg. 149/2022, Sch. 1, s. 2]
   § SCCR7-4:1 Rule 7-4 Witness Lists
RULE 7-5 PRE-TRIAL EXAMINATION OF WITNESS
  § SCCR7-5:1 Rule 7-5 Pre-Trial Examination of Witness
  § SCCR7-5:2 Rule 7-5(1) Order for Examination
  § SCCR7-5:3 Rule 7-5(2) Expert
  § SCCR7-5:4 Rule 7-5(3) Affidavit in Support of Application
  § SCCR7-5:5 Rule 7-5(3)(b) Idem
  § SCCR7-5:6 Rule 7-5(3)(c) Idem
  § SCCR7-5:7 Rule 7-5(4) Application Procedure
   § SCCR7-5:8 Rule 7-5(8) Mode of Examination
RULE 7-6 PHYSICAL EXAMINATION AND INSPECTION
  § SCCR7-6:1 Rule 7-6 Physical Examination and Inspection
  § SCCR7-6:2 Rule 7-6(1) Order for Medical Examination
  § SCCR7-6:3 Rule 7-6(1)(a) Idem
  § SCCR7-6:4 Rule 7-6(2) Subsequent Examinations
  § SCCR7-6:5 Rule 7-6(3) Questions by Examiner
  § SCCR7-6:6 Rule 7-6(4) Order for Inspection and Preservation of
                  Property
  § SCCR7-6:7 Rule 7-6(5) Entry on Land or Buildings
RULE 7-7 ADMISSIONS
  § SCCR7-7:1 Rule 7-7 Admissions
  § SCCR7-7:2 Rule 7-7(2) Effect of Notice to Admit
  § SCCR7-7:3 Rule 7-7(4) Unreasonable Refusal to Admit
  § SCCR7-7:4 Rule 7-7(5) Withdrawal of Admission
  § SCCR7-7:5 Rule 7-7(5)(c) Idem
  § SCCR7-7:6 Rule 7-7(6) Application for Order on Admissions
```

RULE 7-8 DEPOSITIONS

- § SCCR7-8:1 Rule 7-8(1) Examination of Person
- § SCCR7-8:2 Rule 7-8(3) Grounds for Order
- § SCCR7-8:3 Rule 7-8(5) Subpoena
- § SCCR7-8:4 Rule 7-8(8) Application of Rule Outside British Columbia
- § SCCR7-8:5 Rule 7-8(9) If Person Willing to Testify
- § SCCR7-8:6 Rule 7-8(10) If Person Not Willing to Testify
- § SCCR7-8:7 Rule 7-8(15) Objection to Question

PART 8 APPLICATIONS

RULE 8-1 HOW TO BRING AND RESPOND TO APPLICATIONS

- § SCCR8-1:1 Rule 8-1 Applications
- § SCCR8-1:2 Rule 8-1(2) and (3) How Applications Must be Brought
- § SCCR8-1:3 Rule 8-1(4) Contents of Notice of Application
- § SCCR8-1:4 Rule 8-1(7) and (8) Service of Application Materials and Time for Service
- § SCCR8-1:5 Rule 8-1(9) and (10) Application Response and Contents of Application Response
- § SCCR8-1:6 Rule 8-1(13) Applicant May Respond
- § SCCR8-1:7 Rule 8-1(14) No Additional Affidavits
- § SCCR8-1:8 Rule 8-1(15) Application Record
- § SCCR8-1:9 Rule 8-1(16) Written Argument
- § SCCR8-1:10 Rule 8-1(18) If Application Respondent's Application is to be Heard at the Hearing

RULE 8-2 PLACE APPLICATION IS HEARD

- § SCCR8-2:1 Rule 8-2(1) Place of Hearing of Application
- § SCCR8-2:2 Rule 8-2(2) If More Than One Place
- § SCCR8-2:3 Rule 8-2(4) Place of Hearing of Application with Leave of Registrar

RULE 8-3 CONSENT APPLICATIONS

- § SCCR8-3:1 Rule 8-3(1) Application by Consent
- § SCCR8-3:2 Rule 8-3(3) Disposition of Referred Applications
- RULE 8-4 APPLICATIONS OF WHICH NOTICE IS NOT REQUIRED
- § SCCR8-4:1 Rule 8-4 Applications of Which Notice is Not Required RULE 8-5 URGENT APPLICATIONS
 - § SCCR8-5:1 Rule 8-5(1) Short Notice Applications
 - § SCCR8-5:2 Rule 8-5(6) and (8) Orders Without Notice and Setting Aside Orders Made Without Notice

RULE 8-6 APPLICATIONS MADE BY WRITTEN SUBMISSIONS

§ SCCR8-6:1 Rule 8-6 Applications Made by Written Submissions

PART 9 PRE-TRIAL RESOLUTION PROCEDURES

RULE 9-1 OFFERS TO SETTLE

- § SCCR9-1:1 Rule 9-1 and 9-1(1) Offers to Settle and Definition
- § SCCR9-1:2 Rule 9-1(2) Offer Not to Be Disclosed
- § SCCR9-1:3 Rule 9-1(3) Offer Not an Admission
- § SCCR9-1:4 Rule 9-1(4) Offer May Be Considered in Relation to Costs
- § SCCR9-1:5 Rule 9-1(5) Costs Options

```
Rule 9-1(6) Considerations of Court
  § SCCR9-1:6
  § SCCR9-1:7
                 Rule 9-1(6)(a) Offers that Ought Reasonably to Have Been
                   Accepted
                 Rule 9-1(6)(b) Relationship of Offer and Judgment
  § SCCR9-1:8
  § SCCR9-1:9
                 Rule 9-1(6)(c) Relative Financial Circumstances
  § SCCR9-1:10 Rule 9-1(6)(d) Other Factors
RULE 9-2 SETTLEMENT CONFERENCES
  § SCCR9-2:1 Rule 9-2 Settlement Conferences
RULE 9-3 SPECIAL CASE
  § SCCR9-3:1 Rule 9-3 and 9-3(1) Special Case and Statement of Special
                  Case
  § SCCR9-3:2 Rule 9-3(2) Court May Order Special Case
  § SCCR9-3:3 Rule 9-3(3) Form of Special Case
  § SCCR9-3:4 Rule 9-3(4) Hearing of Special Case
   § SCCR9-3:5 Rule 9-3(5) Order After Hearing of Special Case
RULE 9-4 PROCEEDINGS ON A POINT OF LAW
  § SCCR9-4:1 Rule 9-4(1) Point of Law May be Set Down for Hearing
   § SCCR9-4:2 Rule 9-4(2) Court May Dispose of Whole Action
RULE 9-5 STRIKING PLEADINGS
  § SCCR9-5:1 Rule 9-5 Striking Pleadings
  § SCCR9-5:2 Rule 9-5(1) Scandalous, Frivolous or Vexatious Matters
  § SCCR9-5:3 Rule 9-5(1)(a) Idem
  § SCCR9-5:4 Rule 9-5(1)(b) Idem
  § SCCR9-5:5 Rule 9-5(1)(c) Idem
  § SCCR9-5:6 Rule 9-5(1)(d) Idem
  § SCCR9-5:7 Rule 9-5(2) Admissibility of Evidence
  § SCCR9-5:8 Rule 9-5(3) Powers of Registrar
RULE 9-6 SUMMARY JUDGMENT
  § SCCR9-6:1 Rule 9-6 Summary Judgment
  § SCCR9-6:2 Rule 9-6(2) Application
  § SCCR9-6:3 Rule 9-6(3)(b) Response to Application
  § SCCR9-6:4 Rule 9-6(4) Application by Answering Party
  § SCCR9-6:5 Rule 9-6(5) Power of Court
  § SCCR9-6:6 Rule 9-6(5)(a) Idem
  § SCCR9-6:7 Rule 9-6(5)(c) Idem
  § SCCR9-6:8 Rule 9-6(7) Costs Consequences
RULE 9-7 SUMMARY TRIAL
  § SCCR9-7:1 Rule 9-7 Summary Trial
                 Rule 9-7(2) Application
  § SCCR9-7:2
                 Rule 9-7(4) Setting Application for Hearing
  § SCCR9-7:3
  § SCCR9-7:4
                 Rule 9-7(5) Evidence on Application
  § SCCR9-7:5
                 Rule 9-7(5)(a) Idem
  § SCCR9-7:6
                 Rule 9-7(5)(c) Idem
  § SCCR9-7:7
                 Rule 9-7(5)(d) Idem
  § SCCR9-7:8
                 Rule 9-7(5)(e) Idem
  § SCCR9-7:9
                 Rule 9-7(6) Application of Rule 12-5
  § SCCR9-7:10 Rule 9-7(9) Notice of Evidence to be Used on Application
  § SCCR9-7:11 Rule 9-7(10) Giving Notice
  § SCCR9-7:12 Rule 9-7(11)(a) Adjournment or Dismissal
```

- § SCCR9-7:13 Rule 9-7(11)(b) Idem
- § SCCR9-7:14 Rule 9-7(11)(b)(i) Idem
- § SCCR9-7:15 Rule 9-7(11)(b)(ii) Idem
- § SCCR9-7:16 Rule 9-7(12) Preliminary Orders
- § SCCR9-7:17 Rule 9-7(12)(b) Idem
- § SCCR9-7:18 Rule 9-7(15) Judgment
- § SCCR9-7:19 Rule 9-7(15)(a) Idem
- § SCCR9-7:20 Rule 9-7(15)(a)(i) Idem
- § SCCR9-7:21 Rule 9-7(15)(a)(ii) Idem
- § SCCR9-7:22 Rule 9-7(15)(b) Idem
- $\$ SCCR9-7:23 Rule 9-7(15)(c) Idem
- § SCCR9-7:24 Rule 9-7(16) No Further Application Without Leave
- § SCCR9-7:25 Rule 9-7(17) Orders
- § SCCR9-7:26 Rule 9-7(18) Right to Vary or Set Aside Order
- § SCCR9-7:27 Rule 9-7(19) Order if Jury Notice Filed

RULE 9-8 DISCONTINUANCE AND WITHDRAWAL

- § SCCR9-8:1 Rule 9-8(1) Discontinuance Before Action Set for Trial
- § SCCR9-8:2 Rule 9-8(2) Discontinuance After Action Set for Trial
- § SCCR9-8:3 Rule 9-8(4) Costs and Default Procedure on Discontinuance or Withdrawal
- § SCCR9-8:4 Rule 9-8(5) Third Party Entitled to Costs
- § SCCR9-8:5 Rule 9-8(8) Discontinuance Not a Defence

PART 10 PROPERTY AND INJUNCTIONS

RULE 10-1 DETENTION, PRESERVATION AND RECOVERY OF PROPERTY

- § SCCR10-1:1 Rule 10-1 and 10-1(1) General Principles and Anton Piller Orders
- § SCCR10-1:2 Rule 10-1(2) Fund that is the Subject Matter of a Proceeding
- § SCCR10-1:3 Rule 10-1(4) Recovery of Specific Property
- § SCCR10-1:4 Rule 10-1(5) Undertaking as to Damages

RULE 10-2 RECEIVERS

- § SCCR10-2:1 Rule 10-2(1) Appointment of Receiver
- § SCCR10-2:2 Rule 10-2(2) Form of Security
- § SCCR10-2:3 Rule 10-2(3) Remuneration of Receiver
- § SCCR10-2:4 Rule 10-2(4) Accounts of Receiver

RULE 10-3 INTERPLEADER

- § SCCR10-3:1 Rule 10-3 and 10-3(1) Entitlement to Relief by Way of Interpleader
- § SCCR10-3:2 Rule 10-3(2) Claim to Real or Personal Property Taken by Sheriff
- § SCCR10-3:3 Rule 10-3(7) Affidavit
- § SCCR10-3:4 Rule 10-3(9) Powers of Court on Hearing Application

RULE 10-4 INJUNCTIONS

- § SCCR10-4:1 Rule 10-4 Injunctions—General Principles and Mareva Injunctions
- § SCCR10-4:2 Rule 10-4(2) Applications for Pre-Trial Injunctions Before Proceeding Started

- § SCCR10-4:3 Rule 10-4(3) Applications for Interim Injunctions Without Notice
- § SCCR10-4:4 Rule 10-4(4) Injunction by Court Order
- § SCCR10-4:5 Rule 10-4(5) Undertaking as to Damages

PART 11 EXPERTS

RULE 11-1 APPLICATION OF PART 11

- § SCCR11-1:1 Rule 11-1 Application of Part 11
- § SCCR11-1:2 Rule 11-1(1)(b) Application of this Part
- § SCCR11-1:3 Rule 11-1(2) Case Plan Order

RULE 11-2 DUTY OF EXPERT WITNESSES

- § SCCR11-2:1 Rule 11-2 Duty of Expert Witness
- § SCCR11-2:2 Rule 11-2(1) Duty of Expert Witness
- § SCCR11-2:3 Rule 11-2(2) Advice and Certification

RULE 11-3 APPOINTMENT OF JOINT EXPERTS

- § SCCR11-3:1 Rule 11-3 Appointment of Joint Experts
- RULE 11-4 APPOINTMENT OF OWN EXPERTS
- RULE 11-5 APPOINTMENT OF COURT'S OWN EXPERT
 - § SCCR11-5:1 Rule 11-5 Appointment of Court's Own Expert
 - § SCCR11-5:2 Rule 11-5(1) Appointment of Experts by Court

RULE 11-6 EXPERT REPORTS

- § SCCR11-6:1 Rule 11-6 Expert Reports
- § SCCR11-6:2 Rule 11-6(1) Requirements for Report
- § SCCR11-6:3 Rule 11-6(1)(c) Idem
- § SCCR11-6:4 Rule 11-6(1)(f) Idem
- § SCCR11-6:5 Rule 11-6(2) Proof of Qualifications
- § SCCR11-6:6 Rule 11-6(3) Service of Report
- § SCCR11-6:7 Rule 11-6(4) Service of Responding Report
- § SCCR11-6:8 Rule 11-6(6) Supplementary Report of Own Expert
- § SCCR11-6:9 Rule 11-6(7) Requirements for Supplementary Report
- § SCCR11-6:10 Rule 11-6(8) Production of Documents
- § SCCR11-6:11 Rule 11-6(10) Notice of Objection to Expert Opinion Evidence
- § SCCR11-6:12 Rule 11-6(11) When Objection Not Permitted

RULE 11-7 EXPERT OPINION EVIDENCE AT TRIAL

- § SCCR11-7:1 Rule 11-7(1) Reports Must be Prepared and Served in Accordance with Rules
- § SCCR11-7:2 Rule 11-7(1)(a) Idem
- § SCCR11-7:3 Rule 11-7(2)(b) When Report Stands as Evidence
- § SCCR11-7:4 Rule 11-7(3) Cross-Examination of Expert
- § SCCR11-7:5 Rule 11-7(4) Costs of Cross-Examination
- § SCCR11-7:6 Rule 11-7(5) Restrictions on Calling Expert as Witness at Trial
- § SCCR11-7:7 Rule 11-7(6) When Court May Dispense with Requirement of this Part
- RULE 11-8 [Repealed. B.C. Reg. 207/2020, Sch., s. 4]
 - § SCCR11-8:1 Rule 11-8 Expert Opinion Evidence on Damages for Personal Injury or Death

PART 12 TRIAL

```
RULE 12-1
             HOW TO SET TRIAL FOR HEARING
  § SCCR12-1:1 Rule 12-1(2) Notice of Trial
  § SCCR12-1:2 Rule 12-1(3) Content of Notice of Trial
  § SCCR12-1:3 Rule 12-1(5) Place of Trial
  § SCCR12-1:4 Rule 12-1(6) When Notice of Trial Must be Served
  § SCCR12-1:5 Rule 12-1(9) Court May Make Orders Respecting Trial
                   Dates
RULE 12-1.1 TRIAL BRIEF
  § SCCR12-1.1:1 Rule 12-1.1 Trial Brief
RULE 12-2
