PART III SUPREME COURT FORMS

SUPREME COURT CIVIL RULES

Form	1	Notice of Civil Claim—R. 3-1(1)
Form	2	Response to Civil Claim—R. 3-3(1)—R. 3-3(1)
Form	3	Counterclaim—R. 3-4(1)
Form	4	Response to Counterclaim—R. 3-5(5)
Form	5	Third Party Notice—R. 3-5(3)
Form	6	Response to Third Party Notice—R. 3-5(9)
Form	7	Reply—R. 3-6(1)
Form	8	Default Judgment—R. 3-8(2), (3), (5), (6)
Form	9	Notice of Address for Service—R. 4-1(3), 6-2(11)
Form		Advertisement—R. 4-4(3)
Form	11	Endorsement on Originating Pleading or Petition for Service Outside British Columbia—R. 4-5(2)
Form	12	For Service Abroad of Judicial or Extrajudicial Documents—R. $4\text{-}5(12)$
Form	13	Notice and Summary of Document—R. 4-5(12)
Form	14	Certificate—R. 4-5(13)
Form	15	Affidavit of Personal Service—R. 4-6(1)
Form	16	Affidavit of Ordinary Service—R. 4-6(1)
Form	17	Requisition—General—R. 4-6(1), 5-1(4), 8-1(21.1), (22), 9-4(1), 13-3(25), 16-1(16.1), (17), 20-5(3), 23-1(9), 23-3(10)
Form	17.1	Requisition—Short Notice—R. 8-5(2)
Form	17.2	Requisition—R. 2-2(3)
Form	18	Certificate of Service by Sheriff—R. 4-6(2)
Form	19	Notice of Case Planning Conference—R. 5-1(1), 23-2(4)
Form	19.1	Requisition—General (Application)—R. 5-1(4), 25-5(6)
Form	20	Case Plan Proposal—R. 5-1(6)
Form	20.1	Requisition—Method of Attendance—R. 5-2(4), 12-2(6), 23-5 (5) and 23.1-1(4)
Form	21	Case Plan Order—R. 5-3(4)
Form	22	List of Documents—R. 7-1(1)
Form	23	Appointment to Examine for Discovery—R. 7-2(13)
Form	24	Interrogatories—R. 7-3(1)
Form	25	Subpoena to Witness—R. 7-5(5), 7-8(5), 12-5(32), (36)
Form	26	Notice to Admit—R. 7-7(1)
Form	27	Order for Examination of Persons Outside the Jurisdiction—R. 7-8(9)
Form	28	Instructions to Examiner—R. 7-8(9)
Form	29	Order for Issue of a Letter of Request to Judicial Authority of Another Jurisdiction—R. 7-8(10)
Form	30	Letter of Request for Examination of Witness Out of Jurisdiction—R. 7-8(10)

```
Form 30.01 Requisition—Chambers Practice—R. 8-1(15.6)
Form 30.1
             Request for Document Required by Judicial Authority of Another
               Jurisdiction—R. 19-5(1), (3)
Form 31
             Requisition for Consent Order or for Order Without Notice—R.
               7-8(17), 8-3(1), 8-4(1), 17-1(2), 25-9(2)
Form 32
             Notice of Application—R. 8-1(4)
Form 33
             Application Response—R. 8-1(10)
Form 33.1
             Order Signing Instructions—R. 13-1(1.1)
Form 34
             Consent Order—R. 8-3(1), 13-1(3), 17-1(2)
Form 35
             Order Made After Application—R. 8-4(1), 13-1(3), 17-1(2), 25-9(2)
             Notice of Discontinuance—R. 9-8(1)
Form 36
Form 37
             Notice of Withdrawal—R. 9-8(3)
Form 38
             Security for Receiver—R. 10-2(2)
Form 39
             Security of Receiver by Undertaking—R. 10-2(2)
Form 40
             Notice of Trial—R. 12-1(2)
Form 41
             Trial Brief—R. 12-1.1(1), (2), (3)
Form 42
             Trial Certificate—R. 12-4(1)
Form 43
             Notice to Produce—R. 12-5(8)
Form 44
             Notice of Intention to Proceed—R. 12-5(15), 22-4(4), (5)
Form 45
             Notice of Intention to Call Adverse Party as a Witness—R. 12-
               5(21)
Form 46
             Warrant After Subpoena—R. 12-5(38)
Form 47
             Notice Requiring Trial by Jury—R. 12-6(3)
             Order Made at Trial Management Conference—R. 13-1(3)
Form 47.1
Form 48
             Order After Trial—R. 13-1(3)
Form 49
             Appointment—R. 13-1(12), 14-1(21), (24), (25), 18-1(6)
Form 50
             Writ of Seizure and Sale—R. 13-2(1)
Form 51
             Writ of Sequestration—R. 13-2(2), (4)
Form 52
             Writ of Possession—R. 13-2(3)
Form 53
             Writ of Delivery—R. 13-2(4)
Form 54
             Writ of Delivery or Assessed Value—R. 13-2(4)
Form 55
             Acknowledgment of Payment—R. 13-2(29)
Form 56
             Subpoena to Debtor—R. 13-3(1), 14-1(8), S. 6(3) of App. B
Form 57
             Examiner's Report—R. 13-3(8)
Form 58
             Notice of Application for Committal—R. 13-3(12), 14-1(8), S. 6(3)
               of App. B
Form 59
             Order of Committal—R. 13-3(15), 14-1(8), S. 6(3) of App. B
Form 59.1
             Appointment for Examination in Aid of Execution—R. 13-4(10)
Form 60
             Certificate of Result of Sale—R. 13-5(6)
Form 61
             Notice of Fast Track Action—R. 14-1(1), 15-1(2)
Form 62
             Bill of Costs—R. 14-1(20)
Form 63
             Default Judgment Bill of Costs—R. 14-1(20)
Form 64
             Certificate of Costs—R. 14-1(27)
Form 65
             Certificate of Fees—R. 14-1(28) and Legal Profession Act, s. 76
Form 66
             Petition to the Court—R. 16-1(2)
Form 67
             Response to Petition—R. 16-1(5), 25-14(2)
Form 68
             Notice of Hearing—R. 16-1(8)
Form 69
             Notice of Order—R. 18-1(18)
Form 70
             Notice of Interest—R. 18-1(22), 18-2(8), 18-3(8)
Form 71
             Notice of Stated Case—R. 18-2(3)
```

```
Form 72
            Notice of Hearing of Stated Case—R. 18-2(9)
Form 73
            Notice of Appeal if Directions Required—R. 18-3(2)
Form 74
            Notice of Appeal—Standard Directions—R. 18-3(2)
Form 75
            Notice of Hearing of Appeal—R. 18-3(9)
Form 76
            Notice of Abandonment of Appeal—R. 18-3(10)
Form 77
            Order to Register Foreign Judgment—R. 19-3(5)
Form 78
            Affidavit of Attainment of Majority—R. 20-2(12)
Form 79
            Order to Waive Fees—R. 20-5(3)
Form 80
            Affidavit in Support of Order to Waive Fees—R. 20-5(3)
Form 81
            Notice of Civil Claim—Admiralty (In Rem)—R. 21-1(3)
Form 82
            Notice of Civil Claim—Admiralty (In Rem and In Personam)—R.
              21-1(4)
Form 83
            Affidavit to Lead Warrant—R. 21-1(8)
Form 84
            Warrant to Arrest Ship—R. 21-1(10)
Form 85
            Caveat—Admiralty—R. 21-1(18)
            Notice of Withdrawal of Caveat—R. 21-1(19)
Form 86
Form 87
            Payment into Court as Bail—R. 21-1(24)
Form 88
            Bank Guarantee or Bailbond—R. 21-1(24)
Form 89
            Release—R. 21-1(28)
Form 90
            Repealed
Form 91
            Repealed
Form 92
            Repealed
Form 93
            Repealed
Form 94
            Repealed
Form 95
            Repealed
Form 96
            Repealed
Form 97
            Repealed
Form 98
            Repealed
Form 99
            Repealed
Form 100
            Repealed
Form 101
            Repealed
Form 102
            Repealed
Form 103
            Repealed
Form 104
            Repealed
Form 105
            Repealed
Form 106
            Repealed
Form 107
            Repealed
Form 108
            Jurisdictional Response—R. 21-8(1), (3)
Form 109
            Affidavit—R. 22-2(2), (7)
            Notice of Appointment or Change of Lawyer—R. 22-6(1)
Form 110
Form 111
            Notice of Intention to Act in Person—R. 22-6(1)
Form 112
            Notice of Intention to Withdraw as Lawyer—R. 22-6(4)
Form 113
            Objection—R. 22-6(5)
Form 114
            Notice of Withdrawal of Lawyer—R. 22-6(6)
Form 115
            Warrant—Contempt—R. 22-8(5), (7)
Form 116
            Undertaking—R. 22-8(9), 25-12(7)
Form 117
            Release Order—R. 22-8(10), 25-12(7)
Form 117.1
            Requisition—Leave (Vexatious Litigant)—R. 22-9(1)
Form 118
            Fax Cover Sheet—R. 23-2(3)
```

- Form 119 Electronic Filing Statement—R. 23-3(6)
- Form 120 Declaration—R. 23-4(17)
- Form 121 Notice of Appeal from Associate Judge, Registrar or Special Referee—R. 23-6(8.1)
- Form 121.1 Appellant's Statement of Argument—R. 23-6(8.2)
- Form 121.2 Respondent's Statement of Argument—R. 23-6(8.4)
- Form 122 Demand—R. 24-1(10)
- Form 123 Offer to Settle Costs—App. B, s. 8
- Form 124 Certificate of Mediation—App. C, Sch. 1, s. 2(2)
- Form 125 Informational Notice for Foreclosure Proceedings

APPENDIX A.1 PROBATE FORMS

- Form P1 Notice of Proposed Application in Relation to Estate—R. 25-2(3)
- Form P2 Submission for Estate Grant—R. 25-3(2)
- Form P3 Affidavit of Applicant for Grant of Probate or Grant of Administration with Will Annexed (Short Form)—R. 25-3(2)
- Form P4 Affidavit of Applicant for Grant of Probate or Grant of Administration with Will Annexed (Long Form)—R. 25-3(2)
- Form P5 Affidavit of Applicant for Grant of Administration Without Will Annexed—R. 25-3(2)
- Form P6 Affidavit of Applicant for Ancillary Grant of Probate or Ancillary Grant of Administration with Will Annexed—R. 25-3(2)
- Form P7 Affidavit of Applicant for Ancillary Grant of Administration Without Will Annexed—R. 25-3(2)
- Form P8 Affidavit in Support of Application for Estate Grant—R. 25-3(2)
- Form P9 Affidavit of Delivery—R. 25-3(2)
- Form P10 Affidavit of Assets and Liabilities for Domiciled Estate Grant—R. 25-3(2)
- Form P11 Affidavit of Assets and Liabilities for Non-Domiciled Estate Grant—R. 25-3(2)
- Form P12 Affidavit of Translator—R. 25-3(2)
- Form P13 Direction of Public Guardian and Trustee—R. 25-3(13)
- Form P14 Supplemental Affidavit of Assets and Liabilities for Domiciled Estate Grant—R. 25-3(9)
- Form P15 Supplemental Affidavit of Assets and Liabilities for Non-Domiciled Estate Grant—R. 25-3(9)
- Form P16 Affidavit of Interlineation, Erasure, Obliteration or Other Alteration—R. 25-3(20)
- Form P17 Notice of Renunciation—R. 25-3(2)
- Form P18 Authorization to Obtain Estate Information—R. 25-4(1)
- Form P19 In Probate—R. 25-4(1)
- Form P20 Correction Record—R. 25-5(2)
- Form P20.1 Correction Record for Style of Proceeding—R. 25-5(1.1)
- Form P21 Submission for Resealing—R. 25-6(2)
- Form P22 Affidavit of Applicant for Resealing of Grant of Probate or Grant of Administration with Will Annexed—R. 25-6(2)
- Form P23 Affidavit of Applicant for Resealing of Grant of Administration Without Will Annexed—R. 25-6(2)
- Form P24 Affidavit in Support of Application for Resealing—R. 25-6(2)
- Form P25 Affidavit of Assets and Liabilities for Resealing—R. 25-6(2)

- Form P26 Affidavit of Assets and Liabilities for Resealing—R. 25-6(7)
- Form P27 Authorization to Obtain Resealing Information—R. 25-7(1)
- Form P28 In Probate—R. 25-7(2)
- Form P29 Notice of Dispute—R. 25-10(3)
- Form P30 Withdrawal of Notice of Dispute—R. 25-10(9)
- Form P31 Order for Removal of Notice of Dispute—R. 25-10(11)
- Form P32 Citation—R. 25-11(1)
- Form P33 Answer to Citation—R. 25-11(4)
- Form P34 Affidavit of Deemed Renunciation—R. 25-11(7)
- Form P35 Requisition for Subpoena—R. 25-12(2)
- Form P36 Warrant After Subpoena—R. 25-12(6)
- Form P37 Subpoena—R. 25-12(3)
- Form P38 Affidavit in Support of Application to Pass Accounts—R. 25-13(2)
- Certificate—R. 25-13(5) Form P39
- Form P40 Statement of Account Affidavit—R. 25-13(6)
- Form P41 Requisition—Estates—R. 25-14(1)
- Form P42 Notice of Application (Spousal Home or Deficiencies in Will)—R. 25-14(2)
- Form P43 Petition to the Court—Estate Proceedings—R. 25-14(2)
- Form P44 Notice of Withdrawal of Application—R. 25-3.2
- Form P45 Affidavit of Electronic Will—R. 25-3(1.1)
- Form P46 Demand for Electronic Will—R. 25-2(1.1)

