

**SUPREME COURT
OF CANADA**



**COUR SUPRÊME
DU CANADA**

**BULLETIN OF
PROCEEDINGS**

**BULLETIN DES
PROCÉDURES**

This Bulletin is published at the direction of the Registrar and is for general information only. It is not to be used as evidence of its content, which, if required, should be proved by Certificate of the Registrar under the Seal of the Court. While every effort is made to ensure accuracy, no responsibility is assumed for errors or omissions.

Ce Bulletin, publié sous l'autorité du registraire, ne vise qu'à fournir des renseignements d'ordre général. Il ne peut servir de preuve de son contenu. Celle-ci s'établit par un certificat du registraire donné sous le sceau de la Cour. Rien n'est négligé pour assurer l'exactitude du contenu, mais la Cour décline toute responsabilité pour les erreurs ou omissions.

Subscriptions may be had at \$200 per year, payable in advance, in accordance with the Court tariff. During Court sessions it is usually issued weekly.

Le prix de l'abonnement, fixé dans le tarif de la Cour, est de 200 \$ l'an, payable d'avance. Le Bulletin paraît en principe toutes les semaines pendant les sessions de la Cour.

The Bulletin, being a factual report of recorded proceedings, is produced in the language of record. Where a judgment has been rendered, requests for copies should be made to the Registrar, with a remittance of \$10 for each set of reasons. All remittances should be made payable to the Receiver General for Canada.

Le Bulletin rassemble les procédures devant la Cour dans la langue du dossier. Quand un arrêt est rendu, on peut se procurer les motifs de jugement en adressant sa demande au registraire, accompagnée de 10 \$ par exemplaire. Le paiement doit être fait à l'ordre du Receveur général du Canada.

CONTENTS**TABLE DES MATIÈRES**

Applications for leave to appeal filed	1194 - 1195	Demandes d'autorisation d'appel déposées
Applications for leave submitted to Court since last issue	1196 - 1203	Demandes soumises à la Cour depuis la dernière parution
Oral hearing ordered	-	Audience ordonnée
Oral hearing on applications for leave	-	Audience sur les demandes d'autorisation
Judgments on applications for leave	-	Jugements rendus sur les demandes d'autorisation
Judgment on motion	-	Jugement sur requête
Motions	1204 - 1205	Requêtes
Notice of reference	-	Avis de renvoi
Notices of appeal filed since last issue	-	Avis d'appel déposés depuis la dernière parution
Notices of intervention filed since last issue	1206	Avis d'intervention déposés depuis la dernière parution
Notices of discontinuance filed since last issue	1207	Avis de désistement déposés depuis la dernière parution
Appeals heard since last issue and disposition	-	Appels entendus depuis la dernière parution et résultat
Pronouncements of appeals reserved	-	Jugements rendus sur les appels en délibéré
Rehearing	-	Nouvelle audition
Headnotes of recent judgments	-	Sommaires des arrêts récents
Agenda	-	Calendrier
Summaries of the cases	-	Résumés des affaires
Notices to the Profession and Press Release	-	Avis aux avocats et communiqué de presse
Deadlines: Appeals	1208	Délais: Appels
Judgments reported in S.C.R.	-	Jugements publiés au R.C.S.

**APPLICATIONS FOR LEAVE TO
APPEAL FILED**

**DEMANDES D'AUTORISATION
D'APPEL DÉPOSÉES**

**In the Matter of an Application Under s. 83.28 of
the *Criminal Code* (B.C.) (29872)**

This file has been sealed by order of LeBel J. dated
July 25, 2003.

FILING DATE: 25.7.2003

Her Majesty the Queen

Jamie C. Klukach
A.G. of Ontario

v. (29865)

K.K., et al. (Ont.)

David Gomes

FILING DATE: 16.7.2003

Henri Harrosch

Eric Sutton
Girouard, Peris, Pappas, Sutton, Prihoda
& Dickson

v. (29856)

The Republic of France (Que.)

Christian Jarry
A.G. of Canada

FILING DATE: 18.7.2003

Fuad Mashaal

Alfred Bélisle
Bélisle Dubé St-Jean Guyot

c. (29873)

Midland Walwyn Capital Inc. (Qué.)