             TRIAL MANAGEMENT CONFERENCE
  § SCCR12-2:1 Rule 12-2(1) and 12-2(1.1) Trial Management Conference
                   and Date
  § SCCR12-2:2 Rule 12-2(5) Absent Parties Must be Available and
                   Accessible by Telephone or Other Means
  § SCCR12-2:3 Rule 12-2(6) Application Must be Made by Requisition
  § SCCR12-2:4 Rule 12-2(8) Proceedings Must be Recorded
  § SCCR12-2:5 Rule 12-2(9) Orders at a Trial Management Conference
  § SCCR12-2:6 Rule 12-2(11) Prohibited Orders
             TRIAL RECORD
RULE 12-3
   § SCCR12-3:1 Rule 12-3 Trial Record
             TRIAL CERTIFICATE
RULE 12-4
  § SCCR12-4:1 Rule 12-4(2) When Trial Certificate Must be Filed
  § SCCR12-4:2 Rule 12-4(5) Failure to File
             EVIDENCE AND PROCEDURE AT TRIAL
RULE 12-5
  § SCCR12-5:1
                  Rule 12-5 Evidence and Procedure at Trial
  § SCCR12-5:2
                  Rule 12-5(3) Failure to Prove a Material Fact/Re-Opening
                  Rule 12-5(3)(a) Jury Trials
  § SCCR12-5:3
  § SCCR12-5:4
                  Rule 12-5(4) No Evidence Application
                  Rule 12-5(5) Defendant Need Not Elect Whether to Call
  § SCCR12-5:5
                    Evidence
  § SCCR12-5:6
                  Rule 12-5(6) Insufficient Evidence Application
                  Rule 12-5(10) Opportunity to Inspect Exhibit
  § SCCR12-5:7
  § SCCR12-5:8
                  Rule 12-5(11)-(13) Custody and Return of Exhibits
  § SCCR12-5:9
                  Rule 12-5(19)-(26) Calling Adverse Witnesses—General
                    Principles
  § SCCR12-5:10 Rule 12-5(20) Adverse Witness
  § SCCR12-5:11 Rule 12-5(22) Exceptions
  § SCCR12-5:12 Rule 12-5(23) Application to Set Notice Aside
  § SCCR12-5:13 Rule 12-5(24) Court May Make Order
  § SCCR12-5:14 Rule 12-5(26) Adverse Party as Witness May be
                    Cross-Examined
  § SCCR12-5:15 Rule 12-5(27) Witness to Testify Orally
  § SCCR12-5:16 Rule 12-5(28) Witness Must be Listed in Witness List
  § SCCR12-5:17 Rule 12-5(29) Examinations of Witnesses
  § SCCR12-5:18 Rule 12-5(30) Any Party May Contradict Testimony
  § SCCR12-5:19 Rule 12-5(31) Party May Prepare and Serve Subpoena
  § SCCR12-5:20 Rule 12-5(36) Production of Documents and Physical
                    Objects
```

```
§ SCCR12-5:21 Rule 12-5(39) Order Setting Aside Subpoena
   § SCCR12-5:22 Rule 12-5(40) Use of Deposition Evidence
  § SCCR12-5:23 Rule 12-5(46), (47) and (48) Use of Discovery Evidence at
  § SCCR12-5:24 Rule 12-5(49) Court May Consider Whole Examination
   § SCCR12-5:25 Rule 12-5(52) Use of Pre-Trial Examination of a Witness
   § SCCR12-5:26 Rule 12-5(54) Use of Transcript of Other Proceedings
   § SCCR12-5:27 Rule 12-5(58) Use of Interrogatories at Trial
   § SCCR12-5:28 Rule 12-5(59) Affidavit Evidence
   § SCCR12-5:29 Rule 12-5(66) Trial with Assessor
   § SCCR12-5:30 Rule 12-5(67) Trial of One Question Before Others
  § SCCR12-5:31 Rule 12-5(68) Trial by Different Modes of Trial
   § SCCR12-5:32 Rule 12-5(71) Evidence of Particular Facts
   § SCCR12-5:33 Rule 12-5(72) Order of Speeches
   § SCCR12-5:34 Rule 12-5(76) Failure of One Party to Appear at Trial
   § SCCR12-5:35 Rule 12-5(77) Court May Set Aside Judgment
              JURY TRIALS
RULE 12-6
   § SCCR12-6:1
                   Rule 12-6(2) Trial Without Jury in Certain Proceedings
  § SCCR12-6:2
                  Rule 12-6(2)(a) Administration of Estate
  § SCCR12-6:3
                  Rule 12-6(2)(e) Execution of Trusts
   § SCCR12-6:4
                  Rule 12-6(2)(f) Rectification, Setting Aside or Cancellation
                     of a Deed or Other Written Instrument
                  Rule 12-6(2)(g) Specific Performance
   § SCCR12-6:5
  § SCCR12-6:6
                  Rule 12-6(2)(j) Proceedings under Rule 2-1(2)
  § SCCR12-6:7
                   Rule 12-6(3) Notice Requiring Jury Trial
  § SCCR12-6:8
                  Rule 12-6(5) Court May Refuse Jury Trial
  § SCCR12-6:9
                  Rule 12-6(7) Judgment Impossible on Jury Findings
  § SCCR12-6:10 Rule 12-6(8) Only Partial Judgment Possible on Jury
                     Findings
  § SCCR12-6:11 Rule 12-6(9) Jury Failing to Reach Verdict
  § SCCR12-6:12 Rule 12-6(11) Trial May Continue Without Jury—Reason
                     Other than Misconduct
  § SCCR12-6:13 Rule 12-6(12) Trial May Continue Without Jury—Reason
                     for Misconduct
```

PART 13 ORDERS

```
RULE 13-1 ORDERS
```

```
§ SCCR13-1:1
                  Rule 13-1 Orders
  § SCCR13-1:2
                  Rule 13-1(1) Drawing and Entering Orders
  § SCCR13-1:3
                  Rule 13-1(2) Approval of Form of Order
  § SCCR13-1:4
                  Rule 13-1(3) Form of Order
                  Rule 13-1(8) Date of Order
  § SCCR13-1:5
  § SCCR13-1:6
                  Rule 13-1(10) Requirement of Consent Order
  § SCCR13-1:7
                  Rule 13-1(11) Settlement of Orders
  § SCCR13-1:8
                  Rule 13-1(15) Registrar May Draw Order
                  Rule 13-1(17) Correction of Orders
  § SCCR13-1:9
  § SCCR13-1:10 Rule 13-1(19) Orders on Terms and Conditions
RULE 13-2 ENFORCEMENT OF ORDERS
```

§ SCCR13-2:1 Rule 13-2 Enforcement of Orders					
§ SCCR13-2:2 Rule 13-2(2) Order to Pay Money into Court					
§ SCCR13-2:3 Rule 13-2(3) Order for Recovery or Delivery of Land					
§ SCCR13-2:4 Rule 13-2(5) Appointment of Receiver					
§ SCCR13-2:5 Rule 13-2(10) Issue of Execution on Change of Parties					
§ SCCR13-2:6 Rule 13-2(13) Issue of Writ of Sequestration, Possession or					
Delivery					
§ SCCR13-2:7 Rule 13-2(18) Term of Writ of Execution					
§ SCCR13-2:8 Rule 13-2(22) Enforcement Costs					
§ SCCR13-2:9 Rule 13-2(29) Acknowledgment of Payment					
§ SCCR13-2:10 Rule 13-2(30) Order that Judgment Has Been Paid					
§ SCCR13-2:11 Rule 13-2(31) Stay of Execution					
RULE 13-3 SUBPOENA TO DEBTOR					
§ SCCR13-3:1 Rule 13-3(1) Subpoena to Debtor					
§ SCCR13-3:2 Rule 13-3(3) Service of Subpoena					
§ SCCR13-3:3 Rule 13-3(4) Examination of Debtor					
§ SCCR13-3:4 Rule 13-3(9) Creditor Failing to Attend, Etc.					
§ SCCR13-3:5 Rule 13-3(11) Order for Payment					
§ SCCR13-3:6 Rule 13-3(12) Notice of Application for Committal					
§ SCCR13-3:7 Rule 13-3(13) and (14) Order for Committal					
RULE 13-4 EXAMINATIONS IN AID OF EXECUTION					
§ SCCR13-4:1 Rule 13-4(2) Examination of Judgment Debtor					
§ SCCR13-4:2 Rule 13-4(4) Not Further Examined for a Year					
§ SCCR13-4:3 Rule 13-4(5) Examination of Person Other Than Judgment					
Debtor					
§ SCCR13-4:4 Rule 13-4(6) Order in Certain Cases					
§ SCCR13-4:5 Rule 13-4(7) Application of Examination for Discovery Rules					
§ SCCR13-4:6 Rule 13-4(10) Service of Notice / Witness Fees					
§ SCCR13-4:7 Rule 13-4(11) Production of Documents					
RULE 13-5 SALES BY THE COURT					
§ SCCR13-5:1 Rule 13-5(1) Court May Order Sale					
§ SCCR13-5:2 Rule 13-5(2) Sale in Debenture Holder's Proceeding					
§ SCCR13-5:3 Rule 13-5(3) Conduct of Sale					
§ SCCR13-5:4 Rule 13-5(4) Directions for Sale					
§ SCCR13-5:5 Rule 13-5(7) Vesting Order					
PART 14 COSTS					
RULE 14-1 COSTS					
HOLL IT I CONTO					

§ SCCR14-1:1 Rule 14-1 General Principles, Types, and Security § SCCR14-1:2 Rule 14-1(1) How Costs Assessed Generally § SCCR14-1:3 Rule 14-1(2) Assessment of Party and Party Costs § SCCR14-1:4 Rule 14-1(3) Special Costs: General Principles, Specific Groups, Examples of Types of Conduct, and Assessment Rule 14-1(4) Assessment Officer § SCCR14-1:5 § SCCR14-1:6 Rule 14-1(5) Disbursements: General Principles and Specific Categories of Disbursements § SCCR14-1:7 Rule 14-1(7) Direction § SCCR14-1:8 Rule 14-1(8) Tax in Respect of Legal Services and Disbursements

Rule 14-1(9) Costs to Follow Event: Success, Multiple § SCCR14-1:9 Parties, Third Parties, Public Interest Litigation, and Advance / Interim Costs § SCCR14-1:10 Rule 14-1(10) Costs in Cases Within Small Claims Jurisdiction § SCCR14-1:11 Rule 14-1(12) Costs of Applications § SCCR14-1:12 Rule 14-1(13) When Costs Payable, Including Forthwith § SCCR14-1:13 Rule 14-1(14) Costs Arising from Improper Act or Omission § SCCR14-1:14 Rule 14-(15) Costs of Whole or Part of Proceeding § SCCR14-1:15 Rule 14-1(16) Costs Payable from Estate or Property § SCCR14-1:16 Rule 14-1(18) Costs of One Defendant Payable by Another § SCCR14-1:17 Rule 14-1(19) Unnecessary Expense After Judgment § SCCR14-1:18 Rule 14-1(21) Appointment to Review a Bill, Examine an Agreement or Assess Costs § SCCR14-1:19 Rule 14-1(22)(a) Place for Review or Examination § SCCR14-1:20 Rule 14-1(23) Further Particulars § SCCR14-1:21 Rule 14-1(27) Certificate of Costs § SCCR14-1:22 Rule 14-1(29) Review of an Assessment § SCCR14-1:23 Rule 14-1(31) Description of Services § SCCR14-1:24 Rule 14-1(32) Evidence of Lawyer § SCCR14-1:25 Rule 14-1(33) Disallowance of Fees and Costs, and Orders **Against Counsel** § SCCR14-1:26 Rule 14-1(35) Notice

§ SCCR14-1:27 Rule 14-1(38) Refusal or Neglect to Procure Assessment

PART 15 FAST TRACK LITIGATION PROCEEDINGS

RULE 15-1 FAST TRACK LITIGATION

- § SCCR15-1:1 Rule 15-1 Fast Track Litigation
- § SCCR15-1:2 Rule 15-1(1) When Rule Applies
- § SCCR15-1:3 Rule 15-1(2) Subsequent Filings
- § SCCR15-1:4 Rule 15-1(3) Damages Not Limited
- § SCCR15-1:5 Rule 15-1(6) When Rule Ceases to Apply
- § SCCR15-1:6 Rule 15-1(7) Limitation on Interlocutory Applications
- § SCCR15-1:7 Rule 15-1(14) If Trial Will Require More than 3 Days
- § SCCR15-1:8 Rule 15-1(15) Costs
- § SCCR15-1:9 Rule 15-1(16) Settlement Offers

PART 16 PETITION PROCEEDINGS

RULE 16-1 PETITIONS

- § SCCR16-1:1 Rule 16-1 Petitions
- § SCCR16-1:2 Rule 16-1(2) Petitions
- § SCCR16-1:3 Rule 16-1(3) Service
- § SCCR16-1:4 Rule 16-1(4) Response to Petition
- § SCCR16-1:5 Rule 16-1(7) No Additional Affidavits
- § SCCR16-1:6 Rule 16-1(8) Setting Application for Hearing
- § SCCR16-1:7 Rule 16-1(18) Powers of Court
- § SCCR16-1:8 Rule 16-1(19) Amendment of Petition or Response to Petition

PART 17 REQUISITION PROCEEDINGS

RULE 17-1 REQUISITIONS

PART 18 OTHER COURT PROCEEDINGS

DIII	101	INOTHDIES	ASSESSMENTS	AND	ACCOLINITS
KULL	18-1	INQUIRIES.	ASSESSMENTS	AND	ACCOUNTS

- § SCCR18-1:1 Rule 18-1(1) Direction for Inquiries, Assessments or Accounts
- § SCCR18-1:2 Rule 18-1(2) Certificate as to Result
- § SCCR18-1:3 Rule 18-1(3) Report and Recommendation
- § SCCR18-1:4 Rule 18-1(4) Application to Vary or Confirm Recommendation
- § SCCR18-1:5 Rule 18-1(5) Time and Place of Hearing
- § SCCR18-1:6 Rule 18-1(6) Appointment
- § SCCR18-1:7 Rule 18-1(10) Opinion of the Court
- § SCCR18-1:8 Rule 18-1(11) Accounts of Executor, Trustee, Etc.