SUPREME COURT FAMILY RULES

- Form F1 Notice of Joint Family Claim—R. 2-2(2)
- Form F1.1 Application for Divorce under the Civil Marriage Act (Canada)—R. 2-2.1(1)
- Form F1.2 Certificate of Divorce under the Civil Marriage Act (Canada)—R. 2-2.1(2)
- Form F2 Notice of Withdrawal from Joint Family Law Case—R. 2-2(3)
- Form F3 Notice of Family Claim—R. 4-1(1)
- Form F4 Response to Family Claim—R. 4-3(1)
- Form F5 Counterclaim—R. 4-4(2)
- Form F6 Response to Counterclaim—R. 4-4(5)
- Form F7 Notice of Withdrawal in Family Law Case in Which a Divorce is Claimed—R. 4-5(3)
- Form F8 Financial Statement—R. 5-1, 7-1(8), (10), (11)
- Form F9 Agreement as to Annual Income—R. 5-1(8)
- Form F10 Notice of Address for Service—R. 6-1(3), 8-2(10)
- Form F11 Notice for Publication—R. 6-4(3)
- Form F12 Request—R. 6-5(11)
- Form F13 Notice and Summary of Document—R. 6-5(11)
- Form F14 Certificate—R. 6-5(12)
- Form F15 Affidavit of Personal Service—R. 6-6(1)
- Form F16 Affidavit of Ordinary Service—R. 6-6(1)
- Form F17 Requisition—R. 6-6(1), 7.1-1(4), 7-2(1), 10-6(19.1), (20), 15-1(3.4), 15-6(25), 17-1(16.1), (17), 20-5(3), 22-2(9), 22-4(10)
- Form F17.1 Requisition—R. 2-1(2)
- Form F17.2 Requisition—R. 2-1.1(3)

```
Form F17.3
               Requisition—R. 2-1.2(2)
Form F18
               Certificate of Service by Sheriff—R. 6-6(2)
Form F18.1
               Requisition—General (Application)—R. 7-1(5)
Form F19
               Notice of Judicial Case Conference—R. 7-1(7)
Form F19.1
               Requisition—Method of Attendance—R. 7-1(13.1), 7.1-2(4), 14-
                 3(7), 22-6(5), 22.1-1(4)
Form F19.2
               Notice of Case Planning Conference—R. 7.1-1(1)
Form F19.3
               Case Plan Proposal—R. 7.1-1(6)
Form F19.4
               Case Plan Order—R. 7.1-3(4)
Form F20
               List of Documents—R. 9-1(1)
Form F21
               Appointment to Examine for Discovery—R. 9-2(12)
Form F22
               Interrogatories—R. 9-3(1)
Form F23
               Subpoena to Witness—R. 9-4(5), 9-7(5), 14-7(32), (36)
Form F24
               Notice to Admit—R. 9-6(1)
Form F25
               Order for Examination of Persons Outside the Jurisdiction—R.
                 9-7(9)
Form F26
               Instructions to Examiner—R. 9-7(9)
Form F27
               Order for Issue of a Letter of Request to Judicial Authority of
                 Another Jurisdiction—R. 9-7(10)
Form F28
               Letter of Request for Examination of Witness Out of
                 Jurisdiction—R. 9-7(10)
Form F29
               Requisition for Consent Order or for Order Without Notice—R.
                 9-7(17), 10-7(1), 10-8(1)
Form F30
               Affidavit—R. 10-4(2), (7)
Form F31
               Notice of Application—R. 10-6(3)
Form F32
               Application Response—R. 10-6(9)
Form F32.001
               Requisition—Chambers Practice—R. 10-6(14.6)
Form F32.01
               Requisition—Short Notice—R. 10-9(2)
Form F32.1
               Order Signing Instructions—R. 15-1(3.1)
Form F33
               Consent Order—R. 10-7(1), 15-1(1)
Form F34
               Order Made Without Notice—R. 10-8(1)
Form F35
               Requisition—R. 10-10(2)
Form F36
               Certificate of Pleadings—R. 10-10(2), 14-4(5)
Form F37
               Child Support Affidavit—R. 10-10(2)
Form F38
               Affidavit—Desk Order Divorce—R. 10-10(2)
Form F39
               Notice of Discontinuance—R. 11-4(1)
               Notice of Withdrawal—R. 11-4(3)
Form F40
Form F41
               Security for Receiver—R. 12-2(2)
Form F42
               Security of Receiver by Undertaking—R. 12-2(2)
Form F43
               Notice to Cross-Examine—R. 13-1(2)
Form F44
               Notice of Trial—R. 14-2(1)
Form F45
               Trial Brief—R. 14-2.1(1), (2), (3)
Form F46
               Trial Certificate—R. 14-5(1)
Form F47
               Notice to Produce—R. 14-7(8)
Form F48
               Notice of Intention to Proceed—R. 14-7(15), 21-2(4), (5)
Form F49
               Notice of Intention to Call Adverse Party as a Witness—R. 14-
                 7(21)
Form F50
               Warrant After Subpoena—R. 14-7(38)
Form F51
               Order Made After Application—R. 15-1(1)
Form F51.1
               Order Made at Judicial Case Conference—R. 7-1(15)
```

```
Form F51.2
               Order Made at Trial Management Conference—R. 15-1(1)
Form F52
               Final Order—R. 15-1(1)
Form F53
               Repealed
Form F54
               Protection Order—R. 15-1(1)
Form F54.1
               Order Terminating a Protection Order—R. 15-1(1)
Form F54.2
               Restraining Order—R. 15-1(1)
Form F55
               Appointment—R. 15-1(13), 16-1(20), (23), (24), 18-1(6)
Form F56
               Certificate of Divorce—R. 15-2(3)
Form F57
               Writ of Seizure and Sale—R. 15-4(1)
Form F58
               Writ of Sequestration—R. 15-4(2), (4)
Form F59
               Writ of Possession—R. 15-4(3)
Form F60
               Writ of Delivery—R. 15-4(4)
Form F61
               Writ of Delivery or Assessed Value—R. 15-4(4)
Form F62
               Acknowledgment of Payment—R. 15-4(29)
Form F63
               Summons to a Default Hearing under the Family
                 Maintenance Enforcement Act—R. 15-5(1)
Form F64
               Summons to a Committal Hearing under the Family
                 Maintenance Enforcement Act—R. 15-5(2)
Form F65
               Arrest Warrant—R. 15-5(3)
Form F66
               Subpoena to Debtor—R. 15-6(1)
Form F67
               Examiner's Report—R. 15-6(8)
Form F68
               Notice of Application for Committal—R. 15-6(12)
Form F69
               Order of Committal—R. 15-6(15)
Form F70
               Certificate of Result of Sale—R. 15-8(5)
Form F71
               Bill of Costs—R. 16-1(19)
Form F71.1
               List of Expenses—R. 16-2(4)
Form F72
               Certificate of Costs or Expenses—R. 16-1(25)
Form F73
               Petition to the Court—R. 17-1(2)
Form F74
               Response to Petition—R. 17-1(5)
Form F75
               Notice of Hearing—R. 17-1(8)
Form F76
               Notice of Order—R. 18-1(18)
Form F77
               Notice of Interest—R. 18-1(22), 18-3(8)
Form F78
               Jurisdictional Response—R. 18-2(1), (3)
Form F79
               Notice of Appeal if Directions Required—R. 18-3(2)
Form F80
               Notice of Appeal—Standard Directions—R. 18-3(2)
Form F81
               Notice of Hearing of Appeal—R. 18-3(9)
Form F82
               Notice of Abandonment of Appeal—R. 18-3(10)
Form F83
               Order to Register Foreign Judgment—R. 19-2(5)
Form F84
               Affidavit of Attainment of Majority—R. 20-3(12)
Form F85
               Order to Waive Fees—R. 20-5(3)
Form F86
               Affidavit in Support of Order to Waive Fees—R. 20-5(3)
Form F87
               Notice of Appointment or Change of Lawyer—R. 21-4(1)
Form F88
               Notice of Intention to Act in Person—R. 21-4(1)
Form F89
               Notice of Intention to Withdraw as Lawyer—R. 21-4(4)
Form F90
               Objection—R. 21-4(5)
Form F91
               Notice of Withdrawal of Lawyer—R. 21-4(6)
Form F92
               Warrant—Contempt—R. 21-7(5), (7)
Form F93
               Undertaking—R. 21-7(9)
Form F94
               Release Order—R. 21-7(10)
```

Form	F94.1	Requisition—Leave (Vexatious Litigant)—R. 21-8(1)
Form	F95	Fax Cover Sheet—R. 22-3(3)
Form	F96	Electronic Filing Statement—R. 22-4(6)
Form	F97	Declaration—R. 22-5(17)
Form	F98	Notice of Appeal from Associate Judge, Registrar or Special Referee—R. 22-7(8.1)
Form	F98.1	Appellant's Statement of Argument—R. 22-7(8.2)
Form	F98.2	Respondent's Statement of Argument—R. 22-7(8.4)
Form	F99	Demand—R. 23-1(11)
Form	F100	Certificate of Mediation—App. C, Sch. 1, s. 2(2)
Form	F101	Affidavit—R. 15-2.1(1)
Form	F102	Statement of Information for Corollary Relief Proceedings—R. 15-2.2(1) and (2)

NOTICE TO MEDIATE REGULATION

- Form 1 Notice to Mediate—s. 2(1)
- Form 2 Statement of Facts and Issues—s. 8(1)
- Form 3 Mediation Fee Declaration—s. 9
- Form 4 Declaration of Default—s. 11
- Form 5 Certificate of Completed Mediation—s. 14(2)

NOTICE TO MEDIATE (GENERAL) REGULATION

- Form 1 Notice to Mediate
- Form 2 Statement of Facts and Issues
- Form 3 Mediation Fee Declaration
- Form 4 Allegation of Default
- Form 5 Certificate of Completed Mediation

NOTICE TO MEDIATE (RESIDENTIAL CONSTRUCTION) REGULATION

- Form 1 Notice to Mediate—s. 2(1)
- Form 2 Statement of Facts and Issues—s. 10(1)
- Form 3 Mediation Fee Declaration—s. 11(2)
- Form 4 Declaration of Default—s. 13
- Form 5 Certificate of Completed Mediation—s. 16(2)

NOTICE TO MEDIATE (FAMILY) REGULATION

- Form 1 Notice to Mediate
- Form 2 Statement of Facts and Issues
- Form 3 Mediation Fee Declaration
- Form 4 Allegation of Default
- Form 5 Certificate of Conclusion of Mediation

PART IV COURT OF APPEAL FORMS

- Form 1 Notice of Appeal—R. 6(1)
- Form 2 Notice of Appearance—R. 7(1), 8(a), 10(1)
- Form 3 Notice of Cross Appeal—R. 9(a)
- Form 4 Notice of Application—R. 13(a), 20(3) and (4), 54(a), 58(1), 59(1), 60(2), 61(2), 63(2)

- Form 5 Notice of Hearing of Appeal—R. 33(2), 34(2)
- Form 6 Notice of Settlement or Abandonment—R. 46
- Form 7 Notice of Urgent Application—R. 57(2)
- Form 8 Notice of Application to Vary an Order of a Justice—R. 62(2)
- Form 9 Requisition—R. 65(2) and (3)
- Form 10 Order of a Single Justice—R. 66(3)(a)
- Form 11 Order of Three or More Justices—R. 66(3)(b)
- Form 12 Order from an Application to Vary the Order of a Justice—R. 66(3)(c)
- Form 13 Consent Order to Extend Time to File a Document—R. 67(2)(a)
- Form 14 Consent Order to Remove an Appeal from the Inactive List—R. 67(2)(b)
- Form 15 Consent Order—General—R. 67(2)(c)
- Form 16 Offer to Settle Costs—R. 76(1)
- Form 17 Certificate of Costs—R. 77
- Form 18 Notice of Change of Representation / Change of Address for Service—R. 86
- Form 19 Notice of Withdrawal of Lawyer—R. 87(1)
- Form 20 Notice of Objection to Withdrawal—R. 87(2)
- Form 21 Bill of Costs—R. 39(2)
- Form 22 Application for Order that No Fees Are Payable—R. 85

PART V SMALL CLAIMS

SMALL CLAIMS ACT

PART 1 DEFINITIONS, PURPOSE AND CLAIMS

- 1 Definitions
- 2 Purpose
- 3 Claims the court may hear
- 4 Making or defending a claim

PART 2 APPEAL

- 5 Right of appeal
- 6 Time limit for appeal
- 7 Notice of appeal
- 8 Deposit
- 9 Suspension of proceedings
- 10 Date of hearing
- 11 Service of notice
- 12 Hearing of appeal
- 13 Decision
- 14 Recording of appeal
- 15 Variations of time