Max R. Bernard
Heenan Blaikie

DATE DE PRODUCTION : 13.7.2003

Danielle Benchimol

Alfred Bélisle

**Syndicat des travailleurs et des travailleuses des
Épiciers unis Métro-Richelieu (CSN)**

Richard Mercier
Laplante et Associés

c. (29869)

Tribunal du travail, et autres (Qué.)

Tribunal du travail

DATE DE PRODUCTION : 22.7.2003

**Syndicat des travailleurs et travailleuses des
Épiciers unis Métro-Richelieu (CSN)**

Richard Mercier
Laplante et Associés

c. (29870)

Tribunal du travail, et autres (Qué.)

Tribunal du travail

DATE DE PRODUCTION : 22.7.2003

Canadian National Institute for the Blind

David Harris

v. (29867)

Canada Life Assurance Company (Ont.)

Barbara L. Franklin
Canada Life Assurance Company

FILING DATE: 21.7.2003

Bélisle Dubé St-Jean Guyot

c. (29871)

Midland Walwyn Capital Inc. (Qué.)

Max R. Bernard
Heenan Blaikie

DATE DE PRODUCTION : 18.7.2003

Great American Insurance Company, et al.

Hillel David
Aylesworth Thompson Phelan O'Brien

v. (29874)

Father Francis Reed, et al. (Ont.)

Ronald G. Slaght, Q.C.
Lenczner Slaght Royce Smith Griffin

FILING DATE: 25.7.2003

Franklin Godwin

Franklin Godwin

v. (29348)

Her Majesty the Queen (Ont.)

Fergus O'Donnell
A.G. of Canada

FILING DATE: 24.7.2003

July 28, 2003 / Le 28 juillet 2003

**CORAM: Chief Justice McLachlin and Bastarache and Deschamps JJ. /
Le juge en chef McLachlin et les juges Bastarache et Deschamps**

Sameer Mapara

v. (29750)

Her Majesty the Queen (Crim.) (B.C.)

NATURE OF THE CASE

Criminal law (non-*Charter*) - Evidence - Admission - Whether the Court of Appeal erred in affirming the trial judge's decision to admit the testimony of an accomplice about a double hearsay statement that implicated the Applicant in a joint venture to murder - Whether the Court of Appeal erred in affirming the reasonableness of the trial judge's decision that the *Araujo* test for investigative necessity under s. 186(1)(b) of the *Criminal Code* was met for authorization #7 without giving proper consideration to the fact that another trial judge had reached the opposite conclusion - Whether the Court of Appeal erred in affirming the trial judge's decision to admit call #79 on the basis that a target who initiates a telecommunication is always a "party to the communication" even when he is not on the phone, or otherwise participating in the conversation.

PROCEDURAL HISTORY

December 5, 2000 Supreme Court of British Columbia (Oppal J.)	Statements of a co-accused deemed admissible
December 28, 2001 Supreme Court of British Columbia (Oppal J.)	Applicant's application to exclude evidence of interceptions of private communications denied
February 6, 2001 Supreme Court of British Columbia (Oppal J.)	Applicant convicted of first degree murder contrary to s. 235 of the <i>Criminal Code</i>
March 4, 2003 Court of Appeal for British Columbia (Donald, Saunders and Low JJ.A.)	Appeal against conviction dismissed
May 5, 2003 Supreme Court of Canada	Application for leave to appeal filed

Ewa Lipczynska-Kochany

v. (29718)

University of Waterloo (Ont.)

AND BETWEEN:

Ewa Lipczynska-Kochany

v.

Robert Gillham, James Kalbfleisch and University of Waterloo (Ont.)

NATURE OF THE CASE

Commercial Law - Torts - Contracts - Defamation - Whether the decisions below are inconsistent with *Charter* guarantees to reputation, income, security, professional career in any province, innocence, natural justice and fair treatment - Whether the Court of Appeal failed to take into account the situation at the trial and the contradictory evidence given by the Respondents - Whether the Court of Appeal decided the case without due consideration of the evidence and the relevant and established principles of law.

PROCEDURAL HISTORY

September 4, 2001
Ontario Superior Court of Justice
(Lissaman J.)

Applicant's actions for damages arising out of an employment contract and defamation, dismissed

February 27, 2003
Court of Appeal for Ontario
(Doherty, Austin and Gillese JJ.A.)

Appeal dismissed

April 28, 2003
Supreme Court of Canada

Application for leave to appeal filed

**Le Procureur général du Québec, la Commission de la construction du Québec et
la Commission de la santé et de la sécurité du travail**

c. (29822)

Raymond Chabot inc., ès qualités de syndic à la faillite de D.I.M.S. Construction inc. (Qué.)