- § SCCR18-1:9 Rule 18-1(12) Special Directions
- $\$ SCCR18-1:10 Rule 18-1(16) Form of Account
- § SCCR18-1:11 Rule 18-1(17) Particulars of Errors in Account

RULE 18-2 STATED CASES

- § SCCR18-2:1 Rule 18-2(5) Contents
- § SCCR18-2:2 Rule 18-2(7) Powers of Court

RULE 18-3 APPEALS

- § SCCR18-3:1 Rule 18-3(1) Application
- § SCCR18-3:2 Rule 18-3(2) Form
- § SCCR18-3:3 Rule 18-3(3) Directions
- § SCCR18-3:4 Rule 18-3(7) Powers of Court

PART 19 JUDGMENTS FROM OTHER COURTS

RULE 19-1 TRANSFER OF PROCEEDINGS FROM PROVINCIAL COURT

- § SCCR19-1:1 Rule 19-1 Transfer of Proceedings from Provincial Court
- RULE 19-2 CANADIAN JUDGMENTS
- RULE 19-3 FOREIGN JUDGMENTS
 - § SCCR19-3:1 Rule 19-3 Foreign Judgments
 - § SCCR19-3:2 Rule 19-3(3) Affidavit in Support
 - § SCCR19-3:3 Rule 19-3(7) Setting Aside Registration of Judgment under Convention
 - § SCCR19-3:4 Rule 19-3(9) Stay of Proceeding in Action on Foreign Judgment
- RULE 19-4 TRANSFER OF PROCEEDINGS FROM FOREIGN COURTS
- RULE 19-5 DOCUMENTS REQUIRED BY JUDICIAL AUTHORITY OF OTHER JURISDICTIONS

PART 20 SPECIAL RULES FOR CERTAIN PARTIES

RULE 20-1 PARTNERSHIPS

- § SCCR20-1:1 Rule 20-1(1) Partners May Sue or be Sued in Firm Name
- § SCCR20-1:2 Rule 20-1(4) Affidavit Naming Partners
- § SCCR20-1:3 Rule 20-1(7) Execution Against Partners

§ SCCR20-1:4 Rule 20-1(10) Action Against Person Carrying on Business in a Name Other than the Person's Own

RULE 20-2 PERSONS UNDER DISABILITY

- § SCCR20-2:1 Rule 20-2 Persons Under Disability
- § SCCR20-2:2 Rule 20-2(1) Interpretation
- § SCCR20-2:3 Rule 20-2(2) Start of Proceedings by Person Under Disability
- § SCCR20-2:4 Rule 20-2(4) Lawyer Must be Involved
- § SCCR20-2:5 Rule 20-2(5) Litigation Guardian
- § SCCR20-2:6 Rule 20-2(6) Committee as Litigation Guardian
- § SCCR20-2:7 Rule 20-2(8) Certificate of Fitness
- § SCCR20-2:8 Rule 20-2(10) Party Becoming Incompetent
- § SCCR20-2:9 Rule 20-2(11) Removal of Litigation Guardian
- § SCCR20-2:10 Rule 20-2(14) Step in Default
- § SCCR20-2:11 Rule 20-2(17) Compromise by Person Under Disability

RULE 20-3 REPRESENTATIVE PROCEEDINGS

- § SCCR20-3:1 Rule 20-3 Representative Proceeding
- § SCCR20-3:2 Rule 20-3(1) Idem
- § SCCR20-3:3 Rule 20-3(2) Court May Appoint Representative
- § SCCR20-3:4 Rule 20-3(3) Enforcement of Order Made in Representative Proceeding
- § SCCR20-3:5 Rule 20-3(10) Representation of Beneficiaries by Trustees RULE 20-4 DECLARATORY RELIEF
 - § SCCR20-4:1 Rule 20-4 Declaratory Relief
 - § SCCR20-4:2 Rule 20-4(1) Declaratory Order

RULE 20-5 PERSONS WHO ARE NOT REQUIRED TO PAY FEES

- § SCCR20-5:1 Rule 20-5 Persons Who Are Not Required to Pay Fees
- § SCCR20-5:2 Rule 20-5(1) Court May Determine Indigent Status
- § SCCR20-5:3 Rule 25-5(2) Application of Order
- RULE 20-6 LITIGATION REPRESENTATIVES
 - § SCCR20-6:1 Rule 20-6 Litigation Representatives

PART 21 SPECIAL RULES FOR CERTAIN PROCEEDINGS

RULE 21-1 ADMIRALTY MATTERS

- § SCCR21-1:1 Rule 21-1(1) Actions to which Rule Applies
- § SCCR21-1:2 Rule 21-1(2) What Actions May be Brought in Rem
- RULE 21-2 CARRIAGE BY AIR ACT
- RULE 21-3 MANDAMUS, PROHIBITION, CERTIORARI AND HABEAS CORPUS
 - § SCCR21-3:1 Rule 21-3 Mandamus, Prohibition, Certiorari and Habeas Corpus
- RULE 21-4 [Repealed. B.C. Reg. 149/2013, Sch., s. 4]
- RULE 21-5 [Repealed. B.C. Reg. 149/2013, Sch., s. 4]
- RULE 21-6 WILLS, ESTATES AND SUCCESSION ACT WILLS VARIATION PROCEEDINGS
 - § SCCR21-6:1 Rule 21-6(1) Proceedings Under the Wills Variation Act
 - § SCCR21-6:2 Rule 21-6(2) Parties
- RULE 21-7 FORECLOSURE AND CANCELLATION
 - § SCCR21-7:1 Rule 21-7 Foreclosure and Cancellation

```
§ SCCR21-7:2
                  Rule 21-7(2) Parties
   § SCCR21-7:3
                  Rule 21-7(3) Joinder of Claim or Party
   § SCCR21-7:4
                  Rule 21-7(4) Person Filing Interest After Certificate of
                    Pending Litigation
  § SCCR21-7:5
                  Rule 21-7(5) Powers of the Court
   § SCCR21-7:6
                  Rule 21-7(5)(a) and (b) Final Orders, Redemption and
                    Costs
  § SCCR21-7:7
                  Rule 21-7(5)(c) and (d) Summary Determination
   § SCCR21-7:8
                  Rule 21-7(5)(e) Judgment for Amount
                  Rule 21-7(5)(f) Issues and Priorities
   § SCCR21-7:9
   § SCCR21-7:10 Rule 21-7(5)(h) Redemption Terms
  § SCCR21-7:11 Rule 21-7(5)(i) Sale
  § SCCR21-7:12 Rule 21-7(5)(j) Corollary Relief
  § SCCR21-7:13 Rule 21-7(5)(k) Referral to Trial List
  § SCCR21-7:14 Rule 21-7(6) Final Order
   § SCCR21-7:15 Rule 21-7(7) Order for Conduct of Sale
   § SCCR21-7:16 Rule 21-7(9) Order Confirming Sale
   § SCCR21-7:17 Rule 21-7(10) Notice to Assess Costs
   § SCCR21-7:18 Rule 21-7(11) Agreement for Sale
RULE 21-8 JURISDICTIONAL DISPUTES
   § SCCR21-8:1 Rule 21-8 Jurisdictional Disputes
  § SCCR21-8:2 Rule 21-8(1) Disputed Jurisdiction
  § SCCR21-8:3 Rule 21-8(1)(a) Idem
   § SCCR21-8:4 Rule 21-8(1)(c) Idem
   § SCCR21-8:5 Rule 21-8(2) Order Declining Jurisdiction May be Sought
  § SCCR21-8:6 Rule 21-8(4) Powers of Court Pending Resolution
   § SCCR21-8:7 Rule 21-8(5) Party Does Not Submit to Jurisdiction
RULE 21-9 NEGLIGENCE ACT CLAIMS
  § SCCR21-9:1 Rule 21-9(1) Contribution or Indemnity Claimed under the
                   Negligence Act
```

PART 22 GENERAL

RULE 22-1 CHAMBERS PROCEEDINGS

- § SCCR22-1:1 Rule 22-1(3) Reconsideration of Order
- § SCCR22-1:2 Rule 22-1(4) Evidence on an Application
- § SCCR22-1:3 Rule 22-1(4)(a) Cross-Examination on Affidavits
- § SCCR22-1:4 Rule 22-1(4)(c) Documents
- § SCCR22-1:5 Rule 22-1(4)(e) Other Forms of Evidence
- § SCCR22-1:6 Rule 22-1(5) Open Court
- § SCCR22-1:7 Rule 22-1(7)(a) Power of the Court
- § SCCR22-1:8 Rule 22-1(7)(b) Adjourning the Chambers Proceeding
- § SCCR22-1:9 Rule 22-1(7)(d) Converting to Trial

RULE 22-2 AFFIDAVITS

- § SCCR22-2:1 Rule 22-2 Affidavits
- § SCCR22-2:2 Rule 22-2(3) Identifying Affidavits
- § SCCR22-2:3 Rule 22-2(4) Making Affidavit
- § SCCR22-2:4 Rule 22-2(5) Statement to be Signed
- § SCCR22-2:5 Rule 22-2(7) Interpretation to Person Who Does Not Understand English

```
§ SCCR22-2:6 Rule 22-2(8) Exhibit to be Marked
  § SCCR22-2:7 Rule 22-2(11) Alterations to be Initialled
  § SCCR22-2:8 Rule 22-2(12) and (13) Limitation on Contents of Affidavit,
                   and Exception
  § SCCR22-2:9 Rule 22-2(14) Use of Defective Affidavit
RULE 22-3 FORMS AND DOCUMENTS
  § SCCR22-3:1 Rule 22-3(1) Forms
  § SCCR22-3:2 Rule 22-3(2) Documents
  § SCCR22-3:3 Rule 22-3(6)(a) Style of Proceeding for Class Proceeding
   § SCCR22-3:4 Rule 22-3(6)(b) Idem
RULE 22-4 TIME
  § SCCR22-4:1 Rule 22-4(2) Extending or Shortening Time
  § SCCR22-4:2 Rule 22-4(4) Notice of Intention to Proceed After Delay of
                   One Year
  § SCCR22-4:3 Rule 22-4(5) Want of Prosecution
RULE 22-5 MULTIPLE CLAIMS AND PARTIES
  § SCCR22-5:1 Rule 22-5 Multiple Claims and Parties
  § SCCR22-5:2 Rule 22-5(1) Multiple Claims
  § SCCR22-5:3 Rule 22-5(2) Multiple Parties
  § SCCR22-5:4 Rule 22-5(3) Joining Persons Jointly Entitled to Relief
  § SCCR22-5:5 Rule 22-5(6) Separation
  § SCCR22-5:6 Rule 22-5(8) Consolidation
  § SCCR22-5:7 Rule 22-5(9) Misjoinder or Nonjoinder of Parties
RULE 22-6 CHANGE OF LAWYER
  § SCCR22-6:1 Rule 22-6 Change of Lawyer
   § SCCR22-6:2 Rule 22-6(3) Order on Application of Lawyer
RULE 22-7 EFFECT OF NON-COMPLIANCE
  § SCCR22-7:1
                  Rule 22-7 Effect of Non-Compliance
  § SCCR22-7:2
                  Rule 22-7(1) Non-Compliance with Rules
                  Rule 22-7(2) Powers of Court
  § SCCR22-7:3
  § SCCR22-7:4
                  Rule 22-7(2)(a) Idem
                  Rule 22-7(2)(d) Idem
  § SCCR22-7:5
  § SCCR22-7:6
                  Rule 22-7(2)(e) Idem
                  Rule 22-7(3) Proceeding Must Not be Set Aside for
  § SCCR22-7:7
                    Incorrect Originating Pleading
  § SCCR22-7:8
                  Rule 22-7(4) Application to Set Aside for Irregularity
                  Rule 22-7(5) Consequences of Certain Non-Compliance
  § SCCR22-7:9
  § SCCR22-7:10 Rule 22-7(6) Failure to Comply with Direction of Court
  § SCCR22-7:11 Rule 22-7(7) Dismissal for Want of Prosecution
RULE 22-8 CONTEMPT OF COURT
  § SCCR22-8:1
                  Rule 22-8(1) Power of Court to Punish
  § SCCR22-8:2
                  Rule 22-8(2) Corporation in Contempt
  § SCCR22-8:3
                  Rule 22-8(3) Security
  § SCCR22-8:4
                  Rule 22-8(4) Certain Acts as Contempt
  § SCCR22-8:5
                  Rule 22-8(5) If Person May be Guilty of Contempt
  § SCCR22-8:6
                  Rule 22-8(11) Proceeding for Contempt
                  Rule 22-8(12) Affidavit
  § SCCR22-8:7
                  Rule 22-8(13) Directions and Mode of Hearing
  § SCCR22-8:8
  § SCCR22-8:9
                  Rule 22-8(13) Hearing
```

- § SCCR22-8:10 Rule 22-8(14) Service of Order Not Necessary
- § SCCR22-8:11 Rule 22-8(15) Suspension of Punishment

RULE 22-9 VEXATIOUS LITIGANTS

§ SCCR22-9:1 Rule 22-9 Vexatious Litigants

PART 23 COURT AND REGISTRY MATTERS

RULE 23-1 REGISTRY OPERATIONS

- § SCCR23-1:1 Rule 23-1(1) Copy of Documents Filed in Registry
- § SCCR23-1:2 Rule 23-1(5) Use of Seal
- § SCCR23-1:3 Rule 23-1(8) Urgent Business
- § SCCR23-1:4 Rule 23-1(10) and (11) Incapacity of Judge and Powers of Substituted Judge
- § SCCR23-1:5 Rule 23-1(13) Transfers
- RULE 23-2 FAX FILING
- RULE 23-3 ELECTRONIC FILING
- RULE 23-4 MONEY IN COURT
 - § SCCR23-4:1 Rule 23-4 Money in Court
 - § SCCR23-4:2 Rule 23-4(1) Interpretation
 - § SCCR23-4:3 Rule 23-4(6) Interest
- § SCCR23-4:4 Rule 23-4(14) Money for Person Under Disability

RULE 23-5 SITTINGS AND HEARINGS

- § SCCR23-5:1 Rule 23-5(3) Urgency or Convenience
- § SCCR23-5:2 Rule 23-5(4) Video Conferencing

RULE 23-6 ASSOCIATE JUDGES, REGISTRARS AND SPECIAL REFEREES

- § SCCR23-6:1 Rule 23-6(1) Powers of an Associate Judge
- § SCCR23-6:2 Rule 23-6(4) Registrar's Powers at Registrar's Hearing
- § SCCR23-6:3 Rule 23-6(5) Registrar's Directions at Pre-Hearing Conference
- § SCCR23-6:4 Rule 23-6(6) Reference by Associate Judge to Judge
- § SCCR23-6:5 Rule 23-6(7) Reference by Registrar to Judge or Associate Judge
- § SCCR23-6:6 Rule 23-6(8.1)-(8.10) Appeals from Associate Judge, Registrar or Special Referee
- § SCCR23-6:7 Rule 23-6(11) Appeal Not to Act as Stay

PART 23.1 METHOD OF ATTENDANCE AND APPLICATION RECORD PILOT PROJECTS

- RULE 23.1-1 METHOD OF ATTENDANCE PILOT PROJECT
- RULE 23.1-2 ELECTRONIC TRANSMISSION OF APPLICATION RECORD PILOT PROJECT

PART 24 TRANSITION

RULE 24-1 TRANSITIONAL PLEADINGS

§ SCCR24-1:1 Rule 24-1(14) and (16) Step in Ongoing Proceeding

PART 25 ESTATES

RULE 25-1 DEFINITIONS

§ SCCR25-1:1 Rule 25-1(5) Solemn Form

- RULE 25-2 NOTICE MUST BE PROVIDED
 - § SCCR25-2:1 Rule 25-2 Notice Must be Provided
 - § SCCR25-2:2 Rule 25-2(3) Form of Notice of Application
 - § SCCR25-2:3 Rule 25-2(14) Court May Alter or Dispense with Notice
- RULE 25-3 APPLICATION FOR ESTATE GRANT
 - § SCCR25-3:1 Rule 25-3(3) Filing of Wills
- RULE 25-3.1 AMENDMENT OF APPLICATION
- RULE 25-3.2 WITHDRAWAL OF APPLICATION
- RULE 25-4 PROCEDURE AFTER FILING APPLICATION MATERIALS FOR ESTATE GRANT
 - § SCCR25-4:1 Rule 25-4(1) Approval by Registrar of Application
 - § SCCR25-4:2 Rule 25-4(2) When Registrar Must Refuse to Approve Application
- RULE 25-5 CORRECTIONS, AMENDMENTS AND REVOCATIONS OF ESTATE DOCUMENTS