PART 3 EVIDENCE, PROCEDURE AND ADMINISTRATION

- 16 Evidence
- 17 Directions of Chief Judge
- 18 Forms

- 19 Costs
- 20 Registrars21 Power to make regulations

SMALL CLAIMS RULES

		Introduction
		Definitions
Rule		MAKING A CLAIM
Rule	1.1	PROCESS FOR MAKING A CLAIM IF PROCEEDINGS PREVIOUSLY INITIATED BEFORE CIVIL RESOLUTION TRIBUNAL
Rule	2	SERVING A NOTICE OF CLAIM
Rule		REPLYING TO A CLAIM MADE BY A NOTICE OF CLAIM
Rule		MAKING A CLAIM AGAINST A CLAIMANT
Rule		THIRD PARTIES
Rule		IF A DEFENDANT DOES NOT REPLY TO A CLAIM
Rule		THE SETTLEMENT CONFERENCE
Rule		TRANSFERS AND MULTIPLE CLAIMS
Rule		MEDIATION FOR CLAIMS UP TO \$10 000
	7.21	TRANSITIONAL PROVISIONS FOR RULES 7.2 AND 7.4
Rule		MEDIATION FOR CLAIMS BETWEEN \$10 000 AND \$35 000
Rule		MEDIATION OF CLAIMS FOR MORE THAN \$5 000 OR
		FOR DAMAGES FOR PERSONAL INJURY (PILOT
		PROJECT—ROBSON SQUARE SMALL CLAIMS
		REGISTRY)
Rule	7.5	TRIAL CONFERENCES
Rule	8	CHANGING OR WITHDRAWING A CLAIM OR REPLY, ETC
Rule		WITNESSES
Rule	9.1	SIMPLIFIED TRIALS FOR CLAIMS UP TO \$10 000 (PILOT PROJECT—ROBSON SQUARE AND RICHMOND SMALL CLAIMS REGISTRIES)
Rule	9.2	SUMMARY TRIAL FOR FINANCIAL DEBT (PILOT PROJECT—ROBSON SQUARE SMALL CLAIMS REGISTRY)
Rule	10	THE TRIAL
	10.1	OFFER TO SETTLE
Rule	10.2	PENALTIES IF FINAL DECISION BY CIVIL RESOLUTION TRIBUNAL
Rule	11	PAYMENT OF THE JUDGMENT
Rule	12	PAYMENT HEARING
Rule	13	DEFAULT HEARING
Rule	14	WARRANT OF ARREST FOR NOT ATTENDING COURT
Rule	15	IF A WARRANT OF IMPRISONMENT IS ISSUED
Rule	16	APPLICATIONS TO THE COURT
Rule	16.1	APPLICATION FOR EXEMPTION FROM ADJUDICATION OF CLAIM BY CIVIL RESOLUTION TRIBUNAL
Rule	17	GENERAL
Rule	17.1	PROCEDURES IN FAX FILING PILOT PROJECT REGISTRIES
Rule	18	OTHER RULES ABOUT SERVICE AND PROVING SERVICE

Rule 19 Rule 20 Rule 21 Rule 22 Schedule A Schedule C	CONTEMPT FEES AND EXPENSES USE OF FORMS ELECTRONIC FILING RULE Fees [Repealed. B.C. Reg. 267/2018, Sch., s. 22]
Schedule D Schedule E	[Repealed. B.C. Reg. 267/2018, Sch., s. 22] [Repealed. B.C. Reg. 267/2018, Sch., s. 22]
PRACTICE D	IRECTIONS
	Proof of Service from Canada Post [February 2] Default Method of Attendance for Court Appea

SM. CL. 01	Proof of Service from Canada Post [February 23, 2015]
SM. CL. 02	Default Method of Attendance for Court Appearances under the
	Small Claims Rules [October 3, 2022]
SM. CL. 03	Affidavits & Exhibits and Documents for Settlement Conferences
	for Use in Small Claims Proceedings [February 10, 2023]
SM. CL. 04	Intimate Images Protection Act Procedural Requirements
	[January 29, 2024]

SMALL CLAIMS RULES FORMS

- Notice of Claim Form 1
- Form 2 Reply to a Claim or Counterclaim
- Form 3 Third Party Notice
- Form 3.1 Reply to Third Party Notice
- Certificate of Service Form 4
- Application for Default Order Form 5
- Form 6 Notice of Settlement Conference
- Form 7 Certificate of Readiness
- Form 8 Summons to Witness
- Form 9 Notice of Warrant of Arrest
- Payment Order Form 10
- Form 11 Order for Seizure and Sale
- Form 12 Summons to a Payment Hearing
- Form 13 Notice of a Payment Hearing
- Form 14 Summons to a Default Hearing
- Form 15 Warrant of Imprisonment
- Form 16 Application to a Registrar
- Application to a Judge or Justice Form 17
- Form 18 Offer to Settle
- Form 19 Acceptance of Offer
- Form 20 Fax Cover Sheet
- Form 21 Repealed
- Form 22 Repealed
- Form 23 Request for Judgment or for Dismissal
- Form 24 Result of Mediation Form
- Form 25 **Mediation Agreement**
- Form 26 Mediation Compensation Order
- Form 27 Repealed
- Form 28 **Electronic Filing Statement**
- Notice to Mediate for Claims Between \$10,000 and \$35,000 Form 29

- Form 30 Fee Declaration
- Form 31 Verification of Default
- Form 32 Notice of Trial Conference
- Form 33 Trial Statement
- Form 34 Notice of Civil Resolution Tribunal Claim
- Form 35 Application for Deposit (Civil Resolution Tribunal)
- Form 36 Application for Exemption (Civil Resolution Tribunal)
- Form 37 Certificate of Compliance
- Form 38 Address for Service
- Form 39 Supporting Materials Cover Sheet
- Form 40 Statement of Finances

Index to Small Claims Act and Small Claims Rules

PART VI STATUTES

CIVIL MARRIAGE ACT

1 Short title

PART 1 MARRIAGE

- 2 Marriage—certain aspects of capacity,
- 2.1 Consent required
- 2.2 Minimum age
- 2.3 Previous marriage
- 3 Religious officials
- 3.1 Freedom of conscience and religion and expression of beliefs
- 4 Marriage not void or voidable
- 5 Marriage of non-resident persons

PART 2 DISSOLUTION OF MARRIAGE FOR NON-RESIDENT SPOUSES

- 6 Definition of "court"
- 7 Divorce—non-resident spouses
- 8 No corollary relief
- 9 Effective date generally
- 10 Legal effect throughout Canada
- 11 Marriage dissolved
- 11.1 [Repealed. 2013, c. 30, s. 4]
- 12 Definition of "competent authority"
- 13 Regulations
- 14 [Repealed. 2013, c. 30, s. 4]
- 15 [Repealed. 2013, c. 30, s. 4]

CIVIL RESOLUTION TRIBUNAL ACT

PART 1 DEFINITIONS AND TRIBUNAL MANDATE

DIVISION 1 DEFINITIONS AND INTERPRETATION [HEADING ADDED 2018, C. 17, S. 1]

1 Definitions

DIVISION 2 TRIBUNAL MANDATE [HEADING ADDED 2018, C. 17, S. 3.]

- 2 Civil Resolution Tribunal mandate and role
- 2.1 General authority of tribunal—claim categories
- 3 [Repealed. 2015, c. 16, s. 2.]

PART 1.1

DIVISION 1 [HEADING REPEALED 2018, C. 17, S. 5.]

3.1 [Repealed. 2018, c. 17, s. 5.]

DIVISION 2 [HEADING REPEALED 2018, C. 17, S. 5.]

- 3.5 [Repealed. 2018, c. 17, s. 5.]
- 3.6 [Repealed. 2018, c. 17, s. 5.]

DIVISION 3 [HEADING REPEALED 2018, C. 17, S. 5.]

3.7 [Repealed. 2018, c. 17, s. 5.]

DIVISION 4 [HEADING REPEALED 2018, C. 17, S. 5.]

3.8 [Repealed. 2018, c. 17, s. 5.]

PART 2 HOW TO BRING A MATTER TO THE TRIBUNAL

DIVISION 1 INITIATING A CLAIM [HEADING AMENDED TO 2015, C. 16, S. 4.]

- 4 Asking the tribunal to resolve a claim
- 5 Use of online dispute resolution services may be required before request accepted
- 6 Initiating notice
- 7 Giving and responding to initiating notice
- 8 [Repealed. 2015, c. 16, s. 5.]
- 9 Government as party
- 10 Claims to be resolved must be within tribunal authority
- 11 General authority for tribunal to refuse to resolve claim or dispute
- 12 [Repealed. 2015, c. 16, s. 8.]
- 12.1 [Repealed. 2018, c. 17, s. 11.]
- 12.3 [Repealed. 2018, c. 17, s. 11.]

DIVISION 2 LIMITATION PERIOD [HEADING AMENDED 2015, C. 16, S. 9.]

- 13 Limitation period
- 13.1 Limitation period does not run after request for tribunal resolution
- 13.2 Time limit—certain claims brought or continued in court
- 13.3 Time limit—court determination about matters within jurisdiction of tribunal
- 13.4 Time limit—suspension during certain court processes
- 13.5 Time limit—determination of extent of responsibility for accident

14 [Repealed. 2018, c. 17, s. 13.]

DIVISION 3 RELATIONSHIP WITH OTHER PROCEEDINGS [HEADING ADDED 2015, C. 16, S. 11.]

- 14.1 [Repealed. 2018, c. 17, s. 13.]
- 15 Restrictions in relation to court and other proceedings—when tribunal proceeding starts
- 16 [Repealed. 2015, c. 16, s. 13.]
- 16.1 Court must stay or dismiss certain proceedings
- 16.2 Court may order that tribunal not adjudicate claim
- 16.3 Considerations in the interest of justice and fairness
- 16.4 Bringing or continuing claim in court

PART 3 TRIBUNAL PROCEEDINGS GENERALLY

- 17 Tribunal proceeding processes
- 18 Nature of tribunal proceeding
- 19 Use of electronic communication tools
- 20 General rule that parties to represent themselves
- 20.1 Lawyer representation in respect of accident claims
- 21 [Repealed. 2015, c. 16, s. 13.]
- 22 Parties may request consent dismissal order

PART 4 CASE MANAGEMENT PHASE

DIVISION 1 CASE MANAGER RESPONSIBILITIES

- 23 Case manager role
- 24 Case managers assigned to dispute

DIVISION 2 FACILITATED SETTLEMENT [HEADING AMENDED 2015, C. 16, S. 15.]

- 25 Dispute resolution services that may be used
- 26 Consent resolution orders if parties resolve issues or claims by agreement
- 27 Case manager may provide neutral evaluation of dispute
- 28 Case manager may make recommendation for resolution if parties consent
- 29 Case manager may act as tribunal in providing direct resolution if parties agree
- 30 Unresolved claims in dispute proceed to tribunal hearing

DIVISION 3 PREPARATION FOR TRIBUNAL HEARING

- 31 Addition of appropriate parties
- 32 Preparation of case and evidence
- 33 Party may prepare summons to require other persons to provide evidence
- 34 Tribunal may require persons to provide evidence

DIVISION 4 REFERRAL OF MATTERS TO TRIBUNAL

- 35 Referral to tribunal if claim appears frivolous, vexatious or an abuse of process
- 36 Referral to tribunal if there is non-compliance in case management phase

37 Cancellation of final decision or dismissal order under section 36

PART 5 TRIBUNAL RESOLUTION

DIVISION 1 TRIBUNAL HEARINGS

- 38 General tribunal authority in conducting hearings
- 39 How tribunal hearings are conducted
- 40 Notice of hearing
- 41 Consent resolution orders if parties resolve issues or claims by agreement
- 42 Evidence in tribunal hearing
- 43 [Repealed. 2015, c. 16, s. 23.]
- 44 Recording tribunal proceedings
- 45 Referral back to case management phase

DIVISION 2 FINAL DECISION RESOLVING DISPUTE

- 46 Tribunal must give final decision following hearing
- 47 Notice of final decision
- 48 Order giving effect to final decision
- 48.1 [Repealed. 2018, c. 17, s. 20.]
- 49 Order for payment of expenses
- When final decision is effective
- 51 Amendment of final decision or order to clarify

DIVISION 3 TRIBUNAL AUTHORITY IF PARTY DOES NOT PARTICIPATE

- 52 Tribunal may hear or dismiss claims or dispute if party does not participate
- 53 Cancellation of final decision or dismissal order made in absence of party

DIVISION 4 [HEADING REPEALED 2015, C. 16, S. 26.]

- 54 [Repealed. 2015, c. 16, s. 26.]
- 55 [Repealed. 2015, c. 16, s. 26.]
- 56 [Repealed. 2015, c. 16, s. 26.]

DIVISION 5 [HEADING REPEALED 2022, C. 6, S. 6.]

- 56.1 [Repealed. 2022, c. 6, s. 6.]
- 56.2 [Repealed. 2022, c. 6, s. 6.]
- 56.3 [Repealed. 2022, c. 6, s. 6.]
- 56.4 [Repealed. 2022, c. 6, s. 6.]

DIVISION 6 [HEADING REPEALED 2018, C. 17, S. 24.]

56.5 [Repealed, 2018, c. 17, s. 24.]