 - § SCCR25-5:1 Rule 25-5 Corrections, Amendments and Revocations of Estate Documents
- RULE 25-6 APPLICATIONS FOR RESEALING
 - § SCCR25-6:1 Rule 25-6(4) Domicile of Deceased on Resealing
- RULE 25-7 PROCEDURE AFTER FILING APPLICATION MATERIALS FOR RESEALING
- RULE 25-8 EFFECT OF AUTHORIZATION TO OBTAIN ESTATE INFORMATION OR AUTHORIZATION TO OBTAIN RESEALING INFORMATION
- RULE 25-9 APPLICATION TO COURT FOR GRANT OR RESEALING
- RULE 25-10 NOTICES OF DISPUTE
 - § SCCR25-10:1 Rule 25-10(1) Notice of Dispute
 - § SCCR25-10:2 Rule 25-10(11) Grounds on Which Notice of Dispute May be Removed
- RULE 25-11 CITATIONS
- RULE 25-12 SUBPOENA FOR TESTAMENTARY DOCUMENT OR GRANT
- RULE 25-13 REMUNERATION AND PASSING OF ACCOUNTS
- $\$ SCCR25-13:1 Rule 25-13 Remuneration and Passing of Accounts RULE 25-14 APPLICATIONS
 - § SCCR25-14:1 Rule 25-14 Applications
 - § SCCR25-14:2 Rule 25-14(1.2) Substitution of Personal Representative
 - § SCCR25-14:3 Rule 25-14(2) How to Apply for Spousal Home and Will Deficiencies Orders
 - § SCCR25-14:4 Rule 25-14(4) Proof of Will in Solemn Form
- § SCCR25-14:5 Rule 25-14(8) Court May Give Directions as to Procedure RULE 25-15 MISCELLANEOUS
- § SCCR25-15:3 Rule 25-15(4) Costs if Only Solemn Form Required RULE 25-16 TRANSITION

APPENDIX A

APPENDIX B PARTY AND PARTY COSTS

- 1 Interpretation
- 2 Scale of costs

§ SCCR2:1 Section 2(1), (2) and (3) Scale of Costs § SCCR2:2 Section 2(4) Jurisdiction § SCCR2:3 Section 2(5) and (6) "Uplift" or "Increased" Costs § SCCR2:4 Section 2(7) Scale Where no Order or Agreement Value of units § SCCR3:1 Section 3(3) Determining Number of Units Daily rates § SCCR4:1 Section 4(4) Daily Rates 5 Uncontested foreclosure proceedings § SCCR5:1 Section 5 Uncontested Foreclosure Proceedings 6 Default judgment and process for execution 7 Apportionment if proceedings tried together § SCCR7:1 Section 7 Apportionment if Proceedings Tried Together Offer to settle bill of costs § SCCR8:1 Section 8 Offer to Settle Bill of Costs Transitional—orders, settlements and costs before 2007 Transitional—orders, settlements and costs before [date] § SCCR10:1 Section 10 Transitional Schedule 1 Schedule 2 Schedule 3 Tariff

APPENDIX C

SCHEDULE 1 FEES PAYABLE TO THE CROWN

- 1 Definitions
- 2 Amount payable
- 3 Electronic filing fee

SCHEDULE 2 FEES PAYABLE TO THE SHERIFF

SCHEDULE 3 FEES PAYABLE TO WITNESSES

- 1 Daily witness fee
- 2 Travel
- 3 Allowances
- 4 Preparation

SCHEDULE 4 FEE CALCULATIONS

- 1 Definitions
- 2 Calculation of actual fee

ADMINISTRATIVE NOTICES AND PRACTICE DIRECTIONS

- AN 3 Estate Administration Applications—Disclosure Statements [July 1, 2010]
- AN 4 Letters of Credit Posted as Security [July 1, 2010]
- AN 5 Photocopy and Fax Charges Guideline [July 1, 2010]
- AN 6 Video Conferencing (Revised) [September 15, 2021]
- AN 8 Pre-Hearing Conferences in Registrars' Matters [February 12, 2025]

- AN 12 Bankruptcy Hearings Before a Registrar in Bankruptcy [February 1, 2024]
- AN 15 Emergency After-Hours Applications in Vancouver—Civil and Family [February 5, 2025]
- AN 17 Registry Vetting of Orders in Civil and Family Proceedings [January 15, 2024]
- AN 18 General Requirements for Microsoft Teams Video Hearings [February 12, 2025]
- AN 19 Cover Page Requirements for Written Submissions [September 9, 2024]

 Policy on Use of Electronic Devices in Courtrooms [September 17,
 - Policy on Use of Electronic Devices in Courtrooms [September 17, 2012 (am. January 15, 2024)]
- PD 4 Judicial Management and Early Assignment of a Trial Judge or Hearing Judge in Civil and Family Proceedings [January 15, 2024]
- PD 5 Class Proceedings [October 17, 2023]
- PD 9 Fax Filing Registries Fax Numbers [April 4, 2022]
- PD 10 Garnishing Orders [January 15, 2024]
- PD 12 Infant Settlements and Fee Agreements Applications for Approval [July 1, 2010]
- PD 13 Initiation of Bankruptcy Files [July 1, 2010]
- PD 17 Real Time Reporting [December 10, 2021]
- PD 18 Request to Appear Before a Specific Judge, Associate Judge or Registrar [January 15, 2024]
- PD 21 Standard Directions for Appeals from Provincial Court Small Claims Act [July 1, 2010]
- PD 22 Taxation of Trustee's Statement of Receipts and Disbursements under the *Bankruptcy and Insolvency Act* [April 27, 2022]
- PD 24 Witness Oaths and Affirmations [June 6, 2025]
- PD 25 Notices of Trial and Trial Certificates [July 12, 2010]
- PD 26 Orders [January 15, 2024]
- PD 27 Communicating with the Court [January 15, 2024]
- PD 38 Request for Assignment of Judge in Insolvency Proceedings [January 1, 2013]
- PD 44 Requirement for Appearance List [January 5, 2015]
- PD 47 Model Orders [August 1, 2015]
- PD 48 Applications for Authorization to Video Record or Broadcast Court Proceedings [January 15, 2024]
- PD 50 Associate Judges' Jurisdiction [January 15, 2024]
 Trial Management Conferences—Implications of Amendments to
 Rule 12-2, effective July 1, 2016 [June 1, 2016]
- PD 52 Restoration of Dissolved Society pursuant to Societies Act [March 1, 2017]
- PD 53 Restoration of Dissolved Company under the *Business Corporations* Act [March 1, 2017]
- PD 55 Canadian Judicial Protocol for the Management of Multijurisdictional Class Actions and the Provision of Class Action Notice [October 17, 2023]
- PD 56 Notification of Publication Ban Applications [October 28, 2019]
- PD 57 Court-to-Court Communications in Cross-Border Cases [February 11, 2020]
- PD 58 Sealing Orders in Civil and Family Proceedings [August 1, 2023]

- PD 61 Applications to Commence Proceedings Anonymously [August 1, 2023]
- PD 64 Form of Address [January 15, 2024]
- PD 65 Consent Adjournments of Applications and Petitions on the Chambers List [January 15, 2024]
- PD 66 Foreclosure Proceedings [March 3, 2025]
- PD 67 Gowning Policy for Counsel [February 5, 2025]

SUPREME COURT COVID-19 NOTICES

COVID-19 Notice No. 44 Notice to the Public and Profession Regarding Use of the File Transfer Server—Insolvency and Other Proceedings [June 7, 2021 (revised September 16, 2021)]

DIVORCE ACT

SHORT TITLE

1 Short title

INTERPRETATION

2 Definitions

JURISDICTION

- 3 Jurisdiction in divorce proceedings
- 4 Jurisdiction in corollary relief proceedings
- 5 Jurisdiction in variation proceedings
- 6 Transfer of proceeding if parenting order applied for
- 6.1 Jurisdiction—application for contact order
- 6.2 Removal or retention of child of marriage
- 6.3 Child habitually resident outside Canada
- 7 Exercise of jurisdiction by judge

DUTIES

PARTIES TO A PROCEEDING

- 7.1 Best interests of child
- 7.2 Protection of children from conflict
- 7.3 Family dispute resolution process
- 7.4 Complete, accurate and up-to-date information
- 7.5 Duty to comply with orders
- 7.6 Certification

LEGAL ADVISER

7.7 Reconciliation

COURT

7.8 Purpose of section

DIVORCE

- 8 Divorce
- 9 [Repealed. 2019, c. 16, s. 9]
- 10 Duty of court—reconciliation
- 11 Duty of court—bars
- 12 Effective date generally
- 13 Legal effect throughout Canada
- 14 Marriage dissolved

COROLLARY RELIEF

15 [Repealed. 2019, c. 16, s. 11]

CHILD SUPPORT ORDERS

15.1 Child support order

SPOUSAL SUPPORT ORDERS

15.2 Spousal support order

PRIORITY

15.3 Priority to child support

BEST INTERESTS OF THE CHILD

- 16 Best interests of child
- 16.1 Parenting order
- 16.2 Parenting time—schedule
- 16.3 Allocation of decision-making responsibility
- 16.4 Entitlement to information

CONTACT ORDERS

16.5 Contact order

PARENTING PLAN

16.6 Parenting plan

CHANGE IN PLACE OF RESIDENCE

- 16.7 Non-application
- 16.8 Notice

RELOCATION

- 16.9 Notice
- 16.91 Relocation authorized
- 16.92 Best interests of child—additional factors to be considered
- 16.93 Burden of proof—person who intends to relocate child
- 16.94 Power of court—interim order
- 16.95 Costs relating to exercise of parenting time
- 16.96 Notice—persons with contact

VARIATION, RESCISSION OR SUSPENSION OF ORDERS

- 17 Variation order
- 17.1 [Repealed. 2019, c. 16, s. 14.]

PROCEEDINGS BETWEEN PROVINCES AND BETWEEN A PROVINCE AND A DESIGNATED JURISDICTION TO OBTAIN, VARY, RESCIND OR SUSPEND SUPPORT ORDERS OR TO RECOGNIZE DECISIONS OF DESIGNATED JURISDICTIONS

DEFINITIONS

18 Definitions

INTER-JURISDICTIONAL PROCEEDINGS BETWEEN PROVINCES

RECEIPT AND SENDING OF APPLICATIONS

18.1 If former spouses reside in different provinces

CONVERSION OF APPLICATIONS

- 18.2 Application to court
- 18.3 No action by respondent

PROCEEDINGS BETWEEN A PROVINCE AND A DESIGNATED JURISDICTION

RECEIPT AND SENDING OF DESIGNATED JURISDICTIONS' APPLICATIONS

19 If applicant resides in designated jurisdiction

RECOGNITION OF DECISIONS OF DESIGNATED JURISDICTION

19.1 Recognition of decision of designated jurisdiction varying support order

LEGAL EFFECT, ENFORCEMENT, COMPLIANCE AND ASSIGNMENT

- 20 Definition of court
- 20.1 Assignment of order

APPEALS

21 Appeal to appellate court

GENERAL

- 21.1
- 22 Recognition of foreign divorce
- 22.1 Recognition of foreign order that varies parenting or contact order
- 23 Provincial laws of evidence
- 23.1 Means of presenting submissions
- 23.2 Official languages
- 24 Proof of signature or office
- 25 Definition of "competent authority"
- 25.01 Provincial child support service—calculation of child support

- 25.1 Provincial child support service—recalculation of child support
- 25.2 Ministerial activities
- 26 Regulations
- 26.1 Guidelines
- Fees

INTERNATIONAL CONVENTIONS

CONVENTION ON THE INTERNATIONAL RECOVERY OF CHILD SUPPORT AND OTHER FORMS OF FAMILY MAINTENANCE

28 Definitions

IMPLEMENTATION, INTERPRETATION AND APPLICATION OF THE 2007 CONVENTION

- 28.1 Force of law
- 28.2 Explanatory Report
- 28.3 Application

APPLICATION OF CREDITOR TO CENTRAL AUTHORITY

- 28.4 Recognition of State Party decision varying child support order
- 28.5 Establishment or variation of child support order or calculation or recalculation of amount

APPLICATION OF DEBTOR TO CENTRAL AUTHORITY

- 29 Recognition of State Party decision suspending or limiting enforcement of child support order
- 29.1 Variation of child support order or recalculation of amount

SPOUSAL SUPPORT ORDERS

29.2 Declaration in respect of a province

APPLICATION OF CREDITOR TO COURT

29.3 Recognition of State Party decision varying support order

APPLICATION OF DEBTOR TO COURT

29.4 Recognition of State Party decision suspending or limiting enforcement of support order

LIMITS ON DIVORCE PROCEEDINGS

- 29.5 Support decision obtained in State Party
- 30 [Repealed. 1997, c. 1, s. 12]
- 30 Definitions
- 30.1 Force of law
- 30.2 Explanatory Report
- 30.3 Application
- 30.4 Child habitually resident in State Party
- 30.5 Wrongful removal or retention

- 30.6 Child present in province
- 30.7 Divorce proceeding—child habitually resident in State Party
- 30.8 State Party better placed to assess child's best interests
- 30.9 Canadian court better placed to assess child's best interests
- 31 [Repealed. 1997, c. 1, s. 12]
- 31 Urgent cases
- 31.1 Recognition by operation of law
- 31.2 Jurisdiction respecting recognition
- 31.3 Enforcement

TRANSITIONAL PROVISIONS

32 Proceedings based on facts arising before commencement of Act

DIVORCE ACT, R.S. 1970, C. D-8

- 33 [Repealed. 2019, c. 16, s. 32.]
- 34 Variation and enforcement of orders previously made
- 35 Procedural laws continued

DIVORCE ACT, R.S. 1985, C. 3 (2ND SUPP.)