PART 5.1 JUDICIAL REVIEW OF TRIBUNAL DECISIONS

- 56.6 Time limit for application for judicial review
- 56.7 Standard of review if tribunal has exclusive jurisdiction or specialized expertise

- 56.8 Standard of review—other tribunal decisions
- 56.9 Discretionary decision—patently unreasonable

PART 6 ENFORCEMENT OF TRIBUNAL ORDERS

- 57 Enforcement by filing in Supreme Court
- 58 Enforcement of final decision by filing in Provincial Court
- 58.1 Enforcement of small claims decisions
- 58.2 Enforcement of tribunal decision by other person
- 59 Cancellation of tribunal order
- 60 Enforcement of tribunal orders by proceeding for contempt

PART 7 TRIBUNAL POWERS AND PROCEDURES

- 61 General tribunal authority in relation to tribunal proceeding
- 62 Rules of practice and procedure for tribunal proceedings
- 63 Practice directives
- 64 Authority to correct decisions and orders
- 65 Authority of tribunal members and panels
- 66 Authority to administer oaths

PART 8 TRIBUNAL MEMBERSHIP AND ADMINISTRATION

DIVISION 1 APPOINTMENT OF TRIBUNAL MEMBERS AND OTHER STAFF

- 67 Tribunal chair
- 68 Vice chairs and other members of the tribunal
- 69 Temporary tribunal members
- 70 Acting chair if chair absent or incapacitated
- 71 Acting chair if no chair appointed
- 72 Member's absence or incapacitation
- 73 Powers after resignation or expiry of term
- 73.1 Validity of tribunal acts
- 74 Termination for cause
- 75 Remuneration and benefits for members
- 76 Other tribunal officers
- 77 Other persons engaged or retained by tribunal

DIVISION 2 TRIBUNAL ORGANIZATION AND OPERATIONS

- 78 Authority of chair
- 79 Chair may establish panels
- 80 Assignment of case managers and tribunal panels
- 81 Service improvement surveys
- 82 Annual report by chair

DIVISION 3 TRIBUNAL DUTIES AND PROTECTION

- 83 Tribunal member duties
- 84 Immunity protection

PART 9 GENERAL

DIVISION 1 INFORMATION AND CONFIDENTIALITY

- 85 Publication of tribunal orders and other information
- 86 Protection of personal information
- 87 Tribunal members and staff obligation of confidentiality
- 88 General rule: tribunal may not be required to testify or produce evidence
- 89 Confidentiality of online and facilitated dispute resolution information
- 90 Application of—Freedom of Information and Protection of Privacy Act

DIVISION 1.1 CLUSTERING [HEADING ADDED 2015, C. 10, S. 48.]

90.1 Tribunal may be clustered with other tribunals

DIVISION 2 OFFENCES

- 91 General offence provision of—Offence Act does not apply
- 92 Offence for providing false or misleading information

DIVISION 3 REGULATIONS

93 Power to make regulations

CONSEQUENTIAL AMENDMENTS

94-111

AMENDMENTS TO THIS ACT

112 [Repealed. 2018, c. 17, s. 31.]

PART 10 TRIBUNAL JURISDICTION

DIVISION 1 GENERAL [HEADING ADDED 2018, C. 17, S. 32.]

- 113 Restricted authority of tribunal
- 114 Limited jurisdiction and discretion to decline jurisdiction to apply the— Human Rights Code
- 115 Exclusive jurisdiction of tribunal—privative clause
- 116 Specialized expertise of tribunal

DIVISION 2 REFERENCED CLAIMS [HEADING ADDED 2018, C. 17, S. 32.]

117 Jurisdiction provided for in another enactment

DIVISION 3 TRIBUNAL SMALL CLAIMS [HEADING ADDED 2018, C. 17, S. 32.]

- 118 Claims within jurisdiction of tribunal for tribunal small claims
- 119 Claims beyond jurisdiction of tribunal for tribunal small claims

DIVISION 4 STRATA PROPERTY CLAIMS [HEADING ADDED 2018, C. 17, S. 32.]

- 120 Meaning of words and expressions in Division—strata property claims
- 121 Claims within jurisdiction of tribunal for strata property claims
- 122 Claims beyond jurisdiction of tribunal for strata property claims
- 123 Orders available in strata property claims
- 123.1 Transition—appeal of certain strata property claims

DIVISION 5 COOPERATIVE ASSOCIATION CLAIMS

- 124 Meaning of words and expressions in Division—cooperative association claims
- 125 Claims within jurisdiction of tribunal for cooperative association claims
- 126 Claims beyond jurisdiction of tribunal for cooperative association claims
- 127 Orders available in cooperative association claims

DIVISION 6 SOCIETY CLAIMS

- 128 Meaning of words and expressions in Division—society claims
- 129 Claims within jurisdiction of tribunal for society claims
- 130 Claims beyond jurisdiction of tribunal for society claims
- 131 Orders available in society claims

DIVISION 7 ACCIDENT CLAIMS [HEADING ADDED 2018, C. 17, S. 32.]

- 132 Definitions for Division—accident claims
- 133 Claims within jurisdiction of tribunal for accident claims
- 134 Claims beyond jurisdiction of tribunal for accident claims
- 135 Matters relating to tribunal limit amount
- 136 Transition—claims in relation to accidents

DIVISION 8 INTIMATE IMAGE PROTECTION CLAIMS [HEADING ADDED 2023, C. 11, S. 29.]

- 136.1 Meaning of words and expressions in Division—intimate image protection claims
- 136.2 Claims within jurisdiction of tribunal for intimate image protection claim
- 136.3 Orders available in intimate image protection claims
- 136.4 Disapplication and modification of certain provisions

SCHEDULE

PART 1

DIVISION 1

- 1 [Repealed. 2015, c. 16, s. 39.]
- 2 [Repealed. 2015, c. 16, s. 39.]

DIVISION 2

3 [Repealed. 2015, c. 16, s. 39.]

DIVISION 3

4 [Repealed. 2015, c. 16, s. 39.]

PART 2

DIVISION 1

- 5 [Repealed. 2015, c. 16, s. 39.]
- 6 [Repealed. 2015, c. 16, s. 39.]
- 7 [Repealed. 2015, c. 16, s. 39.]
- 8 [Repealed. 2015, c. 16, s. 39.]

DIVISION 2

- 9 [Repealed. 2015, c. 16, s. 39.]
- 10 [Repealed. 2015, c. 16, s. 39.]
- 11 [Repealed. 2015, c. 16, s. 39.]

DIVISION 3

12 [Repealed. 2015, c. 16, s. 39.]

PART 3

13 [Repealed. 2015, c. 16, s. 39.]

CLASS PROCEEDINGS ACT

PART 1 DEFINITIONS

1 Definitions

PART 2 CERTIFICATION

- 2 Plaintiff's class proceeding
- 3 Defendant's class proceeding
- 3.1 Plaintiff in other proceeding may appear
- 4 Class certification
- 4.1 Orders in multi-jurisdictional certification
- 5 Certification application
- 6 Subclass certification
- 7 Certain matters not bar to certification
- 8 Contents of certification order
- 9 Refusal to certify
- 10 If conditions for certification not satisfied

PART 3 CONDUCT OF CLASS PROCEEDINGS

DIVISION 1 ROLE OF COURT

- 11 Stages of class proceedings
- 12 Court may determine conduct of proceeding
- 13 Court may stay any other proceeding
- 14 Applications

DIVISION 2 PARTICIPATION OF CLASS MEMBERS

- 15 Participation of class members
- 16 Opting out and opting in
- 17 Discovery
- 18 Examination of class members before an application

DIVISION 3 NOTICES

- 19 Notice of certification
- 20 Notice of determination of common issues
- 21 Notice to protect interests of affected persons
- 22 Approval of notice by the court
- 23 Giving of notice by another party
- 24 Cost of notice

PART 4 ORDERS, AWARDS AND RELATED PROCEDURES

DIVISION 1 ORDER ON COMMON ISSUES AND INDIVIDUAL ISSUES

- 25 Contents of order on common issues
- 26 Judgment on common issues is binding
- 27 Determination of individual issues
- 28 Individual assessment of liability

DIVISION 2 AGGREGATE AWARDS

- 29 Aggregate awards of monetary relief
- 30 Statistical evidence may be used
- 31 Average or proportional share of aggregate awards
- 32 Individual share of aggregate award
- 33 Distribution

34

DIVISION 3 TERMINATION OF PROCEEDINGS AND APPEALS

- 35 Settlement, discontinuance, abandonment and dismissal
- 36 Appeals

DIVISION 4 UNDISTRIBUTED AMOUNTS [HEADING ADDED 2018, C. 49, S. 20.]

- 36.1 Definition
- 36.2 Undistributed amounts

PART 5 COSTS, FEES AND DISBURSEMENTS

- 37 Costs
- 38 Agreements respecting fees and disbursements

PART 6 GENERAL

- 38.1 Limitation period for a cause of action not included in a class proceeding
- 39 Limitation periods

xxiv

- 40 Supreme Court Civil Rules
- 41 Application of Act
- 42 Offence Act
- 43 Power to make regulations
- 44 Transitional provisions—multi-jurisdictional class proceedings
- 45 Transition—undistributed amounts

CONSTITUTIONAL QUESTION ACT

- 1 Lieutenant Governor in Council to refer matters to court
- 2 Court to certify opinion
- 3 Notice to Attorney General of Canada
- 4 Notice of reference
- 5 Notice to persons interested
- 6 Appeal
- 7 Publication in Gazette
- 8 Notice of questions of validity or applicability
- 9 Action for declaration of validity of Act

COURT JURISDICTION AND PROCEEDINGS TRANSFER ACT

PART 1 INTERPRETATION

1 Definitions

PART 2 TERRITORIAL COMPETENCE OF COURTS OF BRITISH COLUMBIA

- 2 Application of this Part
- 3 Proceedings in a person
- 4 Proceedings with no named defendant
- 5 Proceedings against a vessel
- 6 Residual discretion
- 7 Ordinary residence—corporations
- 8 Ordinary residence—partnerships
- 9 Ordinary residence—unincorporated associations
- 10 Real and substantial connection
- 11 Discretion as to the exercise of territorial competence
- 12 Conflicts or inconsistencies with other Acts

PART 3 TRANSFER OF A PROCEEDING

- 13 General provisions applicable to transfers
- 14 Grounds for an order transferring a proceeding
- 15 Provisions relating to the transfer order
- 16 Supreme Court's discretion to accept or refuse a transfer
- 17 Effect of transfers to or from Supreme Court
- 18 Transfers to courts outside British Columbia
- 19 Transfers to Supreme Court
- 20 Return of a proceeding after transfer
- 21 Appeals
- 22 Departure from a term of transfer

23 Limitations and time periods

COURT ORDER ENFORCEMENT ACT

PART 1 ATTACHMENT OF DEBTS

- 1 Definitions for Part
- 2 Delegation of functions
- 3 Attachment procedures and exemptions
- 4 Variation of exemptions
- 5 Payment by installments
- 6 Attachments of money owing by government to public servants
- 7 Form of affidavits and orders
- 8 Affidavit may be on information and belief
- 9 Debts bound from time of service of order
- 10 Amount attached limited to amount due and reasonable costs
- 11 When judge may order payment by garnishee with costs
- 12 Payment out of court
- 13 Payment out of court without order
- 14 Execution may issue on order
- 15 Order may apply to debt not matured
- 16 If garnishee disputes debt, issue may be tried
- 17 Judge may order appearance of third person
- 18 Order for trial or payment on hearing third person
- 19 Judge may take evidence in chambers
- 20 Garnishee entitled to costs on complying with order
- 21 Payment into court is valid discharge
- 22 Debt attachment book to be kept by registrar
- 23 Procedure is regulated by this Part
- 24 Procedure in attaching partnership, firm or company debts
- 25 Service of attaching order on partnership, firm or company
- 26 Different debts may be included in one order
- 27 Garnishment not to affect employment

PART 2 RECIPROCAL ENFORCEMENT OF COURT ORDERS

- 28 Definitions and interpretation for Part
- 29 Application for registration of judgment
- 30 Jurisdiction to issue certificate
- 31 Application of Foreign Money Claims Act
- 32 If judgment is in language other than English
- 33 Effect of registration
- 34 Order sought by one party only
- 35 Rules of court
- 36 Exercise of powers
- 37 Reciprocating jurisdictions
- 38 Saving
- 39 General purpose

PART 3 ASBESTOS LITIGATION

40 Loss or injury caused by asbestos

xxvi

PART 4 CANADA—UNITED KINGDOM CONVENTION

- 41 Definition for Part
- 42 Convention in force in British Columbia
- 43 Request to designate British Columbia and courts
- 44 Publication of date and courts
- 45 Regulations
- 46 This Part prevails