- 35.1 Variation and enforcement of support orders previously made
- 35.2 Agreements entered into under subsection 25.1(1)
- 35.3 Proceedings commenced before coming into force
- 35.4 Person deemed to have parenting time and decision-making responsibility
- 35.5 Person deemed to have contact order
- 35.6 No notice
- 35.7 No change in circumstances
- 35.8 Variation of orders previously made
- 35.9 Provisional orders

COMMENCEMENT

36 Commencement

SCHEDULE

[Ed. Note: Schedule — Convention on the International Recovery of Child Support and Other Forms of Family Maintenance omitted.]

FEDERAL CHILD SUPPORT TABLES FOR THE PROVINCE OF BRITISH COLUMBIA

FAMILY LAW ACT

PART 1 INTERPRETATION

- 1 Definitions
- 2 General interpretation
- 3 Spouses and relationships between spouses
- 3.1 Companion animals

PART 2 RESOLUTION OF FAMILY LAW DISPUTES

DIVISION 1 RESOLUTION OUT OF COURT PREFERRED

- 4 Purposes of Part
- 5 Duty to disclose
- 6 Agreements respecting family law disputes generally
- 7 Replacing agreements
- 8 Duties of family dispute resolution professionals
- 9 Duties of parties respecting family dispute resolution

DIVISION 2 FAMILY JUSTICE COUNSELLORS

- 10 Family justice counsellors
- 11 Confidentiality of information
- 12 Family justice counsellors not to be compelled
- 13 Information obtained while receiving assistance

DIVISION 3 PARENTING COORDINATORS

- 14 Parenting coordinators
- 15 When parenting coordinators may assist
- 16 Information sharing for parenting coordination
- 17 Assistance from parenting coordinators
- 18 Determinations by parenting coordinators
- 19 Confirming, changing or setting aside determinations

DIVISION 4 ARBITRATION

- 19.1 Definition
- 19.2 Arbitration agreements respecting family law disputes
- 19.3 Setting aside arbitration agreements
- 19.4 Stay of court proceedings
- 19.5 Orders respecting protection of persons or property
- 19.6 Order for appointment of arbitrator
- 19.7 No revocation of appointment
- 19.8 Independence and impartiality of arbitrator
- 19.9 Order revoking appointment
- 19.10 Law applicable to substance of dispute
- 19.11 Evidence
- 19.12 Production and evidence from non-parties
- 19.13 Powers of arbitrator
- 19.14 Form, content and delivery of arbitration award
- 19.15 Correction and interpretation of arbitration award
- 19.16 Arbitration award binding
- 19.17 Termination of arbitration
- 19.18 Orders respecting arbitration awards
- 19.19 Appeal
- 19.20 Enforcement of arbitration awards
- 19.21 Immunity
- 19.22 Confidentiality

PART 3 PARENTAGE

DIVISION 1 GENERAL MATTERS

- 20 Interpretation
- 21 Void and voidable marriages
- 22 Effect of Part

DIVISION 2 DETERMINING PARENTAGE

- 23 Parentage to be determined by this Part
- 24 Donor not automatically parent
- 25 Parentage if adoption
- 26 Parentage if no assisted reproduction
- 27 Parentage if assisted reproduction
- 28 Parentage if assisted reproduction after death
- 29 Parentage if surrogacy arrangement
- 30 Parentage if other arrangement
- 31 Orders declaring parentage
- 32 New evidence
- 33 Parentage tests

DIVISION 3 ORDERS MADE OUTSIDE BRITISH COLUMBIA

- 34 Definitions
- 35 Recognition of Canadian extraprovincial declaratory orders
- 36 Recognition of non-Canadian extraprovincial declaratory orders

PART 4 CARE OF AND TIME WITH CHILDREN

DIVISION 1 BEST INTERESTS OF CHILD

- 37 Best interests of child
- 38 Assessing family violence

DIVISION 2 PARENTING ARRANGEMENTS

- 39 Parents are generally guardians
- 40 Parenting arrangements
- 41 Parental responsibilities
- 42 Parenting time
- 43 Exercise of parental responsibilities
- 44 Agreements respecting parenting arrangements
- 45 Orders respecting parenting arrangements
- 46 Changes to child's residence if no agreement or order
- 47 Changing, suspending or terminating orders respecting parenting arrangements
- 48 Informal parenting arrangements
- 49 Referral of questions to court

DIVISION 3 GUARDIANSHIP

- 50 Agreements respecting guardianship
- 51 Orders respecting guardianship

- 52 Who is entitled to notice
- 53 Appointment of guardian in case of death
- 54 Loss of guardian
- 55 Appointment of standby guardian
- 56 Limits on appointments
- 57 Appointments must be accepted to take effect

DIVISION 4 CONTACT WITH A CHILD

- 58 Agreements respecting contact
- 59 Orders respecting contact
- 60 Changing, suspending or terminating orders respecting contact

DIVISION 5 COMPLIANCE RESPECTING PARENTING TIME OR CONTACT WITH A CHILD

- 61 Denial of parenting time or contact
- 62 When denial is not wrongful
- 63 Failure to exercise parenting time or contact
- 64 Orders to prevent removal of child

DIVISION 6 RELOCATION

- 65 Definition and application
- 66 Notice of relocation
- 67 Resolving issues arising from relocation
- 68 Child may be relocated unless guardian objects
- 69 Orders respecting relocation
- 70 If relocation permitted
- 71 Not a change in circumstances

DIVISION 7 EXTRAPROVINCIAL MATTERS RESPECTING PARENTING ARRANGEMENTS

- 72 Definitions and interpretation
- 73 Purposes
- 74 Determining whether to act under this Part
- 75 Recognition of extraprovincial orders
- 76 Superseding extraprovincial orders
- 77 Wrongful removal of child
- 78 Extraprovincial evidence
- 79 Referral to court

DIVISION 8 INTERNATIONAL CHILD ABDUCTION

80 International child abduction

PART 5 PROPERTY DIVISION

DIVISION 1 GENERAL RULES

- 81 Equal entitlement and responsibility
- 81.1 Certain presumptions not to be applied

lviii

82 Rights and remedies of third parties

DIVISION 2 DETERMINING FAMILY PROPERTY AND FAMILY DEBT

- 83 Interpretation
- 84 Family property
- 85 Excluded property
- 86 Family debt
- 87 Valuing family property and family debt

DIVISION 3 BEFORE AGREEMENT OR FINAL ORDER IS MADE

- 88 Orders under this Division
- 89 Orders for interim distribution of property
- 90 Temporary orders respecting family residence
- 91 Temporary orders respecting protection of property

DIVISION 4 DIVIDING FAMILY PROPERTY AND FAMILY DEBT

- 92 Agreements respecting property division
- 93 Setting aside agreements respecting property division
- 94 Orders respecting property division
- 95 Unequal division by order
- 96 Division of excluded property
- 97 Giving effect to property division

DIVISION 5 ENFORCING AND PROTECTING PROPERTY INTERESTS

- 98 Definitions
- 99 Filing in land title office
- 100 Filing in personal property registry
- 101 Orders for postponement, cancellation or discharge
- 102 Donor of gift is party to agreement
- 103 Enforceability of interest in property
- 104 Rights under this Part

DIVISION 6 JURISDICTION AND CHOICE OF LAW RULES

- 105 Definitions and interpretation
- 106 Determining whether to act under this Part
- 107 Proper law of relationship
- 108 Choice of law rules
- 109 Extraprovincial property

PART 6 PENSION DIVISION

DIVISION 1 GENERAL MATTERS

- 110 Definitions
- 110.1 Interpretation

- Benefits to be determined in accordance with this Part
- 112 Original agreements and orders
- 113 Designation of limited members

DIVISION 2 DIVISION OF BENEFITS UNDER LOCAL PLANS

- 114 Benefits determined under defined contribution provision
- 115 Local defined benefit plans
- 116 Local hybrid plans
- 117 Local plans after pension commencement
- 117.1 Dividing benefits under locked-in retirement accounts and life income funds

DIVISION 3 DIVISION OF OTHER BENEFITS

- 118 [Repealed. 2023, c. 12, s. 13.]
- 118.1 Applicability of Parts 5 and 6 to division of annuities
- 119 Supplemental plans
- 120 Compensation for lost supplemental benefits
- 121 Benefits for specified individuals
- 122 Disability benefits
- 123 Extraprovincial plans

DIVISION 4 DEATH OF MEMBER OR LIMITED MEMBER

- 124 Death of member or limited member
- 125 Entitlement to survivor benefits
- Waiving pension or postretirement survivor benefits
- 126.1 Notice of assignments or orders respecting survivor benefits

DIVISION 5 OTHER MATTERS RESPECTING PENSION DIVISION

- 127 Agreements respecting division
- 128 Determining compensation
- 129 Reapportioning benefits
- 130 Clarifying division of benefits
- 131 Changing division of benefits in unusual circumstances
- 132 Retroactive division of benefits

DIVISION 6 ADMINISTRATIVE MATTERS

- 133 Information from plan
- 134 Agreement or order required for division of benefits
- 135 Information required by plan
- 136 Notice or waiver
- 137 Implementing division of benefits
- 138 Adjustment of member's pension
- 139 Transfer of commuted value of separate pension or share
- 140 Administrative costs
- 141 Income tax
- 142 Claim does not relieve duty to administer benefits
- 143 Administrator's duties

TABLE OF CONTENTS

- 144 Trust of survivor and pension benefits
- 145 No further entitlement after division of benefits

PART 7 CHILD AND SPOUSAL SUPPORT

DIVISION 1 DEFINITIONS

146 Definitions

DIVISION 2 CHILD SUPPORT

- 147 Duty to provide support for child
- 148 Agreements respecting child support
- 149 Orders respecting child support
- 150 Determining child support
- 151 If parentage at issue
- 152 Changing, suspending or terminating orders respecting child support

DIVISION 3 CHILD SUPPORT SERVICE

- 153 Definitions
- 154 Establishment of child support service
- 155 Recalculation of child support
- 156 Correction of recalculation
- 157 Changing, suspending or terminating recalculated amounts
- 158 Information to be given to child support service
- 159 Notices

DIVISION 4 SPOUSAL SUPPORT

- 160 Duty to provide support for entitled spouse
- 161 Objectives of spousal support
- 162 Determining spousal support
- 163 Agreements respecting spousal support
- 164 Setting aside agreements respecting spousal support
- 165 Orders respecting spousal support
- 166 Misconduct of spouse
- 167 Changing, suspending or terminating orders respecting spousal support
- 168 Review of spousal support
- 169 Review of spousal support if pension benefits

DIVISION 5 GENERAL

- 170 Matters that may be provided for in support orders
- 171 Support obligations after death
- 172 Separate support amounts required
- 173 Priority of child support
- 174 Reducing or cancelling arrears

PART 8 CHILDREN'S PROPERTY

- 175 Definitions
- 176 Guardian not automatically entitled to receive property

- 177 Delivery of any property to trustee
- 178 Delivery of small property
- 179 Appointment of trustee by Supreme Court
- 180 Subsequent applications respecting trustee
- 181 When child's property must be delivered to child

PART 9 PROTECTION FROM FAMILY VIOLENCE

- 182 Definitions
- 183 Orders respecting protection
- 184 Whether to make protection order
- 185 If child a family member
- 186 Orders without notice
- 187 Changing or terminating orders respecting protection
- 188 Enforcing orders respecting protection
- 189 Conflict between orders
- 190 Rights not affected by Act
- 191 Extraprovincial orders

PART 10 COURT PROCESSES

DIVISION 1 JURISDICTION OF COURT GENERALLY

- 192 Supreme Court jurisdiction
- 193 Provincial Court jurisdiction
- 194 Overlapping court jurisdiction
- 194.1 Joining proceedings
- 195 Provincial Court enforcement of Supreme Court orders
- 196 Certain actions must not be maintained

DIVISION 2 PROCEDURAL MATTERS

- 197 Complying with duties respecting family dispute resolution
- 198 Time limits
- 199 Conduct of proceeding
- 200 Applications may be heard in party's absence
- 201 Legal capacity of children
- 202 Court may decide how child's evidence is received
- 203 Children's lawyer
- 204 Intervention by Attorney General or other person
- 205 Spouse compellable as witness
- 206 Exclusion of the public or from publication
- 207 Information accompanying orders

DIVISION 3 STANDING IN INDIGENOUS MATTERS

- 208 Guardianship of Nisga'a child
- 209 Guardianship of treaty first nation child
- 210 Property proceeding involving treaty lands

DIVISION 4 GENERAL ORDERS THE COURT MAY MAKE

- 211 Orders respecting reports
- 212 Orders respecting disclosure
- 213 Enforcing orders respecting disclosure
- 214 Orders respecting agreements
- 215 Changing, suspending or terminating orders generally
- 216 Court may make interim orders
- 217 Interim orders before changing, suspending or terminating orders
- 218 Terms and conditions of orders
- 219 Persons may consent to order being made
- 220 Court may make order on behalf of child
- 221 Misuse of court process

DIVISION 5 ORDERS RESPECTING CONDUCT

- 222 Purposes for which orders respecting conduct may be made
- 223 Orders respecting case management
- 224 Orders respecting dispute resolution, counselling and programs
- 225 Orders restricting communications
- 226 Orders respecting residence
- 227 Other orders respecting conduct
- 228 Enforcing orders respecting conduct

DIVISION 6 ENFORCEMENT GENERALLY

- 229 Service need not be proved
- 230 Enforcing orders generally
- 231 Extraordinary remedies
- 232 Offence Act application

DIVISION 7 APPEALS

- 233 Appeals from Provincial Court orders
- 234 Order under appeal remains in effect

PART 11 SEARCH OFFICERS

- 235 Definitions
- 236 Search officers
- 237 Searchable information
- 238 Requesting and disclosing searchable information
- 239 Requesting searchable information
- 240 Disclosing searchable information
- 241 Information-sharing agreements
- 242 Orders respecting searchable information
- 243 Restrictions on disclosure of information
- 244 Offences

PART 12 REGULATIONS

- 245 Regulations respecting family dispute resolution
- 246 Regulations respecting pension division

- 247 Regulations respecting child support
- 248 General regulation-making powers
- 249 Other regulation-making powers

PART 13 TRANSITIONAL PROVISIONS

- 250 Definition
- 251 Transition—care of and time with children
- 252 Transition—proceeding respecting property division
- 253 Transition—pension benefits
- 254 Transition—changing, suspending or terminating orders
- 255 Transition—restraining orders
- 256 Transition—regulations

PART 14 REPEALS, RELATED AMENDMENTS AND CONSEQUENTIAL AMENDMENTS

257-481 [Ed. Note: Sections 257-481 omitted. Amends or repeals other acts.]

AN INTRODUCTION TO THE FAMILY RULES

SUPREME COURT FAMILY RULES

PART 1 INTERPRETATION

- RULE 1-1 INTERPRETATION
- RULE 1-2 CITATION AND APPLICATION
- § SCFR1-2:1 Rule 1-2(2) and (3) Rules Apply to all Family Law Cases RULE 1-3 OBJECT OF RULES
 - § SCFR1-3:1 Rule 1-3 Object of Rules

PART 2 RESOLVING CASES BY AGREEMENT

- RULE 2-1 AGREEMENTS
 - § SCFR2-1:1 Rule 2-1(3) Enforcing Agreements
- RULE 2-1.1 DETERMINATIONS OF PARENTING COORDINATORS
- RULE 2-1.2 ARBITRATION AWARDS
- RULE 2-2 JOINT FAMILY LAW CASE
- RULE 2-2.1 CIVIL MARRIAGE ACT (CANADA)

PART 3 HOW TO START AND DEFEND A FAMILY LAW CASE

- RULE 3-1 CHOOSING THE CORRECT FORM OF PROCEEDING
 - § SCFR3-1:1 Rule 3-1 Choosing the Correct Form of Proceeding
 - § SCFR3-1:2 Rule 3-1(4.1) Filing Agreements Under the Family Law Act
 - § SCFR3-1:3 Rule 3-1(5) Joining Claims and Parties

PART 4 FAMILY LAW CASES STARTED BY FILING A NOTICE OF FAMILY CLAIM

- RULE 4-1 NOTICE OF FAMILY CLAIM
 - § SCFR4-1:1 Rule 4-1 Notice of Family Claim
 - § SCFR4-1:2 Rule 4-1(1) Notice of Family Claim

- RULE 4-2 SERVING AND RENEWING THE NOTICE OF FAMILY CLAIM
 - § SCFR4-2:1 Rule 4-2(1) Further Renewal of Notice of Family Claim
- RULE 4-3 RESPONDING TO A NOTICE OF FAMILY CLAIM
 - § SCFR4-3:1 Rule 4-3(2) No Notice of Hearing if no Response to Family Claim
- RULE 4-4 COUNTERCLAIM
 - § SCFR4-4:1 Rule 4-4(2) Form of Counterclaim
 - § SCFR4-4:2 Rule 4-4(3) Counterclaim May Include Claims Against Persons other Than the Claimant
- RULE 4-5 OTHER RULES ABOUT NOTICE OF FAMILY CLAIM CASES
- RULE 4-6 PLEADINGS GENERALLY

PART 5 FINANCIAL DISCLOSURE

- RULE 5-1 FINANCIAL DISCLOSURE
 - § SCFR5-1:1 Rule 5-1 Financial Disclosure
 - § SCFR5-1:2 Rule 5-1(18) Updated Statements
 - § SCFR5-1:3 Rule 5-1(19) Production of Documents
 - § SCFR5-1:4 Rule 5-1(28) Relief
 - § SCFR5-1:5 Rule 5-1(29) Confidentiality
 - § SCFR5-1:6 Rule 5-1(30) Sealing of Financial Information

PART 6 SERVICE

- RULE 6-1 ADDRESS FOR SERVICE
- RULE 6-2 ORDINARY SERVICE
- RULE 6-3 PERSONAL SERVICE
 - § SCFR6-3:1 Rule 6-3 Personal Service
- RULE 6-4 ALTERNATIVE METHODS OF SERVICE
- RULE 6-5 SERVICE OUTSIDE BRITISH COLUMBIA
 - § SCFR6-5:1 Rule 6-5(2) Application for Leave to Serve Outside the Jurisdiction
- RULE 6-6 PROVING SERVICE
 - § SCFR6-6:1 Rule 6-6(1)(a) Proof of Service
- RULE 6-7 RELIEF
 - § SCFR6-7:1 Rule 6-7(1)(a) If Service is Alleged to be Ineffective

PART 7 CONFERENCES

- RULE 7-1 JUDICIAL CASE CONFERENCE
 - § SCFR7-1:1 Rule 7-1(2) Requirement to Hold Judicial Case Conference
 - § SCFR7-1:2 Rule 7-1(4) Court May Relieve Party from Requirement of Subrule (2)
 - § SCFR7-1:3 Rule 7-1(5) How to Apply for Relief
 - § SCFR7-1:4 Rule 7-1(19) Proceedings Must be Recorded
- RULE 7-2 SETTLEMENT CONFERENCES

PART 7.1 CASE PLANNING

- RULE 7.1-1 CASE PLANNING CONFERENCES
- RULE 7.1-2 CONDUCT OF CASE PLANNING CONFERENCE
- RULE 7.1-3 CASE PLANNING CONFERENCE ORDERS

PART 8 AMENDMENT OF DOCUMENTS AND CHANGE OF PARTIES

- RULE 8-1 AMENDMENT OF PLEADINGS
- $\$ SCFR8-1:1 Rule 8-1(1) When Pleading May be Amended RULE 8-2 CHANGE OF PARTIES
 - § SCFR8-2:1 Rule 8-2(7)(b) Adding, Removing or Substituting Parties by Order
 - § SCFR8-2:2 Rule 8-2(7)(c) Idem

PART 9 PROCEDURES FOR OBTAINING INFORMATION AND DOCUMENTS

- RULE 9-1 DISCOVERY AND INSPECTION OF DOCUMENTS
 - § SCFR9-1:1 Rule 9-1 Discovery and Inspection of Documents
 - § SCFR9-1:2 Rule 9-1(7) Party May Demand Documents Required Under this Rule
 - § SCFR9-1:3 Rule 9-1(8) Party May Demand Additional Documents
 - § SCFR9-1:4 Rule 9-1(11) Inspection of Documents
 - § SCFR9-1:5 Rule 9-1(14) Order to Produce Document
 - § SCFR9-1:6 Rule 9-1(15) Documents Not in Possession of Party
 - § SCFR9-1:7 Rule 9-1(17) Inspection of Document by Court

RULE 9-2 EXAMINATIONS FOR DISCOVERY

- § SCFR9-2:1 Rule 9-2(10) Place
- § SCFR9-2:2 Rule 9-2(15) Production of Documents
- § SCFR9-2:3 Rule 9-2(17) Scope of Examination
- § SCFR9-2:4 Rule 9-2(23) Application to Persons Outside British Columbia RULE 9-3 DISCOVERY BY INTERROGATORIES
- RULE 9-4 PRE-TRIAL EXAMINATION OF WITNESS
 - § SCFR9-4:1 Rule 9-4 Pre-Trial Examination of Witness
 - § SCFR9-4:2 Rule 9-4(1) Order for Examination
 - § SCFR9-4:3 Rule 9-4(2) Expert
- RULE 9-5 PHYSICAL EXAMINATION AND INSPECTION
 - § SCFR9-5:1 Rule 9-5(1) Order for Medical Examination
- § SCFR9-5:2 Rule 9-5(4) Order for Inspection and Preservation of Property RULE 9-6 ADMISSIONS
- $\$ SCFR9-6:1 Rule 9-6(5) Withdrawal of Admission RULE 9-7 DEPOSITIONS

PART 10 OBTAINING ORDERS OTHER THAN AT TRIAL

DIVISION 1 PROCEDURE AND AFFIDAVITS

- RULE 10-1 CHOOSING THE APPROPRIATE PROCEDURE
- RULE 10-2 PLACE APPLICATION IS HEARD
- RULE 10-3 CHAMBERS PROCEEDINGS
 - § SCFR10-3:1 Rule 10-3(3) Reconsideration of Order
 - § SCFR10-3:2 Rule 10-3(4)(e) Evidence on an Application
 - § SCFR10-3:3 Rule 10-3(7)(a) Power of the Court
 - § SCFR10-3:4 Rule 10-3(7)(d) Idem

RULE 10-4 AFFIDAVITS

- § SCFR10-4:1 Rule 10-4(7) Interpretation to Person Swearing or Affirming the Affidavit Who Does Not Understand English
- § SCFR10-4:2 Rule 10-4(12) Limitation on Contents of Affidavit
- § SCFR10-4:3 Rule 10-4(13) Exception

DIVISION 2 USUAL APPLICATION PROCEDURE

RULE 10-5 APPLICATION PROCEDURE

- § SCFR10-5:1 Rule 10-5 Application Procedure
- § SCFR10-5:2 Rule 10-5(1) How to Bring Applications for Non-Final Orders

RULE 10-6 USUAL APPLICATION PROCEDURE

- § SCFR10-6:1 Rule 10-6(3) Contents of Notice of Application
- § SCFR10-6:2 Rule 10-6(13) No Additional Affidavits
- RULE 10-7 CONSENT APPLICATIONS
- RULE 10-8 APPLICATIONS OF WHICH NOTICE IS NOT REQUIRED
- RULE 10-9 URGENT APPLICATIONS
 - § SCFR10-9:1 Rule 10-9(8) Setting Aside Orders Made Without Notice

DIVISION 3 PROCEDURE FOR APPLICATIONS FOR FINAL ORDERS

- RULE 10-10 FINAL ORDERS IN UNDEFENDED FAMILY LAW CASES
- § SCFR10-10:1 Rule 10-10 Final Orders in Undefended Family Law Cases RULE 10-11 FINAL ORDERS IN DEFENDED FAMILY LAW CASES
 - § SCFR10-11:1 Rule 10-11 Final Orders in Defended Family Law Cases

PART 11 PRE-TRIAL RESOLUTION PROCEDURES

RULE 11-1 OFFERS TO SETTLE

- § SCFR11-1:1 Rule 11-1 Offers to Settle
- § SCFR11-1:2 Rule 11-1(1) Technical Requirements
- § SCFR11-1:3 Rule 11-1(4) Offer May be Considered in Relation to Costs
- § SCFR11-1:4 Rule 11-1(5) Costs Options
- $\$ SCFR11-1:5 Rule 11-1(6)(a) Offer Ought Reasonably to Have Been Accepted
- § SCFR11-1:6 Rule 11-1(6)(b) Relationship of Offer and Judgment
- § SCFR11-1:7 Rule 11-1(6)(d) Considerations of the Court
- § SCFR11-1:8 Rule 11-1(7) Counter Offer

RULE 11-2 STRIKING DOCUMENTS

- $\$ SCFR11-2:1 Rule 11-2(1)(d) Scandalous, Frivolous or Vexatious Matters RULE 11-3 SUMMARY TRIAL
 - § SCFR11-3:1 Rule 11-3 Summary Trial
 - § SCFR11-3:2 Rule 11-3(2) Application
 - § SCFR11-3:3 Rule 11-3(2)(b) Idem
 - § SCFR11-3:4 Rule 11-3(11)(b)(i) Adjournment or Dismissal
 - § SCFR11-3:5 Rule 11-3(15) Judgment
 - § SCFR11-3:6 Rule 11-3(15)(a) Idem
- RULE 11-4 DISCONTINUANCE AND WITHDRAWAL

PART 12 PROPERTY AND INJUNCTIONS

- RULE 12-1 DETENTION, PRESERVATION AND RECOVERY OF PROPERTY
- § SCFR12-1:1 Rule 12-1 Detention, Preservation and Recovery of Property
- RULE 12-2 RECEIVERS
- RULE 12-3 INTERPLEADER
- **RULE 12-4 INJUNCTIONS**
 - § SCFR12-4:1 Rule 12-4 Injunctions

PART 13 COURT ORDERED REPORTS AND EXPERT WITNESSES

- RULE 13-1 COURT ORDERED REPORTS UNDER SECTION 211 OF THE $F\!AMILY\;LAW\;ACT$
- RULE 13-2 DUTY OF EXPERT WITNESSES
- RULE 13-3 APPOINTING JOINT EXPERT WITNESSES
 - § SCFR13-3:1 Rule 13-3 Definition
 - § SCFR13-3:2 Rule 13-3(2) Joint Appointment on Financial Issues
- RULE 13-4 JOINTLY APPOINTED EXPERTS
 - § SCFR13-4:1 Rule 13-4(3) Application to Court
 - § SCFR13-4:2 Rule 13-4(7) Additional Experts
 - § SCFR13-4:3 Rule 13-4(8) Considerations
- RULE 13-5 APPOINTMENT OF COURT'S OWN EXPERT
- RULE 13-6 EXPERT REPORTS
 - § SCFR13-6:1 Rule 13-6(1) Requirements for Report
 - § SCFR13-6:2 Rule 13-6(4) Service of Responding Report
- RULE 13-7 EXPERT OPINION EVIDENCE AT TRIAL
 - § SCFR13-7:1 Rule 13-7(6) When Court May Dispense with Requirement of this Part

PART 14 TRIAL RULES

DIVISION 1 APPLICATION

RULE 14-1 APPLICATION

DIVISION 2 SETTING A FAMILY LAW CASE FOR TRIAL

- RULE 14-2 HOW TO SET TRIAL FOR HEARING
 - § SCFR14-2:1 Rule 14-2(4) Place of Trial
 - § SCFR14-2:2 Rule 14-2(8) Court May Make Orders Respecting Trial Dates
- RULE 14-2.1 TRIAL BRIEF
- RULE 14-3 TRIAL MANAGEMENT CONFERENCE
 - § SCFR14-3:1 Rule 14-3(9) Orders at a Trial Management Conference
- RULE 14-4 TRIAL RECORD
- RULE 14-5 TRIAL CERTIFICATE

DIVISION 3 CONDUCT OF TRIAL

- RULE 14-6 MODE OF TRIAL
 - § SCFR14-6:1 Rule 14-6(2) Trial of One Question Before Others

lxviii

RULE 14-7 EVIDENCE AND PROCEDURE AT TRIAL

- § SCFR14-7:1 Rule 14-7(3) Failure to Prove a Material Fact
- § SCFR14-7:2 Rule 14-7(59) Affidavit Evidence
- § SCFR14-7:3 Rule 14-7(72) Order of Speeches
- § SCFR14-7:4 Rule 14-7(77) Court May Set Aside Judgment

PART 15 COURT ORDERS AND THEIR ENFORCEMENT

RULE 15-1 ORDERS

- § SCFR15-1:1 Rule 15-1(9) Date of Order
- § SCFR15-1:2 Rule 15-1(11) Requirement of Consent Order
- § SCFR15-1:3 Rule 15-1(12) Settlement of Orders
- § SCFR15-1:4 Rule 15-1(18) Correction of Orders
- RULE 15-2 DIVORCE ORDERS
 - § SCFR15-2:1 Rule 15-2(1) Ongoing Prior Proceedings
- RULE 15-2.1 GUARDIANSHIP ORDERS
- RULE 15-2,2 ORDERS FOR COROLLARY RELIEF IN DIVORCE PROCEEDINGS
- RULE 15-2.3 ORDERS UNDER PART 1 OF THE FAMILY ORDERS AND AGREEMENTS ENFORCEMENT ASSISTANCE ACT (CANADA)
- RULE 15-3 EXTRA-PROVINCIAL ORDERS [B.C. Reg. 321/2021, Sch. 2, s. 6]
- RULE 15-4 ENFORCEMENT OF ORDERS
- RULE 15-5 COMPELLING A DEBTOR UNDER THE FAMILY MAINTENANCE ENFORCEMENT ACT TO APPEAR IN COURT
- RULE 15-6 SUBPOENA TO DEBTOR
- RULE 15-7 EXAMINATIONS IN AID OF EXECUTION
 - § SCFR15-7:1 Rule 15-7(9) Costs
- RULE 15-8 SALES BY THE COURT
 - § SCFR15-8:1 Rule 15-8(1) Court May Order Sale
 - § SCFR15-8:2 Rule 15-8(2) Conduct of Sale
 - § SCFR15-8:3 Rule 15-8(4) Application for Directions

PART 16 COSTS

RULE 16-1 COSTS

- § SCFR16-1:1 Rule 16-1 Costs
- § SCFR16-1:2 Rule 16-1(2) Special Costs
- § SCFR16-1:3 Rule 16-1(4) Disbursements
- § SCFR16-1:4 Rule 16-1(5) Directions
- § SCFR16-1:5 Rule 16-1(7) Costs to Follow Event
- § SCFR16-1:6 Rule 16-1(9) Costs of Applications
- § SCFR16-1:7 Rule 16-1(14) Costs of Whole or Part of Family Law Case and Summary Assessment
- § SCFR16-1:8 Rule 16-1(24) Service of Appointment
- § SCFR16-1:9 Rule 16-1(30) Disallowance of Fees and Costs and Orders against Counsel

RULE 16-2 ASSESSMENT OF EXPENSES

PART 17 PETITION PROCEEDINGS

RULE 17-1 PETITIONS

PART 18 OTHER PROCEDURES

RULE 18-1 INQUIRIES, ASSESSMENTS AND ACCOUNTS

RULE 18-2 JURISDICTIONAL DISPUTES

§ SCFR18-2:1 Rule 18-2 Jurisdictional Disputes

§ SCFR18-2:2 Rule 18-2(4) Powers of Court Pending Resolution

RULE 18-3 APPEALS

PART 19 JUDGMENTS FROM OTHER COURTS

RULE 19-1 CANADIAN JUDGMENTS

RULE 19-2 FOREIGN JUDGMENTS

PART 20 SPECIAL RULES FOR CERTAIN PARTIES OR PROCEEDINGS

RULE 20-1 PARTNERSHIPS

RULE 20-2 MINORS

RULE 20-3 PERSONS UNDER DISABILITY

§ SCFR20-3:1 Rule 20-3(8) Certificate of Fitness

§ SCFR20-3:2 Rule 20-3(11) Removal of Litigation Guardian

RULE 20-4 DECLARATORY RELIEF

§ SCFR20-4:1 Rule 20-4(1) Declaratory Order

RULE 20-5 PERSONS WHO ARE NOT REQUIRED TO PAY FEES

§ SCFR20-5:1 Rule 20-5 Persons Who are Impoverished

RULE 20-6 LITIGATION REPRESENTATIVES

§ SCFR20-6:1 Rule 20-6 Litigation Representatives