PART 5 ENFORCEMENT OF COURT ORDERS

- 47 Definitions for Part
- 48 When order is payable
- 49 Homestead Act
- 50 How time to be calculated
- No imprisonment for debt
- 52 Court may order preference claim to extent of 3 months' wages
- 53 Creditor may enforce claim for balance due
- Return of writ or order by sheriff
- 55 Effect of writ of execution against goods
- Land not to be sold under writ of execution against goods
- 57 Interests subject to seizure and sale
- 58 Sheriff empowered to seize money and securities for money
- 59 Payment to or recovery by sheriff to be valid discharge
- 60 Sheriff to satisfy writ of execution and pay surplus to execution debtor
- 61 Sheriff not bound to sue until indemnified against costs
- 61.1 Application of Securities Transfer Act
- 62 Sale of equity of redemption in goods
- 63 [Repealed. 2007, c. 10, s. 111]
- 63.1 Seizure of judgment debtor's interest in securities and security entitlements
- 64 [Repealed. 2007, c. 10, s. 111]
- 64.1 Sheriff may deal with seized interests in securities and security entitlements
- 65 [Repealed. 2007, c. 10, s. 111]
- 65.1 Restrictions on transfer of seized security
- 66 [Repealed. 2007, c. 10, s. 111]
- 67 [Repealed. 2007, c. 10, s. 111]
- 68 [Repealed. 2007, c. 10, s. 111]
- 69 [Repealed, 2007, c. 10, s. 111]
- 70 Definition for sections 71 to 78
- 71 Personal property of debtor
- 71.1 Principal residence of debtor
- 71.2 Property exceeding exempted values
- 71.3 Registered plans exempt from seizure
- 72 Art exempt from seizure
- 73 Procedure for selection of exempt goods
- 74 Procedure as to value of exempt goods
- 75 If goods selected exceed in value the exempt amount
- 76 Appraiser's fees
- 77 Appraiser's oath

78 Appeal from appraisal 79 Recovery of taxes, rent and other debts Writs of elegit or fi. fa. land abolished 80 81 Definitions for sections 82 to 112 82 Registration of judgment before October 31, 1979 83 Expiration of lien Registration or renewal before October 31, 1979 84 Section 84 limited in time 85 Registration of judgments after October 30, 1979 86 87 Fraudulent Preference Act 88 Application to register judgment 89 Notice to owner Additional compensation 90 Expiration and renewal 91 92 Procedure for enforcing charge Determination of disputed questions 93 94 Reference to ascertain land and settle priorities 95 Registrar may retain sufficient sum to satisfy claim under Creditor Assistance Act 96 Order for sale of land 97 Court may direct notification of claimants not before court 98 Pending litigation Costs in discretion of court 99 100 Time of sale of land 101 Notice of sale Form of notice of sale 102 103 Purchase of land by plaintiff or mortgagee 104 No sale on day of sale 105 Conveyance of land sold Proceeds of sale to registrar of Supreme Court 106 Purchaser not to be affected by irregularities 107 108 Proceeding not to abate by marriage, death or bankruptcy Power of purchasers to satisfy encumbrances 109 Payment into court of money from sale 110 111 Distribution of money Registration of conveyance 112 113 Sheriff's fees 114 Register of sales

SCHEDULE 1

Register may be inspected

Assessors may inspect register Power to make regulations

SCHEDULE 2

SCHEDULE 3

SCHEDULE 4

xxviii

115

116

117

COURT ORDER INTEREST ACT

PART 1 PREJUDGMENT INTEREST

- 1 Court order interest
- 2 Interest not awarded in certain cases
- 3 Default order
- 4 Payment into court
- 5 Interest included in judgment
- 6 Effective date

PART 2 POSTJUDGMENT INTEREST

- 7 Interest rate
- 8 Court may vary rate
- 9 Interest deemed to be included in judgment

TABLE OF INTEREST RATES

COURT RULES ACT

- 1 Rules of Court
- 2 Economical litigation
- 3 Rules for money in court
- 4 Rules for disclosure in family matters
- 5 Regulations of official reporters
- 6 Consultation and recommendations

CREDITOR ASSISTANCE ACT

- 1 Definitions
- 2 Sheriff's notice of levy
- 3 Distribution
- 4 Exceptions
- 5 Subsequent levy
- 6 Claims by other creditors
- 7 Service on debtor
- 8 Procedure in registry
- 9 Address for service
- 10 Service on claimant
- 11 Certificate of claim
- 12 Sheriff to make further levy
- 13 Expiry of certificates
- 14 Right to contest claim by debtor
- 15 Contest by creditor
- 16 Duties of parties if claim contested
- 17 Examination of parties
- 18 Writs for any county
- 19 Decision in one county binding in others
- 20 Record and index of claims
- 21 Copy of record as evidence
- 22 Time to pay

- 23 Payment before sale
- 24 Expiry of writs
- 25 Costs of claimant
- 26 Fund in court
- 27 Deficiency in levy
- 28 Interest and further costs
- 29 Sheriff's fees
- 30 Recovery for benefit of all
- 31 Compelling payment by sheriff
- 32 Statement pending distribution
- 33 Sheriff to give information
- 34 Attaching orders
- 35 Distribution if claim is contested
- 36 Priority for wages and salary
- 37 Distribution to established claimants only
- 38 Distribution if amount levied insufficient
- 39 Distribution and objections
- 40 How objections are made and heard
- 41 Intervening encumbrance
- 42 Court's power on contest
- 43 Powers of court
- 44 Decisions binding on all creditors
- 45 Deposit of money
- 46 No priority
- 47 Defects in form
- 48 Supreme Court Civil Rules
- 49 Fees
- 50 Application
- 51 Power to make regulations

EVIDENCE ACT

- 1 Definitions
- 2 Application of this Act
- 3 Competency unaffected by interest or crime
- 4 Privilege
- 5 Witness whose capacity is in doubt
- 6 Person charged and spouse competent
- 7 Parties to civil causes and their spouses may be witnesses
- 8 Communications made during marriage need not be disclosed
- 9 In actions by or against mentally disordered persons
- 10 Evidence of experts
- 11 Testimony of experts
- 12 Section 11 confined to civil proceedings
- 12.1 Limitation on expert evidence in vehicle injury proceedings
- 12.2 Exception to application of limits in section 12.1
- 13 Cross examination of witnesses as to previous statements in writing
- 14 Proof of prior inconsistent statement made by witness
- 15 Questioning a witness as to convictions and proving convictions
- 16 Impeachment and contradiction of witness

- 17 A witness who is a unable to speak
- 18 Record of Provincial Court
- 19 Sound recording apparatus
- 20 Affirmation or oath
- Validity of oath not affected by absence or difference of religious belief
- 22 Oath may be administered with uplifted hand
- 23 Power to administer oaths
- 24 Judicial notice of statutes
- 24.1 Judicial notice of treaty first nation laws
- 25 Proof of state documents
- 26 Evidence of proceedings in courts in Canada and elsewhere
- 27 Proof of judge's signature
- 28 Evidence of documents and proceedings of corporations
- 29 Evidence of public books and documents
- 30 No proof of signature or official position
- 31 Orders signed by Secretary of State
- 32 Copies in Gazette evidence
- 33 Evidence of entries in departmental books of governments of Canada and British Columbia
- 34 Financial institution records
- 35 Admissibility of photographs taken to keep a permanent record
- 36 Evidence of notarial acts or instruments made or filed in Province of Quebec
- 37 Procedure for proving will by production of probate or stamped copy
- 38 Procedure for proving will by production of probate from court of British possession
- 39 Certified copies of documents in land title and Supreme Court offices as evidence
- 40 Certified copies of records of chief commissioner or gold commissioner's evidence
- 41 Production and proof of original documents filed in land title office or County Court
- 41.1 Definitions
- 41.2 Application
- 41.3 Authentication
- 41.4 Admissibility of electronic court documents
- 42 Admissibility of business records
- 43 Proof of commercial paper
- 44 Proof of attesting witness not required if instrument need not be attested
- Evidence of disputed writing by comparison with other writing proved to be genuine
- 46 Impounding documents
- 47 Filing certified copy as exhibit instead of original
- 48 Proof of insertion of advertisements in newspapers
- 49 Leaflet bearing name of printer evidence leaflet printed by that printer
- 50 Proof of death of member of military
- 51 Heath care evidence
- 52 Evidence of marriage
- 53 Power to order examination of witness under commission issued by foreign court

- 54 Act gives additional powers
- 55 Affidavit evidence
- 56 Appointment of commissioners for taking affidavits
- Fees to be paid by commissioners
- 58 Commissioner fee exceptions
- 59 Powers of commissioner
- 60 Commissioners because of office or employment
- 60.1 Police forces
- 61 Social workers
- Revocation of commissioner appointment
- 63 Affidavits sworn out of British Columbia for use in British Columbia
- 64 Commissioned officers empowered to administer oaths
- 65 Admissibility of documents attesting to affidavits having been sworn
- 66 Effect given to affidavits
- Receipt of affidavits despite defects
- 68 Taking of affidavits required by an insurer
- 69 Statutory declarations
- 70 Reports of judge
- 71 Evidence of previous conviction admissible in subsequent proceeding
- 72 Testimony outside courtroom or behind screen

73

FRAUDULENT CONVEYANCE ACT

- 1 Fraudulent conveyance to avoid debt or duty of others
- 2 Application of Act

FRAUDULENT PREFERENCE ACT

- 1 Interpretation
- 2 Instruments preferring creditors
- 3 Transfers which prejudice creditors
- 4 Transfers having effect of preference
- 5 What transactions to be deemed preferential
- 6 Sales and transfers in good faith
- 7 Following proceeds of property fraudulently transferred
- 8 Conveyances void as against registered judgment
- 9 Setting aside fraudulent conveyances
- 10 Determination of disputed questions
- 11 Certificate of proceedings
- 12 Costs in discretion of court

HAGUE CONVENTION ON THE CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION

INSURANCE (VEHICLE) ACT

PART 0.1 DEFINITIONS, APPLICABLE AND ENTITLEMENTS [HEADING ADDED 2020, C. 10, S. 4.]

- 1 Definitions and application
- 1.01 Exemption of government vehicles

xxxii

- 1.02 Extraprovincial undertaking
- 1.03 Entitlements

PART 1 UNIVERSAL COMPULSORY VEHICLE INSURANCE

- 1.1 Definitions
- 1.2 Application of this Part
- 2 Corporation to provide universal compulsory vehicle insurance
- 3 [Repealed. 2003, c. 94, s. 6]
- 4 [Repealed. 2003, c. 94, s. 6]
- 5 [Repealed. 2003, c. 94, s. 6]
- 6 [Repealed. 2003, c. 94, s. 6]
- 7 Plan
- 8 [Repealed. 2003, c. 94, s. 8.]
- 9 Application of other Acts
- 10 [Repealed. 1997, c. 29, s. 20]
- 11 Combined forms and information
- 12 [Repealed. 2003, c. 94, s. 11]
- 13 [Repealed. 2003, c. 94, s. 11]
- 14 Salvage
- 14.1 Agreements
- 14.2 Costs of health-related services
- 14.3 Validation
- 15 [Repealed. 2003, c. 94, s. 11]
- 16 [Repealed. 2003, c. 94, s. 11]
- 17 Limitation
- 18 Financial responsibility in other provinces
- 19 Forfeiture of claims
- 19.1 [Repealed. 2003, c. 94, s. 14]
- 19.2 [Repealed. 2003, c. 94, s. 14]
- 20 Uninsured vehicles
- 21 [Repealed. 2003, c. 94, s. 16]
- 22 Corporation to be notified of action
- 23 [Repealed. 2003, c. 94, s. 18]
- Remedy for damage in hit and run accident
- 25 [Repealed. 2003, c. 94, s. 20]
- 26 [Repealed. 2003, c. 94, s. 20]
- 27 Accident report
- 28 Medical reports
- 28.1 Health care reports for accidents on or after April 1, 2019
- 29 Employment information
- 30 Superintendent's records
- 30.1 [Repealed. 2003, c. 94, s. 25 [Amended 2006, c. 28, s. 26.]]
- 31 Excess payments and deduction of premiums
- 32 [Repealed. 2003, c. 94, s. 27]
- 33 Application for insurance
- 34 Premiums for certificates
- 35 [Repealed. 2018, c. 19, s. 10]
- 35.1 Blanket certificate
- 35.2 Collection of information relating to blanket certificates and certificates for taxis insured as part of fleet

- 36 Issue of certificate
- 37 Certificate not issued in certain case
- 38 Insurance condition precedent to licence
- 39 Effect of licensing action
- 40 Expiration of certificate
- 41 Notification
- 42 Offences
- 42.1 Offence
- 43 [Repealed. 2020, c. 10, s. 16]
- 44 [Repealed. 2020, c. 10, s. 16]
- 44.1 [Repealed. 2003, c. 94, s. 36]
- 45 Power to make regulations
- 45.1 Regulations respecting health care fees
- 46 [Repealed. 2003, c. 94, s. 38]
- 46.1 [Repealed. 2003, c. 37, s. 26]
- 46.11 Review of regulations
- 46.2 Jurisdiction of the commission

PART 2

- 47 [Repealed. 2006, c. 33, s. 1(2)(a)]
- 48 [Repealed. 2006, c. 33, s. 1(2)(a)]
- 49 [Repealed. 2006, c. 33, s. 1(2)(a)]
- 50 [Repealed. 2006, c. 33, s. 1(2)(a)]
- 51 [Repealed. 2006, c. 33, s. 1(2)(a)]

PART 3

- 52 [Repealed. 2003, c. 94, s. 40]
- 53 [Repealed. 2003, c. 94, s. 40]
- 54 [Repealed. 2003, c. 94, s. 40]
- 55 [Repealed. 2003, c. 94, s. 40]
- 56 [Repealed. 2003, c. 94, s. 40]
- 57 [Repealed. 2003, c. 94, s. 40]

PART 4 OPTIONAL INSURANCE CONTRACTS

- 57.1 Definitions and interpretation
- 58 Application of this Part
- 59 [Repealed. 2006, c. 28, s. 35]
- 60 Duty of insurer
- 61 Coverage of optional insurance contracts
- 62 Coverage of non-owner's policy
- 63 Copy of application in policy
- 64 Use of statements in application for optional insurance contract
- 65 Limits on physical damage
- Agreement for partial payment of claim by insured
- 67 Partial payment of loss clause
- 68 Relief from forfeiture
- 69 Persons forbidden to act as agent
- 70 Protection of insurance agent commission

- 71 Statistical information
- 72 Power to make regulations
- 72.1 Variation of prescribed conditions
- 73 Power to make regulations establishing an insurer of last resort

PART 5 PROVISIONS RELATING TO THE PLAN AND OPTIONAL INSURANCE [HEADING ADDED 2003, C. 94, S. 41. AMENDED 2018, C. 19, S. 21; 2020, C. 10, S. 22.]