Rule 20-7 Divorce Act Proceedings

PART 21 GENERAL

RULE 21-1 FORMS AND DOCUMENTS

RULE 21-2 TIME

§ SCFR21-2:1 Rule 21-2(5) Want of Prosecution

RULE 21-3 MULTIPLE CLAIMS AND PARTIES

§ SCFR21-3:1 Rule 21-3(1) Multiple Claims

RULE 21-4 CHANGE OF LAWYER

RULE 21-5 IF PARTIES FAIL TO COMPLY WITH THESE RULES

§ SCFR21-5:1 Rule 21-5(1) If Party Does not Comply with the Rules

RULE 21-6 IF PARTIES FAIL TO ATTEND

§ SCFR21-6:1 Rule 21-6 Failure to Attend Trial

RULE 21-7 CONTEMPT OF COURT

§ SCFR21-7:1 Rule 21-7 Contempt of Court

RULE 21-8 VEXATIOUS LITIGANTS

PART 22 COURT AND REGISTRY MATTERS

RULE 22-1 POWERS OF COURT

§ SCFR22-1:1 Rule 22-1(6) Security for Costs

Table of Contents

- § SCFR22-1:2 No Stay on Appeal [Rule 22-1(7)]
- RULE 22-2 REGISTRY OPERATIONS
 - § SCFR22-2:1 Rule 22-2(6) Name of Registry
 - § SCFR22-2:2 Rule 22-2(13) Transfers
- RULE 22-3 FAX FILING
- RULE 22-4 ELECTRONIC FILING
- RULE 22-5 MONEY IN COURT
- RULE 22-6 SITTINGS AND HEARINGS
- RULE 22-7 ASSOCIATE JUDGES, REGISTRARS AND SPECIAL REFEREES
- RULE 22-8 SEARCHES
 - § SCFR22-8:1 Rule 22-8 Searches
 - § SCFR22-8:2 Rule 22-8(1) Search of Files
 - § SCFR22-8:3 Rule 22-8(5) Search of Exhibits

PART 22.1 METHOD OF ATTENDANCE AND APPLICATION RECORD PILOT PROJECTS

- RULE 22.1-1 METHOD OF ATTENDANCE PILOT PROJECT
- RULE 22.1-2 ELECTRONIC TRANSMISSION OF APPLICATION RECORD PILOT PROJECT

PART 23 TRANSITION

- RULE 23-1 TRANSITION
- RULE 23-2 FAMILY LAW ACT TRANSITIONAL PROVISIONS

APPENDIX A

APPENDIX B COSTS

- 1 Scale of costs
 - § SCFR1:1 Section 1(1) Scale of Costs
- 2 Apportionment if proceedings tried together
- 3 Transitional—orders, settlements and costs before 2007
- 4 Transitional—orders, settlements and costs before 2010
 - § SCFR4:1 Section 4 Transitional—Orders, Settlements and Costs Before 2010

APPENDIX C

SCHEDULE 1 FEES PAYABLE TO THE CROWN

- 1 Definitions
- 2 Amount payable
- 3 Electronic filing fee FEES APPLICABLE TO THE SUPREME COURT

SCHEDULE 2 FEES PAYABLE TO THE SHERIFF

SCHEDULE 3 FEES PAYABLE TO WITNESSES

- 1 Daily witness fee
- 2 Travel
- 3 Allowances
- 4 Preparation

SCHEDULE 4 FEE CALCULATIONS

- 1 Definitions
- 2 Calculation of actual fee

PRACTICE DIRECTIONS

- § FPD1:1 Civil Practice Directions which Apply in Family Law Cases
- FPD 10 Standard Directions for Appeals from Provincial Court—Family Law Act [March 18, 2013]
- FPD 12 Judicial Case Conferences [January 15, 2024]
- FPD 14 Adoption Applications [February 5, 2018]
- FPD 16 Return Applications under the 1980 Hague Convention on the Civil Aspects of International Child Abduction—Procedural Requirements [March 1, 2021]
- FPD 17 Divorce Applications [March 1, 2021]
- FPD 19 Applications made by Requisition Supreme Court Family Rules 22-1(3) and (4) Judicial Case Conferences [September 1, 2023]
- FPD 20 French Language and Bilingual Divorce Act Proceedings [June 27, 2025]

NOTICE TO MEDIATE REGULATION, B.C. REG. 127/98

- 1 Definitions
- 2 Delivery of Notice to Mediate
- 3 Attendance at mediation
- 4 Exemption from mediation
- 5 Scheduling of mediation session
- 6 Appointment of mediator
- 7 Selection of mediator if participants are unable to agree
- 8 Pre-mediation disclosure of information
- 9 Fee declaration
- 10 Conduct of a mediation
- 11 Declaration of Default
- 12 Effect of a Declaration of Default
- 13 Confidentiality and compellability
- 14 Concluding a mediation [Forms]

NOTICE TO MEDIATE (GENERAL) REGULATION, B.C. REG. 4/2001

- 1 Definitions
- 2 Application
- 3 Initiating mediation
- 4 Not more than one mediation under this regulation in any action
- 5 When notice to mediate must be delivered

lxxii

Table of Contents

- 6 Appointment of mediator
- 7 Application to roster organization
- 8 Roster organization's appointment procedure
- 9 Notification of mediator
- 10 Deemed date of appointment of mediator
- 11 Replacement of appointed mediator
- 12 When pre-mediation conference must be held
- 13 Pre-mediation conference
- 14 Notice of pre-mediation conference
- 15 Participants must attend pre-mediation conference and mediation session
- 16 Attendance by lawyer or representative
- 17 Representative may be accompanied by a lawyer
- 18 Other persons may attend with consent
- 19 Attendance by communications medium
- 20 Qualifications of representative
- 21 Exemption if previous mediation
- 22 Other exemptions
- 23 Applications to court
- 24 Scheduling of mediation session
- 25 Court may postpone mediation session
- 26 Pre-mediation exchange of information
- 27 Mediator must distribute statements
- 28 Fee declaration
- 29 Form of fee declaration
- 30 Fee declaration binding
- 31 Costs may include mediation cost component
- 32 Conduct of a mediation
- 33 Allegation of Default
- 34 Effect of an Allegation of Default
- 35 Court may consider allegation in ordering costs
- 36 Confidentiality and compellability
- 37 No restriction on otherwise producible information
- 38 Concluding a mediation
- 39 Certificate of Completed Mediation [Forms]

NOTICE TO MEDIATE (RESIDENTIAL CONSTRUCTION) REGULATION, B.C. REG. 152/99

- 1 Definitions
- 2 Delivery of Notice to Mediate
- 3 Appointment of mediator
- 4 Selection of mediator if participants are unable to agree
- 5 Pre-mediation conference
- 6 Attendance at pre-mediation conference and mediation session
- 7 Exemption from pre-mediation conference and mediation session
- 8 Applications to court
- 9 Scheduling of mediation session
- 10 Pre-mediation disclosure of information
- 11 Fee declaration

- 12 Conduct of a mediation
- 13 Declaration of Default
- 14 Effect of a Declaration of Default
- 15 Confidentiality and compellability
- 16 Concluding a mediation [Forms]

NOTICE TO MEDIATE (FAMILY) REGULATION, B.C. REG. 296/2007

- 1 Definitions
- 2 Application
- 3 Initiating mediation
- 4 Not more than one mediation under this regulation in any proceeding
- 5 When notice to mediate must be delivered
- 6 Appointment of mediator
- 7 Application to roster organization
- 8 Roster organization's appointment procedure
- 9 Notification of mediator
- 10 Deemed date of appointment of mediator
- 11 Replacement of appointed mediator
- 12 Separate pre-mediation meetings must be held
- 13 Pre-mediation meeting
- 14 Agreement to mediate
- 15 Power of mediator to end process
- 16 Participants must attend pre-mediation meeting and mediation session
- 17 Attendance by representative
- 18 Qualifications of representative
- 19 Participants and representatives may be accompanied by counsel
- 20 Other persons may attend with consent
- 21 Attendance by communications medium
- 22 Exemption if previous mediation
- 23 Other exemptions
- 24 Scheduling of mediation session
- 25 Applications to court
- 26 Court may defer mediation session
- 27 Pre-mediation exchange of information
- 28 Mediator must distribute statements
- 29 Fee declaration
- 30 Form of fee declaration
- 31 Fee declaration binding
- 32 Costs may include mediation cost component
- 33 Conduct of a mediation
- 34 Allegation of default
- 35 Effect of a default
- 36 Court may consider default in ordering costs
- 37 Confidentiality and compellability
- 38 No restriction on otherwise producible information
- 39 Concluding a mediation
- 40 Certificate of Conclusion of Mediation [Forms]

PART II COURT OF APPEAL

COURT OF APPEAL ACT CONCORDANCE OLD TO NEW

COURT OF APPEAL ACT CONCORDANCE NEW TO OLD

COURT OF APPEAL ACT

PART 1 INTERPRETATION

- 1 Interpretation
 - § CAA1:1 Section 1 Definitions

PART 2 COMPOSITION OF COURT

DIVISION 1 COURT

- 2 Continuation of court
- 3 Constitution of court
- 4 Quorum and divisions of court
 - § CAA4:1 Section 4(2) Quorum and Divisions of the Court
- 5 Location of court

DIVISION 2 JUSTICES

- 6 Chief justice
- 7 Judicial rank
- 8 Oath of office
- 9 Continuing jurisdiction after leaving office

DIVISION 3 COURT ADMINISTRATION

- 10 Registrar
- 11 Administrators of court services
- 12 Registries

PART 3 APPEALS

- 13 Appellate jurisdiction
 - § CAA13:1 Section 13(1) Appellate Jurisdiction
 - § CAA13:2 Section 13(2) Leave to Appeal—General Principles
 - § CAA13:3 —Costs Appeals
 - § CAA13:4 Section 13(3) Other Enactments
- 14 Cross appeal
 - § CAA14:1 Section 14 Cross Appeal
- 15 Time limit for commencing appeal or application for leave to appeal
 - § CAA15:1 Section 15 Time Limit for Commencing an Appeal or Application for Leave to Appeal
- 16 Appeals from tribunals

PART 4 CONDUCT OF APPEALS

DIVISION 1 GENERAL CONDUCT OF APPEALS

- 17 Proceedings related to appeal must be in court
 - § CAA17:1 Section 17 Proceedings to be in Court of Appeal
- 18 Appeals must be conducted in accordance with Act and rules
 - § CAA18:1 Section 18(2) If Not Addressed in This Act or the Rules
- 19 No appeal to be defeated by irregularities
 - § CAA19:1 Section 19 No Appeal to be Defeated by Irregularities

DIVISION 2 SPECIAL PROCEDURAL MATTERS

- 20 Preliminary objections
 - § CAA20:1 Section 20 Preliminary Objection
- 21 Referral to court for summary determination
 - § CAA21:1 Section 21 Referral to Court for Summary Determination
- 22 Vexatious proceedings
 - § CAA22:1 Section 22 Vexatious Proceedings
- 23 Appeals or applications for leave to appeal dismissed as abandoned
 - § CAA23:1 Section 23 Inactive Appeals or Applications Dismissed as Abandoned

PART 5 POWERS ON AN APPEAL

DIVISION 1 POWERS OF COURT

- 24 General powers of court
 - § CAA24:1 Section 24 Powers of Court of Appeal (General)
 - § CAA24:2 Section 24(2)(b) Contempt of Court
 - § CAA24:3 Section 24(2)(c) Original Jurisdiction
- 25 Court has power of court appealed from
 - § CAA25:1 Section 25 Court Has Power of Court Appealed From
- 26 Limiting hearings and requiring preparation of written arguments
 - § CAA26:1 Section 26 Limiting Hearings and Requiring Written
 Arguments
- 27 Ordering new trial or hearing
 - § CAA27:1 Section 27(1) Ordering New Trial or Hearing
- 28 Power of a justice exercised by court
 - § CAA28:1 Section 28 Exercise of Power
- 29 Varying orders of a justice
 - § CAA29:1 Section 29 Varying Orders of a Justice

DIVISION 2 POWERS OF A JUSTICE

- 30 General powers of a justice
 - § CAA30:1 Section 30 Powers of a Justice
 - § CAA30:2 Section 30(a) Powers of a Justice—Matters Incidental to an Appeal
 - § CAA30:3 Section 30(b) Powers of a Justice—Managing Conduct of Appeal

Table of Contents

- § CAA30:4 Section 30(c) Powers of a Justice—Preventing Prejudice
- § CAA30:5 Section 30(f) Powers of a Justice—Leave to Intervene
- § CAA30:6 Section 30(h) Powers of a Justice—Consent Orders
- § CAA30:7 Section 30(i) Powers of a Justice—Impose Conditions and Terms on an Order
- 31 Leave to appeal
 - § CAA31:1 Section 31 Leave to Appeal
- 32 Dispensing with rules and varying time limits
 - § CAA32:1 Section 32 Dispensing With Rules and Varying Time Limits
- 33 Stays of proceedings
 - § CAA33:1 Section 33 Stays of Proceedings
- 34 Payment of security
 - § CAA34:1 Section 34 Security for Costs
 - § CAA34:2 Section 34(1)(a) Security for Appeal Costs
 - § CAA34:3 Section 34(1)(b) Security for Trial Judgment or Costs or Both
- 35 Varying orders of a justice or registrar
 - § CAA35:1 Section 35 Varying Orders of a Justice or Registrar
- 36 Failure to comply
 - § CAA36:1 Section 36 Failure to Comply

DIVISION 3 POWERS OF REGISTRAR

- 37 General powers of registrar
- 38 Directives in relation to filing
 - § CAA38:1 Section 38 Directive in Relation to Filing

PART 6 ORDERS AND JUDGMENTS

- 39 Pronouncement of judgments and orders
- 40 Delivery of judgment
 - § CAA40:1 Section 40 Delivery of Judgment
- 41 Proceedings on a judgment
- 42 Decision of a justice
- 43 Amendments to orders
 - § CAA43:1 Section 43 Amendments to Orders

PART 7 COSTS

- 44 Costs
 - § CAA44:1 Section 44 Costs
 - § CAA44:2 —General Principles
 - § CAA44:3 —Success
 - § CAA44:4 —Unsuccessful Parties
 - § CAA44:5 —Public Interest Litigation and Intervenors
 - § CAA44:6 —Non-Parties, Self-represented Parties and Indigent Parties
 - § CAA44:7 —Costs Where Parties Separately Represented
 - § CAA44:8 —Costs and the Court Below
 - § CAA44:9 —Where Appeal Settled or Abandoned
 - § CAA44:10 —Estate and Trust Cases
- 45 Powers of court or a justice in relation to costs

- § CAA45:1 Section 45 Costs of Particular Issues or of any Part of Proceedings
- 46 Powers of registrar in relation to costs
 - § CAA46:1 Section 46 Certification of Costs and Enforcement

PART 8 TRANSITIONAL PROVISIONS, REPEAL AND CONSEQUENTIAL AMENDMENTS

TRANSITIONAL PROVISIONS

- 47 Transition—definitions
- 48 Transition—continuation of previous orders, directions and judgments
- 49 Transition—continuation of inactive appeal list
- 50 Transition—orders and directions
- 51 Transition—regulations

REPEAL

52 Repeal

CONSEQUENTIAL AMENDMENTS

- 53 Class Proceedings Act
- 54 Health Care Costs Recovery Act
- 55 Interjurisdictional Support Orders Act
- 56 Supreme Court Act
- 57 Commencement

COURT OF APPEAL RULES CONCORDANCE OLD TO NEW

COURT OF APPEAL RULES CONCORDANCE NEW TO OLD

COURT OF APPEAL RULES

PART 1 INTERPRETATION

- 1 Definitions and interpretation
- 2 Interpretation—timing

PART 2 HOW TO FILE AND SERVE DOCUMENTS

- 3 General requirements for filing and serving documents
- 4 Permitted methods of service
 - § CAR4:1 Rule 4 Permitted Methods of Service
- 5 Registrar directives—manner of filing documents
 - § CAR5:1 Rule 5 Registrar Directives

PART 3 STEPS AT THE START OF AN APPEAL

DIVISION 1 BRINGING AND RESPONDING TO AN APPEAL

- 6 How to appeal § CAR6:1 Rule 6 How to Appeal
- 7 How to respond to a notice of appeal

lxxviii

DIVISION 2 BRINGING AND RESPONDING TO A CROSS APPEAL

- 8 When to bring a cross appeal
 - § CAR8:1 Rule 8 When to Bring a Cross Apeal
- 9 How to bring a cross appeal
 - § CAR9:1 Rule 9 How to Bring Cross Appeal
- 10 How to respond to a notice of cross appeal

DIVISION 3 BRINGING AND RESPONDING TO APPLICATIONS FOR LEAVE TO APPEAL

- 11 Limited appeal orders
 - § CAR11:1 Rule 11 Limited Appeal Orders
- 12 When an application for leave to appeal is required
 - § CAR12:1 Rule 12 When Leave to Appeal Required
- 13 How to apply for leave to appeal
 - § CAR13:1 Rule 13 Application for Leave to Appeal
- 14 How to respond to an application for leave to appeal
- 15 Applications for leave that must be heard concurrently
- 16 Use of application book for leave to appeal in remainder of appeal

DIVISION 4 APPEALING SUBSEQUENT RELATED ORDERS

17 How to appeal a subsequent related order after an appeal is brought § CAR17:1 Rule 17 Appealing Subsequent Related Orders

DIVISION 5 ADDING ADDITIONAL RESPONDENTS TO AN APPEAL

- 18 Justice may add respondents to an appeal
 - § CAR18:1 Rule 18 Adding Respondents

DIVISION 6 STAYS OF PROCEEDINGS OR EXECUTION

- 19 Definition
- 20 Applying for a stay of proceedings or execution
 - § CAR20:1 Rule 20 Applying for a Stay
- 21 Responding to stay applications

PART 4 STEPS AFTER AN APPEAL IS BROUGHT

DIVISION 1 APPEALS THAT HAVE BEEN BROUGHT

- 22 When an appeal is brought
 - § CAR22:1 Rule 22 When an Appeal is Brought

DIVISION 2 DOCUMENTS FILED TO READY AN APPEAL FOR HEARING

- 23 Appeal record
 - § CAR23:1 Rule 23 Appeal Record
- 24 Transcripts of proceedings in court appealed from

- § CAR24:1 Rule 24 Transcripts of Evidence
- 25 Factums
 - § CAR25:1 Rule 25 Factums
- 26 Appeal book
 - § CAR26:1 Rule 26 Appeal Books
- 27 Book of authorities
- 28 Settling the contents of a document
 - § CAR28:1 Rule 28 Settling the Contents of a Document

DIVISION 3 ADDITIONAL DOCUMENTS FILED TO READY A CROSS APPEAL FOR HEARING

- 29 Factums on cross appeal
 - § CAR29:1 Rule 29 Factums on Cross Appeal
- 30 Appeal books on cross appeal
 - § CAR30:1 Rule 30 Appeal Books on Cross Appeal

DIVISION 4 EXPEDITING APPEALS

- 31 Expediting appeals
 - § CAR31:1 Rule 31 Expediting Appeals

PART 5 STEPS AFTER AN APPEAL IS READY FOR HEARING

DIVISION 1 APPEALS THAT ARE READY FOR HEARING

- 32 When an appeal is ready for hearing
 - § CAR32:1 Rule 32 Appeals Ready for Hearing

DIVISION 2 OBTAINING AN APPEAL HEARING DATE

- 33 Appellant must obtain appeal hearing date
- 34 Respondent may obtain appeal hearing date
- 35 Registrar may set appeal hearing date

PART 6 STEPS AT THE HEARING OF AN APPEAL

- 36 Points of law and authorities not cited in factum
 - § CAR36:1 Rule 36 Points of Law and Authorities not Cited in Factum
- 37 Condensed book of evidence and condensed book of authorities

PART 7 STEPS AFTER AN APPEAL HAS BEEN HEARD

- 38 Drawing up and entering the order of the court
- 39 Applying to registrar for assessment of costs
- 40 Applying to court for directions on costs

PART 8 MANAGING THE APPEAL PROCESS

DIVISION 1 GENERAL

- 41 Dispensing with a rule or extending a time limit
 - § CAR41:1 Rule 41 Dispensing With a Rule or Extending a Time Limit
- 42 Attendance through telecommunications

lxxx

Table of Contents

- 43 Having appeal heard by more than 3 justices
 - § CAR43:1 Rule 43 Having Appeal Heard By More Than 3 Justices
- 44 Cross examination on affidavits
 - § CAR44:1 Rule 44 Cross Examination on Affidavits
- 45 Adjourning an appeal
- 46 Abandoning an appeal or application for leave to appeal
 - § CAR46:1 Rule 46 Settlements or Abandonments

DIVISION 2 CASE MANAGEMENT

- 47 Case management
- 48 Powers of a justice on case management
 - § CAR48:1 Rule 48 Case Management

DIVISION 3 INACTIVE APPEALS

- 49 Inactive appeal list
- 50 Managing inactive appeal list
 - § CAR50:1 Rule 50 Managing Inactive Appeal List and Reactivation

DIVISION 4 DISMISSAL OF APPEALS AS ABANDONED

- 51 Appeals that are dismissed as abandoned
 - § CAR51:1 Rule 51(1) Dismissed as Abandoned
 - § CAR51:2 Rule 51(2) Reinstatement

PART 9 APPLICATIONS

DIVISION 1 HOW TO BRING AND RESPOND TO APPLICATIONS MADE TO THE COURT, A JUSTICE OR THE REGISTRAR

- 52 Applications made to the court, a justice or the registrar
 - § CAR52:1 Rule 52 Applications
- 53 Application hearing date must be obtained
- 54 Notice of application
- 55 Responding to applications
 - § CAR55:1 Rule 55 Responding to Applications
- 56 Registrar may set chambers application hearing date

DIVISION 2 SPECIFIC REQUIREMENTS FOR BRINGING AND RESPONDING TO CERTAIN APPLICATIONS

- 57 Urgent applications
 - § CAR57:1 Rule 57 Urgent Applications
- 58 Payment of security
- 59 Adducing fresh or new evidence
 - § CAR59:1 Rule 59 Fresh or New Evidence
- 60 Quashing an appeal or raising a preliminary objection
 - § CAR60:1 Rule 60 Quashing an Appeal or Raising a Preliminary Objection
- 61 Intervener status

- § CAR61:1 Rule 61(1) Application for Intervener [or Intervenor] Status
- § CAR61:2 Rule 61(3) Intervener's Factum and Participation
- 62 Varying an order of a justice
 - § CAR62:1 Rule 62 Varying an Order of a Justice
- 63 Varying or cancelling an order of the registrar
 - § CAR63:1 Rule 63 Varying or Cancelling an Order of the Registrar

DIVISION 3 APPLICATION HEARINGS

- 64 Attendance at application hearings
- 65 Adjourning applications before hearing date

PART 10 ORDERS

- 66 General requirements for orders
 - § CAR66:1 Rule 66 Requirements for Orders
- 67 Consent orders
- 68 Settling the form or content of orders
 - § CAR68:1 Rule 68 Settling Orders

PART 11 COSTS

DIVISION 1 ASSESSMENT OF COSTS

- 69 Assessment of ordinary costs
 - § CAR69:1 Rule 69 Assessment of Ordinary Costs
 - § CAR69:2 Rule 69(9) Fixing Scale of Ordinary Costs
- 70 Assessment of increased costs
 - § CAR70:1 Rule 70 Assessment of Increased Costs
- 71 Assessment of special costs
 - § CAR71:1 Rule 71(1) Costs Assessed as Special Costs
 - § CAR71:2 Rule 71(2) Assessment of Special Costs
 - § CAR71:3 Rule 71(3) Circumstances
- 72 Assessment of fees, disbursements and expenses
 - § CAR72:1 Rule 72 Assessment of Fees, Disbursements and Expenses
- 73 Costs for preparation for activities that do not take place
 - § CAR73:1 Rule 73 Wasted Costs
- 74 Costs owing between multiple parties
 - § CAR74:1 Rule 74 Costs Owing Between Multiple Parties
- 75 Combining costs of multiple appeals
 - § CAR75:1 Rule 75 Combining Costs of Multiple Appeals

DIVISION 2 OFFERS TO SETTLE COSTS

- 76 Offers to settle costs
 - § CAR76:1 Rule 76 Offers to Settle

DIVISION 3 CERTIFICATES OF COSTS

77 Certificates of costs

lxxxii

DIVISION 4 COSTS ORDERS AGAINST LAWYERS

78 Costs orders against lawyers § CAR78:1 Rule 78 Against Lawyers

PART 12 GENERAL

DIVISION 1 COURT DOCUMENTS

- 79 Required form of documents
 - § CAR79:1 Rule 79 Required Form of Documents
- 80 Parties must have address for service
- 81 Party may show service ineffective
- 82 Amending filed documents
 - § CAR82:1 Rule 82 Amending Filed Documents
- 83 Registry hours and deemed filing

DIVISION 2 COURT FEES

- 84 Payment of court fees
- 85 Order that no fees payable
 - § CAR85:1 Rule 85 No Fees Order

DIVISION 3 APPOINTING AND CHANGING LAWYERS

- 86 Party appointing or changing lawyer
- 87 Lawyer withdrawals
- 88 When a lawyer is the lawyer of record

DIVISION 4 PRACTICE DIRECTIVES

89 Practice directives

PART 13 TRANSITION

- 90 Definitions
- 91 Application of rules to pre-existing appeals and applications for leave to appeal
- 92 Bringing cross appeals in relation to pre-existing applications for leave to appeal
- 93 Ordinary costs in relation to pre-existing appeals
- 94 Page limits for cross appeal factums and replies
 - § CAR94:1 Rule 90-94 Transition

SCHEDULE 1 ORDINARY COSTS TARIFF

SCHEDULE 2 COURT FEES

DIVISION 1 FEE TABLE

DIVISION 2 FEE TABLE RECALCULATIONS

1 Recalculating court fees [Forms]

PRACTICE DIRECTIVES, NOTICES, NOTES AND POLICIES

CIVIL & CRIMINAL PRACTICE DIRECTIVES

- 1 Appearing before the Court [February 6, 2025]
- 2 Case Compilation & Presentation Software [July 11, 2022]
- 3 Chambers Applications [May 3, 2024]
- 4 Citation of Authorities [July 11, 2022]
- 5 Court Sittings in Kamloops and Kelowna [July 11, 2022]
- 6 Declarations of Invalidity in Court Orders [July 11, 2022]
- 7 Remote Appearances [July 11, 2022]
- 8 Supplementary Arguments [July 11, 2022]
- 9 Style of Proceedings [September 12, 2022]

CIVIL PRACTICE DIRECTIVES

- 10 Case Management of Family Law Appeals [July 11, 2022]
- 11 Costs [July 11, 2022]
- 12 Hague Convention Appeals [July 11, 2022]
- 13 Judicial Settlement Conferences [October 15, 2024]
- 14 Publication Bans, Sealing Orders, and Anonymization Orders [June 10, 2024]
- 15 Registrar's Powers [May 3, 2024]

FILING DIRECTIVES

16 Registrar's Filing Directive [March 12, 2024]

CIVIL & CRIMINAL POLICIES

- 17 Policy on Use of Electronic Devices in Courtrooms [September 17, 2012 (am. January 15, 2024)]
- 18 Record and Courtroom Access Policy [February 29, 2024]

Index to the Supreme Court Act

Index to the Supreme Court Civil Rules

Index to the Family Law Act

Index the Supreme Court Family Rules

Index to the Court of Appeal Act

Index to the Court of Appeal Rules

PART I SUPREME COURT