- 74 Application of this Part
- 74.1 Civil resolution tribunal
- 75 Forfeiture
- 76 Third party rights
- 76.1 Recovery in relation to motor vehicle insurance
- 77 Rights of insurer
- 78 Payment of insurance money into court
- 79 Defence if more than one contract
- 80 Other insurance
- 81 Unnamed insured
- 82 Insured to give notice and disclose damage
- 82.1 Liability limited for classes of owners
- 82.2 Liability limited for health care costs
- 83 Liability reduced
- 84 Subrogation
- 85 Waiver of term or condition
- 86 Effect of payment under the plan or an optional insurance contract
- 87 Territorial limits
- 88 Out of province use
- 89 Proof of intoxication
- 90 Limitation on recovery for acts of violence
- 91 Limitation on recovery in relation to stolen vehicles
- 92 Payment to minor
- 93 Family exclusion clauses
- 93.1 Corporation's collection remedies
- 94 Power to make regulations under this Part

PART 6 VEHICLE ACTIONS

- 95 Definitions
- 96 Alternate dispute resolution
- 97 Application of sections 98 and 100
- 98 Recovery for loss of income
- 99 Structured judgments
- 100 Apportionment

PART 7 MINOR INJURIES

- 101 Definitions and interpretation
- 102 Application of this Part
- 103 Limit on non-pecuniary loss for minor injuries
- 104 Power to make regulations under this Part

PART 8 [*REPEALED.* 2020, C. 10, S. 31]

- 105 [Repealed. 2020, c. 10, s. 31]
- 106 [Repealed. 2020, c. 10, s. 31]

PART 9 PRE-LITIGATION PAYMENTS [HEADING ADDED 2020, C. 10, S. 32.]

- 107 Definitions
- 108 Offer to make pre-litigation payment
- 109 Pre-litigation payment
- 110 Restriction on offer or pre-litigation payment
- 111 Consequences of offer and payment of pre-litigation payment
- 112 Non-disclosure to court and deduction

PART 10 ENHANCED ACCIDENT BENEFITS AND LIMITS ON ACTIONS AND PROCEEDINGS [HEADING ADDED 2020, C. 10, S. 33.]

DIVISION 1 DEFINITIONS AND APPLICATION [HEADING ADDED 2020, C. 10, S. 33.]

- 113 Definitions
- 114 Application of this Part

DIVISION 2 LIMITS ON ACTIONS AND PROCEEDINGS [HEADING ADDED 2020, C. 10, S. 33.]

- 115 No actions or proceedings for bodily injury
- 116 Exceptions

DIVISION 3 ENTITLEMENT AND MATTERS AFFECTING ENTITLEMENT [HEADING ADDED 2020, C. 10, S. 33.]

- 117 Enhanced accident benefits
- 118 Enhanced accident benefits for residents
- 119 Enhanced accident benefits for non-residents
- 119.1 Benefits provided by a certificate
- 120 Corporation's duty respecting benefits
- 121 Circumstances in which benefits reduced, suspended or cancelled or in which benefits not paid
- 122 Other sources

DIVISION 4 HEALTH CARE, REHABILITATION AND RELATED BENEFITS [HEADING ADDED 2020, C. 10, S. 33.]

- 123 Health care and related expenses benefit
- 124 Rehabilitation
- 125 Other related expenses
- 126 Recreation benefit
- 127 Expenses generally
- 128 Prescribed maximum benefits

xxxvi

DIVISION 5 PERMANENT IMPAIRMENT COMPENSATION [HEADING ADDED 2020, C. 10, S. 33.]

- 129 Permanent impairment compensation
- 130 If insured dies

DIVISION 6 INCOME REPLACEMENT BENEFITS—EARNERS AND NON-EARNERS [HEADING ADDED 2020, C. 10, S. 33.]

- 131 Full-time earners
- 132 Special circumstances
- 133 Temporary earners and part-time earners
- 134 Non-earners

DIVISION 7 BENEFITS FOR STUDENTS [HEADING ADDED 2020, C. 10, S. 33.]

- 135 Definitions
- 136 Student entitled to loss-of-studies benefit
- 137 Student entitled to income replacement benefit
- 138 Benefit for student unable to begin or continue studies
- 139 Benefit for student able to begin or continue studies

DIVISION 8 BENEFITS FOR MINORS [HEADING ADDED 2020, C. 10, S. 33.]

- 140 Definitions
- 141 Minor entitled to loss-of-studies benefit
- 142 Minor entitled to income replacement benefit
- 143 Benefit for minor unable to begin or continue studies
- 144 Benefit for minor able to begin or continue studies

DIVISION 9 INCOME REPLACEMENT BENEFITS—GENERAL [HEADING ADDED 2020, C. 10, S. 33.]

- 145 Persons incapable of holding employment
- 146 Events that suspend or end entitlement
- 147 Benefit reduction if person earns reduced income

DIVISION 10 RETIREMENT INCOME BENEFIT [HEADING ADDED 2020, C. 10, S. 33.]

- 148 No entitlement for unemployed person 65 years or older
- 149 When income replacement benefit ceases
- 150 Retirement income benefit after age 65

DIVISION 11 FAMILY AND CAREGIVER BENEFITS [HEADING ADDED 2020, C. 10, S. 33.]

- 151 Reimbursement of expenses respecting family enterprise
- 152 Caregiver benefit
- 153 Reimbursement of expenses for care of other person

DIVISION 12 LIMIT ON BENEFITS [HEADING ADDED 2020, C. 10, S. 33.]

154 Limit on benefits—subsequent accidents

DIVISION 13 DEATH BENEFITS [HEADING ADDED 2020, C. 10, S. 33.]

- 155 Definition
- 156 Death benefit for spouse
- 157 Death benefit for dependant
- 158 Dependent child of deceased with no spouse
- 159 Entitlement of child and parent of deceased
- 160 Reimbursement of funeral expenses
- 161 Grief counselling

DIVISION 14 CATASTROPHIC INJURIES [HEADING ADDED 2020, C. 10, S. 33.]

- 162 Facilitation of claims by catastrophically injured
- 163 Extended benefit for catastrophically injured

DIVISION 15 EXPENSES FOR VOLUNTEERS [HEADING ADDED 2020, C. 10, S. 33.]

164 Expenses for volunteer

DIVISION 16 CLAIMS AND DISPUTES [HEADING ADDED 2020, C. 10, S. 33.]

- 165 Claims
- 166 Advance payment
- 167 Disputes with corporation

DIVISION 17 RECOVERY OF PAID BENEFITS [HEADING ADDED 2020, C. 10, S. 33.]

168 Corporation may recover benefits

DIVISION 18 REGULATIONS [HEADING ADDED 2020, C. 10, S. 33.]

169 Power to make regulations under this Part

PART 11 BASIC VEHICLE DAMAGE COVERAGE AND LIMITS ON ACTIONS AND PROCEEDINGS [HEADING ADDED 2020, C. 10, S. 33.]

DIVISION 1 DEFINITIONS AND APPLICATION [HEADING ADDED 2020, C. 10, S. 33.]

- 170 Definitions
- 171 Application

xxxviii

DIVISION 2 LIMITS ON ACTIONS [HEADING ADDED 2020, C. 10, S. 33.]

- 172 No actions or proceedings for vehicle damage accident on highway
- 173 No actions or proceedings for vehicle damage—accident off-highway

DIVISION 3 COVERAGE [HEADING ADDED 2020, C. 10, S. 33.]

- 174 Coverage—accident on highway
- 175 Coverage—accident off-highway
- 176 [Repealed. 2022, c. 14, s. 21.]
- 177 Circumstances in which indemnification not paid or in which indemnification reduced
- 178 Recovery
- 179 Limiting clause

DIVISION 4 POWER TO MAKE REGULATIONS UNDER THIS PART [HEADING ADDED 2020, C. 10, S. 33.]

180 Power to make regulations under this Part

PART 12 GENERAL [HEADING ADDED 2020, C. 10, S. 34.]

DIVISION 1 GENERAL REGULATION—MAKING POWERS [HEADING ADDED 2020, C. 10, S. 34.]

181 Power to make regulations under this Act

DIVISION 2 REVIEW OF PARTS 10 AND 11 [HEADING ADDED 2020, C. 10, S. 35.]

182 Review by special committee

DIVISION 3 TRANSITIONAL REGULATION—MAKING POWERS [HEADING ADDED 2020, C. 10, S. 36.]

- 183 Transitional regulations for Insurance (Vehicle) Amendment Act, 2018
- 184 Transitional regulations for Parts 10 and 11

INTERPRETATION ACT

1	Definitions
2	Application
3	Date of commencement
4	Time of commencement or repeal
5	Preliminary proceedings and staggered commencement
6	Effect of private Acts
7	Enactment always speaking
8	Enactment remedial
8.1	Section 35 of Constitution Act, 1982 and Declaration
9	Title and preamble
10	Enacting clause
11	Reference aids and clarifications
12	Definitions and interpretation provisions

British Columbia Annual Practice

10	Application of approximation and attracts to manufactions
13	Application of expressions in enactments to regulations
14	Government bound by enactments; exception
15	Power of repeal and amendment
16	Proclamation
17	Corporate rights and powers
18	Majority and quorum
19	Powers to judges and court officers
20	Appointments of officers
21	Demise of Crown
22	Included powers
23	Powers to act for ministers, deputy ministers and public officers
24	Documentary evidence
25	General rules for determining beginning or end of periods of time
25.1	Calculation of age
25.2	Determining the beginning or end of periods of days or weeks
25.3	Determining the beginning or end of periods of months
25.4	Determining the beginning or end of periods of years
25.5	If day specified is holiday or office closed
26	Pacific Standard Time and Pacific Daylight Saving Time
27	Ancillary powers
28	Use of forms and words
29	Expressions defined
29.1	Definitions in relation to treaty first nations
29.2	Definitions in relation to Nisga'a Final Agreement
30	Metric expressions
31	Common names
32	References to enactments
33	References in enactments
34	Amending enactment part of enactment amended
35	Repeal
36	Repeal and replacement
37	
	No implications from repeal, amendment, etc.
38	Notice by newspaper
39	Application of definition in Supreme Court Act to other enactments
40	Definitions in Community Charter and Local Government Act apply to other enactments
41	Powers to make regulations
42	Subdivisions of Act
43	Citation of Acts
44	Mutatis mutandis
SCHEDULE	

JUDICIAL REVIEW PROCEDURE ACT

- 1 Definitions
- 2 Application for judicial review

- 3 Error of law
- 4 Existing provision limiting judicial review not affected
- 5 Powers to direct tribunal to reconsider
- 6 Effect of direction
- 7 Power to set aside decision
- 8 Power to refuse relief
- 9 Defects in form, technical irregularities
- 10 Interim order
- 11 No time limit for applications
- 12 No writ to issue
- 13 Summary disposition of proceedings
- 14 Sufficiency of application
- 15 Notice to decision maker and right to be a party
- 16 Notice to Attorney General
- 17 Court may order record filed
- 18 Informations in the nature of quo warranto
- 19 Relationship between this Act and Crown Proceeding Act
- 20 References in other enactments
- 21 Application of Act in relation to laws of treaty first nations
- 22 Application of Act in relation to consent of Indigenous governing body

JURY ACT

1 Definitions

PART 1 JURORS

- 2 Jury duty
- 3 Disqualification from serving as a juror
- 3.1 Criminal record check
- 4 Disqualification because of language difficulty
- 5 Interpreters and interpretative devices
- 6 Exemption from serving as a juror
- 7 Exemption for person over age 65
- 8 Selection procedure

PART 2 JURIES FOR CRIMINAL TRIALS

- 9 Repealed. [2012, c. 6, s. 10]
- 10 Selection of jurors
- 11 Summoning of jurors
- 12 Procedure at sitting
- 13 Juror exempted from jury service for 2 years

PART 3 JURIES FOR CIVIL TRIALS

- 14 Jury for civil trial
- 15 Nothing to affect right of trial by jury
- 16 Jury for civil trial or by order
- 17 Payments to be made by party requiring jury
- 18 Qualification and summoning of jurors
- 19 Payment of jury fees in civil cases

- 20 Challenges
- 21 Challenges if there are more than 2 parties
- 22 Verdict of 75% of jurors may be received
- 23 Omissions to observe directions not to affect verdict

PART 4 GENERAL

- 24 Jurors' fees
- 25 Only authorized fees allowed
- 26 [Repealed. 2012, c. 6, s. 14]
- 27 [Repealed. 2012, c. 6, s. 14]
- 28 [Repealed. 2012, c. 6, s. 14]
- 29 Jurors not attending to be fined
- 30 Discharge or death of juror
- 31 Certificate of attendance
- 32 Form of affirmation for certain persons
- 33 Sheriff indemnified for returning unqualified persons
- 34 Power to make regulations

LAW AND EQUITY ACT

- 1 Application of Act
- 2 Application of English law in British Columbia
- 3 Laws not in force in British Columbia
- 4 Equitable relief for plaintiff
- 5 Equitable relief for defendant
- 6 Legal and equitable counterclaims of defendant
- 7 Judicial notice of equitable estates
- 8 No restraint by prohibition or injunction
- 9 Judicial notice of legal and statutory rights, claims and liabilities
- 10 Avoidance of multiplicity of proceedings
- 11 Equitable waste
- 12 Merger
- 13 Mortgagor may sue in respect of mortgaged land
- 14 Mortgagor may require mortgagee to assign
- 15 Order for sale
- 16 Agreements for sale
- 17 Power of court to discharge mortgagor on payment of mortgage money
- 18 Power of court in foreclosure actions to make order without regular hearing
- 19 Payment of interest after default
- 20 Cost in foreclosure proceedings
- 21 Venue in foreclosure proceedings
- 22 Right of redemption controverted
- 23 Covenants to insure against fire
- 24 Relief against penalties and forfeitures
- 25 Relief against acceleration provisions
- 26 Relief against forfeiture for breach of covenant to insure
- 27 Relief to be recorded
- 28 Single relief on covenant
- 29 Restriction on effect of licence

- 30 Assignment of personalty
- 31 Stipulations not of essence
- 32 Damage by collision at sea
- 33 Custody of infants
- 34 Surety who discharges liability entitled to assignment of securities
- Writ of execution to bind goods only from time of seizure
- 36 Assignment of debts and choses in action
- 37 Vesting orders
- 38 Execution of instruments by order of court
- 39 Injunction or mandamus may be granted or receiver appointed by interlocutory order
- 40 Railway company not to be restrained on application made without notice
- 41 Railway company may be ordered to pay money into court
- 42 Applicant for injunction to furnish security
- 43 Rule in Cumber v. Wane abrogated
- 44 If rules of equity and law conflict, equity prevails
- 45 Uncertain terms in mining leases
- 46 [Repealed. 2009, c. 13, s. 234]
- 47 Charitable trusts
- 48 Action by claimant under labour and material bonds
- 49 [Repealed, 2009, c. 13, s. 234]
- 50 [Repealed. 2009, c. 13, s. 234]
- 51 [Repealed. 2009, c. 13, s. 234]
- 52 Court to consider interest of child
- 53 Proceeding and order against one of several persons jointly liable
- 54 Conditions precedent
- 55 Art exempt from seizure
- 56 Discount rates
- 57 Recovery of property
- Warrants of Attorney, etc.
- 59 Enforceability of contracts
- 60 Spousal capacity and property
- 60.1 Responsibility for former spouse
- oo.i temporalisativy for former spot
- 61 [Repealed. 2011, c. 26, s. 399]
- 62 Performance under protest
- 63 Action per quod servitium amisit
- Receivers and receiver-managers
- 68 Alternate dispute resolution

LIMITATION ACT

PART 1 INTERPRETATION

DIVISION 1 DEFINITIONS

1 Definitions

DIVISION 2 COURT PROCEEDINGS AND CLAIMS TO WHICH THIS ACT DOES NOT APPLY

- 2 Exempted court proceedings
- 3 Exempted claims

DIVISION 3 APPLICATION

- 4 Conflict of laws
- 5 Rules of equity not overridden

PART 2 BASIC LIMITATION PERIOD

DIVISION 1 ESTABLISHMENT OF BASIC LIMITATION PERIOD

- 6 Basic limitation period
- 7 Basic limitation period for court proceeding to enforce or sue on judgment

DIVISION 2 DISCOVERY OF CLAIM

- 8 General discovery rules
- 9 Special situations for persons of full capacity
- 10 Special situations for minors
- 11 Special situations for persons under disability

DIVISION 3 SPECIAL DISCOVERY RULES

- 12 Discovery rule for claims based on fraud or recovery of trust property
- 13 Discovery rule for claims for future interest in trust property
- 14 Discovery rule for claims for demand obligations
- 15 Discovery rule for claims to realize or redeem security
- 16 Discovery rule for claims for contribution or indemnity
- 17 Discovery rules for successors, predecessors, principals and agents
- 18 Discovery rule for minors
- 19 Discovery rule for persons under disability
- 20 Notice to proceed if basic limitation period postponed under section 18 or 19

PART 3 ULTIMATE LIMITATION PERIOD

21 Ultimate limitation period

PART 4 FACTORS AFFECTING LIMITATION PERIODS

- 22 Counterclaim or other claim or proceeding
- 23 Completion of enforcement process
- 24 Limitation periods extended if liability acknowledged

PART 5 SUSPENSION OF LIMITATION PERIODS

- 25 Limitation periods suspended if claimant becomes person under disability
- 26 Notice to proceed if limitation periods suspended under section 25

PART 6 GENERAL

- 27 Non-judicial remedies
- 28 Adverse possession
- 29 Power to make regulations
- 30 Transition
- 31 Repeal

CONSEQUENTIAL AND RELATED AMENDMENTS

32-46

47 Commencement

NEGLIGENCE ACT

- 1 Apportionment of liability for damages
- 2 Awarding of damages
- 3 Apportionment of liability for costs
- 4 Liability and right of contribution
- 5 Negligence of spouse in cause of action that arose before April 17, 1985
- 6 Questions of fact
- 7 Actions against personal representatives
- 8 Further application
- 9 Definitions

PATIENTS PROPERTY ACT

- 1 Definitions
- 2 Application and service of notice
- 3 Hearing of application
- 3.1 Reassessment and review
- 4 Order declaring person no longer incapable
- 5 Examination
- 6 Appointment of committee
- 7 Service of notice of application to appoint committee
- 8 Discharge of committee
- 9 Nomination of committee by patient
- 10 Inventory, security and accounts
- When a person ceases to be a patient
- 12 Application for discharge of committee
- 13 Passing of accounts
- 14 Compensation for acting as committee
- 15 Powers of committee
- 16 Special direction limiting powers of committee
- 17 Rights, powers and privileges included
- 18 Exercise of powers
- 19 Effect on power of attorney or representation agreement of person becoming a patient by court order
- 19.1 Effect on power of attorney or certain representation agreements of person becoming a patient other than by court order
- 19.2 [Repealed. 2011, c. 5, s. 29]
- 20 [Repealed. 2011, c. 5, s. 29]

- 21 Effect of things done by committee
- 22 Actions for and against patient
- 23 Cost of maintenance, care and treatment
- 24 Death of patient
- 25 [Repealed. 1999, c. 25, s. 23]
- 26 [Repealed. 1999, c. 25, s. 23]
- 27 Costs
- 28 Orders by court
- 29 [Repealed. 1999, c. 25, s. 23]
- 30 Appointment of new Public Guardian and Trustee
- 31 Persons outside British Columbia

PUBLIC GUARDIAN AND TRUSTEE ACT

1 Definitions

PART 1 OFFICE, STAFF AND MANAGEMENT

- 2 Corporate identity and appointment of Public Guardian and Trustee
- 3 Appointment of the Deputy Public Guardian and Trustee and staff
- 4 [Repealed. 2002, c. 63, s. 19]

PART 2 POWERS, DUTIES, FUNCTIONS AND LIABILITY

- 5 General powers, duties and functions
- 6 Powers as executor, administrator, trustee or attorney
- 6.1 Litigation representative of deceased
- 6.2 Director of company
- 7 Powers as guardian of financial or legal affairs of young person
- 7.1 Use of trust money for young adult's benefit
- 8 Duty to comply with Trustee Act
- 9 Public Guardian and Trustee Trust Fund Account
- 10 Investment advisory committee
- 11 Investment powers and duties
- 12 Common funds
- 13 Separate investments
- 14 Registration and custody of investments
- 15 [Repealed. 2006, c. 33, s. 1(2)(o)]
- 16 Power to make loans
- 17 Power to investigate and audit
- 18 Production of accounts and records
- 19 Protection of assets in urgent cases
- 20 Power to delegate
- 21 Public Guardian and Trustee's liability

PART 3 PLANNING, FINANCING AND ACCOUNTABILITY

- 22 Service delivery plan
- 23 Fees and recoveries
- 24 Public Guardian and Trustee Operating Account
- 25 Public Guardian and Trustee's report
- 26 Audit

PART 4 OTHER PROVISIONS

- 27
- 27.1 Unclaimed money
- 28 Power to make regulations
- 29 The offices the Public Guardian and Trustee succeeds to
- 30 Power to amend other enactments for references to Act and office
- 31 Commencement

SHERIFF ACT

- 1 Definitions
- 2 Staff
- 3 Court bailiffs
- 4 Duties of director
- 4.1 Powers, duties and responsibilities of sheriffs
- 5 Jurisdiction
- 6 Officer of court
- 6.1 Court security
- 6.2 Prisoner searches
- 6.3 Threat or risk assessment
- 7 Only sheriff may serve and execute certain court orders
- 8 Access to information
- 9 Solicitor responsible for sheriff's costs
- 10 Sheriff may require payment in advance
- 11 Bylaw document fees
- 12 Offence
- 13 Employee to post bond
- 13.1 Ministerial orders
- 14 Regulations of the minister
- 15 Regulations of the Lieutenant Governor in Council

SUBPOENA (INTERPROVINCIAL) ACT

- 1 Definitions
- 2 Adoption of interprovincial subpoena
- 3 Immunity by law of other province
- 4 Failure to comply with adopted subpoena
- 5 Proceedings in British Columbia
- 6 No submission to jurisdiction
- 7 Order for additional witness fees and expenses
- 8 Scope of Act

SCHEDULE A

SCHEDULE B

TRUSTEE ACT

- 1 Definitions and interpretation
- 2 Application
- 3 Receipts of trustees

- 4 Purchaser not bound to see to application
- 5 Power to sell vested in trustee for sale
- 6 Power to sell subject to depreciatory conditions
- 7 Power to authorize receipt of money
- 8 Power to insure property
- 9 Power to compound
- 10 [Repealed. 2009, c. 13, s. 258]
- 11 Power to spend money on repairs and improvements
- 12 Powers of trustees may be exercised by survivor
- 13 Interpretation
- 14 Trustee engaged on war service
- 15 [Repealed. 2002, c. 33, s. 23]
- 15.1 Investment of trust property
- 15.2 Standard of care
- 15.3 Trustee not liable if overall investment strategy is prudent
- 15.4 Abrogation of common law rules: anti-netting rules
- 15.5 Delegation of authority with respect to investment
- 15.6 Interpretation of trust instrument in relation to sections 15.1 to 15.5
- 16 [Repealed. 2002, c. 33, s. 24]
- 17 [Repealed. 2002, c. 33, s. 24]
- 17.1 Corporate trustee not to invest trust money in its own securities
- 18 [Repealed. 2002, c. 33, s. 24]
- 19 Depositories
- 20 [Repealed. 2002, c. 33, s. 24]
- 21 Instrument creating the trust
- 22 Variation of trustee investments
- 23 Reorganization of corporation
- 24 Income for maintenance of infant
- 25 Sale of property to maintain infant
- 26 Conveyance and receipt of trustees gives good title
- 27 Power to appoint new trustees
- 28 Retirement of trustee
- Vesting of trust property in trustees
- 30 Removal of trustees on application
- 31 Power of court to appoint new trustees
- 32 Rights and powers of new trustees
- 33 Power of court to vest land in new trustees
- Power of new trustees to transfer stock or chose in action
- 35 New trustees in place of persons convicted of indictable offence
- 36 Persons who may apply for orders
- 37 Old trustees not discharged from liability
- 38 [Repealed. 2009, c. 13, s. 258]
- 39 Distribution of estate under direction of court
- 40 Payment by trustees
- 41 Supreme Court orders for application of trust assets in court
- 42 Power to make orders on application by majority of trustees
- 43 Power to vest land of person of unsound mind
- 44 Power to deal with contingent rights of person of unsound mind
- 45 Power to deal with stock of person of unsound mind

- 46 Power to deal with stock vested in personal representative
- 47 Power to deal with stock of infant trustee
- 48 Power to vest land of infant trustee or mortgagee
- 49 Power to deal with contingent rights of infant trustee or mortgagee
- Payment of money of minors and persons of unsound mind
- 51 Court may convey estate of trustee out of jurisdiction
- 52 Order if parties seised of land jointly with parties out of jurisdiction
- 53 Contingent rights of sole trustee out of jurisdiction
- Order if persons are jointly entitled with others out of jurisdiction to contingent right
- 55 Uncertainty as to survivorship
- 56 Uncertainty whether last trustee alive
- 57 If trustee dies without heir
- Releasing contingent right of unborn trustee
- 59 Order for vesting estate on refusal of trustee to convey or release
- 60 Court may make decree in absence of trustee
- Power to convey in place of mortgagee
- 62 Power to appoint person to convey
- 63 Failure to transfer stock for 28 days
- 64 Executor's failure to transfer stock
- 65 Trustee of stock out of jurisdiction
- 66 Trustee of stock refusing to transfer
- 67 One of several trustees of stock refusing to transfer or deal with dividends
- 68 Stock standing in name of deceased person
- 69 Effect of order vesting legal right to transfer stock
- 70 Effect of order vesting chose in action
- 71 Inheritance if person holds in trust or by mortgage
- 72 Conveyance of real estate or agreement for sale by deceased
- 73 Court to declare trusts in certain cases
- 74 Power to direct stock transfers
- 75 Presentation of petition, evidence and notice
- 76 Procedure on hearing
- 77 Court may dismiss petition
- 78 Power to make order in a cause
- 79 Order of court as conclusive evidence
- 80 Application to trustees of charities and societies
- 81 Court may order vesting of estate after decree or order for sale
- 82 Effect of orders vesting rights to stock
- 83 Indemnity to companies obeying
- 84 Trial of petitioners rights
- 85 Costs of proceedings
- 86 Application for directions
- 87 Effect and exception
- 88 Setting remuneration of trustees and guardians
- 89 Application for remuneration
- 90 Application
- 91 Review of order or certificate of registrar
- 92 Loans by trustees not breach of trust

- 93 Improper advance of trust money on mortgage
- Exoneration of trustees on powers of attorney
- 95 Implied indemnity of trustees
- 96 Jurisdiction of court to relieve trustee of breach of trust
- 97 Appointment and remuneration of judicial trustees
- 98 Power to make rules
- 99 Passing of trustee's accounts
- 100 Power to make rules

WILLS, ESTATES AND SUCCESSION ACT

PART 1 DEFINITIONS AND INTERPRETATION

1 Definitions and interpretation

PART 2 FUNDAMENTAL RULES

DIVISION 1 MEANING OF SPOUSE, EFFECT OF ADOPTION AND CONSTRUCTION OF INSTRUMENTS

- 2 When a person is a spouse under this Act
- 3 Effect of adoption
- 4 Construction of instruments

DIVISION 2 SURVIVORSHIP RULES

- 5 Fundamental rule—when persons die simultaneously
- 6 General presumption—disposition of property on simultaneous deaths
- 7 General presumption—substitute personal representative
- 8 Posthumous births
- 8.1 Posthumous births if conception after death
- 9 Survival of beneficiaries
- 10 Five-day survival rule
- 11 Priority of Insurance Act provisions

DIVISION 3 NISGA'A FINAL AGREEMENT AND FIRST NATIONS' FINAL AGREEMENTS [HEADING AMENDED 2011, C. 6, S. 6.]

- 12 [Repealed. 2011, c. 6, s. 7]
- 13 Will or cultural property of Nisga'a citizens
- 14 Will or cultural property of treaty first nation members
- Notice of application for representation grant respecting Nisga'a citizens and treaty first nation members
- 16 Service on Nisga'a Lisims Government or treaty first nation
- 17 Nisga'a citizen leaving small estate
- 18 Treaty first nation member leaving small estate
- 18.1 Disposal of Nisga'a Lands in estate
- 18.2 Disposal of land in treaty lands in estate
- 18.3 No right to acquire Nisga'a Lands or treaty lands

PART 3 WHEN A PERSON DIES WITHOUT A WILL

19 Uniform interpretation with laws of other provinces

DIVISION 1 DISTRIBUTION OF ESTATE WHEN THERE IS NO WILL

- 20 Spouse but no descendants
- 21 Spouse and descendants
- 22 Two or more spouses
- 23 No spouse but intestate leaving descendants or relatives
- 24 Distribution to descendants
- 25 Partial intestacy

DIVISION 2 SPOUSAL HOME

- 26 Right to spousal home
- 27 Notice by personal representative
- 28 Prohibition on disposing of spousal home
- 29 Notice exercising right to spousal home
- 30 Dispute over value of deceased person's interest
- 31 Purchase of spousal home by surviving spouse
- 32 Occupancy costs of spousal home
- 33 Retention of spousal home
- 34 Registrable charges
- 35 Circumstances when registrable charge becomes payable

PART 4 WILLS

DIVISION 1 MAKING A WILL

- 35.1 Definitions
- 35.2 Electronic presence
- 35.3 Electronic signature
- 36 Who can make a will
- 37 How to make a valid will
- 38 Will by members of military forces
- 39 Clarification of doubt about signature placement
- 40 Witnesses to wills

DIVISION 2 LEGAL EFFECT OF A WILL

- 41 Property that can be gifted by will
- 42 Meaning of particular words in a will
- 43 Gifts to witnesses
- 44 Residue of estate
- 45 Gift of land contemplating division
- 46 When gifts cannot take effect
- 47 Property encumbered by security interest
- 48 Relief from disposition of property
- 49 Will exercising a power of appointment
- 50 Rules if assets are not sufficient
- 51 Gifts of unowned property

52 Undue influence

DIVISION 3 ABROGATION OF COMMON LAW RULES

53 Common law presumptions abrogated

DIVISION 4 ALTERING, REVOKING AND REVIVING WILLS

- How to alter will
- 54.1 How to alter electronic will
- 55 How to revoke will
- 55.1
- 56 Revocation of gifts
- 57 Revival of will

DIVISION 5 CURING DEFICIENCIES AND RECTIFICATION OF WILLS

- 58 Court order curing deficiencies
- 59 Rectification of will

DIVISION 6 VARIATION OF WILLS

- 60 Maintenance from estate
- 61 Time limit and service
- 62 Evidence
- 63 Court may make order subject to conditions
- 64 Lump sum or periodic payments, transfer of property or trust
- 65 Payments fall rateably on estate
- 66 Power to suspend administration and exempt from order
- 67 Power of court to allow commutation
- 68 Effect of order
- 69 Registration of title
- 70 Mortgage in anticipation of order invalid
- 71 Court may cancel or vary order
- 72 Appeal to Court of Appeal

DIVISION 7 REGISTRATION OF NOTICE OF WILL

- 73 Filing of notice of will
- 74 Filing of notice of revocation
- 75 Filing notice of change of place of will
- 76 Registrar general's records
- 77 Search of records
- 78 Validity of will or revocation not affected

DIVISION 8 CONFLICT OF LAWS

- 79 Interpretation
- 80 Validity of wills made in accordance with other laws
- 81 Resort to other aids to construction
- 82 Interest in an immovable

DIVISION 9 ADOPTION OF CONVENTION PROVIDING A UNIFORM LAW ON THE FORM OF AN INTERNATIONAL WILL

83 Convention adopted

PART 5 BENEFIT PLANS

84 Application of Part

DIVISION 1 DESIGNATION REQUIREMENTS

- 85 Designated beneficiaries
- 86 Several designated beneficiaries
- 87 Irrevocable designations
- 88 Effect of irrevocable designation

DIVISION 2 OTHER BENEFIT PLAN PROVISIONS

- 89 When designations may not be changed
- 90 Maintaining previous designations
- 91 Designated beneficiary dying before participant
- 92 Trustee for designated beneficiary
- 93 Enforcing payment of benefit
- 94 Benefit plan administrator discharged of liability
- 95 Benefit not part of estate

DIVISION 3 DESIGNATED BENEFICIARIES IN A WILL

- 96 Alteration or revocation of designation in will
- 97 Designation in will
- 98 Effect of designation in purported wills
- 99 Effect of revival of will on designation
- 100 Effective date of designation and revocation

PART 6 ADMINISTRATION OF ESTATES

DIVISION 1 APPLICATION OF THIS PART AND VESTING OF PROPERTY

- 101 Application
- 102 Vesting of property on death
- 103 Administration pending legal proceedings
- 104 Renunciation of executorship
- 105 Forfeiture of executorship
- 106 Opposition to issue of representation grant
- 107 Executor not joining an application
- 108 Requirement to accept executorship or to explain

DIVISION 2 SMALL ESTATE ADMINISTRATION

- 109 Small estate—leaving will
- 110 Small estate—no will
- 111 No security
- 112 Prohibitions on filing small estate declaration

- 113 Return of small estate declaration
- 114 Supplementary declaration
- 115 Termination of authority if small estate value exceeded
- 116 Termination by court
- 117 Protecting good faith administration
- 118 Declarant's accounts
- 119 Offence and penalty
- 120 Civil remedies preserved

DIVISION 3 APPLICATION FOR GRANT OF PROBATE OR ADMINISTRATION

- 121 Notice of proposed application for grant of probate or administration
- 122 Application for grant of probate or administration—disclosure
- 123 Production of documents and property
- 124 Opportunity for Public Guardian and Trustee to comment
- 125 Direction by Public Guardian and Trustee—sealed applications
- 126 Public Guardian and Trustee to pay beneficiaries and intestate successors directly
- 127 Immunity for Public Guardian and Trustee
- 128 Security for administration of estates

DIVISION 4 GRANT OF PROBATE OR ADMINISTRATION

- 129 Grant of probate or administration
- 130 Priority among applicants—intestate estate
- 131 Priority of applicants—administration with will annexed
- 132 Special circumstances
- 133 Administration of partial intestacy
- 134 Administration if sole executor a minor
- 135 Effective date of grant for intestate estate
- 136 Effect of representation grant
- 137 Reliance on representation grant

DIVISION 5 FOREIGN PERSONAL REPRESENTATIVES, RESEALING FOREIGN GRANT AND ANCILLARY GRANT

- 138 Resealing foreign grant and ancillary grants
- 139 Limited grant to attorney of foreign personal representative
- 140 Curing deficiencies in foreign wills

DIVISION 6 REVOCATION OF GRANT OF PROBATE OR ADMINISTRATION

141 Revocation of grant of probate or administration

DIVISION 7 PERSONAL REPRESENTATIVES—POWERS, DUTIES AND LIABILITIES

- 142 Personal representatives—general authority
- 143 Application of Trustee Act to personal representatives
- 144 Abolition of rule in Allhusen v. Whittel
- 145 Executor of deceased executor

- 146 Limitation period for disputed claims against estate
- 147 When beneficiary cannot be found or does not claim gift
- 148 Disposition by executors who do not renounce or join application for grant of probate

DIVISION 8 PERSONAL REPRESENTATIVES—LEGAL LIABILITY AND LEGAL PROCEEDINGS

- 149 Liability of personal representatives
- 150 Proceedings by and against estate
- 151 Beneficiary or intestate successor may sue with leave of court
- 152 Personal representative relief from liability under contract
- 153 Distribution of minor's interest
- 154 Notice to creditors
- 155 Distribution of estate
- 156 Personal representative deemed to be trustee

DIVISION 9 DISCHARGE, REMOVAL AND SUBSTITUTION OF PERSONAL REPRESENTATIVES

- 157 Personal representative may apply to be discharged
- 158 Application to remove or pass over personal representative
- 159 Appointment of substitute personal representative
- 160 Vesting of estate in personal representative
- 161 Former personal representative to facilitate property and document transfer

DIVISION 10 DEVOLUTION OF LAND

- 162 Devolution and administration of land
- 163 Transfer of land to beneficiary may be subject to a charge

DIVISION 11 PUBLIC GUARDIAN AND TRUSTEE

- 164 Application for grant of probate or administration by Public Guardian and Trustee
- 165 Court appointment with consent of Public Guardian and Trustee
- 166 Powers of Public Guardian and Trustee
- 167 Powers before grant issued
- 168 Grant of probate or administration despite previous grant

DIVISION 12 INSOLVENT ESTATES

- 169 Definitions
- 170 How proceeds from insolvent estate are to be spent
- 171 Provable debts
- 172 Conditional, contingent and unliquidated claims
- 173 Secured creditors
- 174 Debts contracted individually and on behalf of partnership

DIVISION 13 DECEASED WORKER'S WAGES

- 175 Definition
- 176 Wages payable to surviving spouse

- 177 Wages not subject to administration
- 178 Evidence of entitlement
- 179 Discharge of employer
- 180 Application to court to determine competing claims

DIVISION 14 OTHER MATTERS AND REGULATIONS

- 181 Representation of mentally incapable person
- 182 Notices to minor
- 183 Opening safety deposit boxes
- 184 Power to make regulations

PART 7 TRANSITIONAL PROVISIONS, REPEALS AND CONSEQUENTIAL AND RELATED AMENDMENTS

DIVISION 1 TRANSITIONAL PROVISIONS

- 185 Transition—application of Parts 2, 3 and 6
- 186 Transition—application of Part 4
- 187 Transition—application of Part 5
- 188 Transition—Estate Administration Act
- 189 Transition—property encumbered by security interest
- 190 Transition—direction by court

DIVISION 2 REPEALS

- 191 Estate Administration Act
- 192 Probate Recognition Act
- 193 Wills Act
- 194 Wills Variation Act

DIVISION 3 CONSEQUENTIAL AND RELATED AMENDMENTS

- 269 Repeal of consequential amendments that may become inoperative
- 270 Commencement

SCHEDULE 1

SCHEDULE 2

Table of Cases

Index to Forms, Small Claims and Other Materials