NATURE DE LA CAUSE

Droit commercial - Faillite - Créanciers - Ordre de priorité - Les principes émis par la Cour suprême dans *Husky Oil Operations Ltd c. Ministre du Revenu national*, [1995] 3 R.C.S. 453, vont-ils jusqu'à commander l'inapplicabilité, dans un contexte de faillite, de dispositions législatives provinciales imposant à un tiers la responsabilité de la dette d'un failli, lorsqu'il découle de ces dispositions que le législateur a voulu et prévu que cette responsabilité puisse s'appliquer indépendamment des possibilités pour ce tiers de récupérer les sommes qu'il a payées? - Article 316 de la *Loi sur les accidents du travail et les maladies professionnelles*, L.R.Q., ch. A-3.001; art. 54 de la *Loi sur les relations du travail, la formation professionnelle et la gestion de la main-d'oeuvre dans l'industrie de la construction*, L.R.Q., ch. R-20; *Loi sur la faillite et l'insolvabilité*, L.R.C. 1985, ch. B-3.

HISTORIQUE DES PROCÉDURES

Le 30 août 2000
Cour supérieure du Québec
(Le juge Trudeau)

Requête de l'intimée pour directives en vertu de l'art. 34
de la *Loi sur la faillite et l'insolvabilité* rejetée

Le 10 avril 2003
Cour d'appel du Québec
(Les juges Robert j.c.q., Nuss et Lemelin [*ad hoc*])

Appel accueilli, jugement infirmé, requête pour
directives accueillie: les art. 316 *LATMP* et 54 *LRTIQ*
sont inapplicables dans le présent cas

Le 6 juin 2003
Cour suprême du Canada

Demande d'autorisation d'appel déposée

William Thomas Vaughan

v. (29712)

Her Majesty the Queen (F.C.A.)

NATURE OF THE CASE

Administrative law - Jurisdiction - Labour law - Collective agreement - Statutes - Interpretation - Whether employees in the federal public service are entitled to pursue redress in the courts for work-related disputes rather than pursue a statutory grievance procedure which does not provide for third party arbitration.

PROCEDURAL HISTORY

January 31, 2000
Federal Court of Canada, Trial Division
(Aronovitch, Prothonotary)

Respondent's action to strike out Applicant's statement of
claim, allowed

November 13, 2001
Federal Court of Canada, Trial Division
(Heneghan J.)

Appeal dismissed

February 14, 2003
Federal Court of Appeal
(Richard C.J., Sexton and Evans J.J.A.)

Appeal dismissed

April 15, 2003
Supreme Court of Canada

Application for leave to appeal filed

**CORAM: Gonthier, Major and Arbour JJ. /
Les juges Gonthier, Major et Arbour**

Yaw Sarfo Mensah

v. (29746)

Her Majesty the Queen (Crim.) (Ont.)

NATURE OF THE CASE

Canadian Charter - Criminal - Criminal Law- Evidence - Motive - Financial circumstances of accused - Whether evidence that applicant was impecunious and receiving employment insurance was properly admitted as evidence of motive to import heroin for profit.

PROCEDURAL HISTORY

October 30, 2001 Ontario Superior Court of Justice (Snowie J.)	Conviction: importing heroin
January 24, 2002 Ontario Superior Court of Justice (Snowie J.)	Sentence: 9 years and 3.5 months imprisonment
March 31, 2003 Court of Appeal for Ontario (Abella, Simmons and Armstrong JJ.A.)	Appeal against conviction dismissed; Appeal against sentence allowed, sentence varied to 7.5 years
May 2, 2003 Supreme Court of Canada	Application for leave to appeal filed

Shaw Communications Inc.

v. (29795)

Minister of National Revenue (F.C.)

NATURE OF THE CASE

Statutes - Interpretation - Whether certain Workers are employees or independent contractors for the purposes of employment insurance and the Canada Pension Plan - Weight to be placed on contractual provisions declaring workers to be independent contractors carrying on their own business

PROCEDURAL HISTORY

June 13, 2002 Tax Court of Canada (Mogan J.)	Applicant's appeals from a decision by the Respondent concerning the status of certain employees, dismissed
April 1, 2003 Federal Court of Appeal	Appeal dismissed

(Rothstein, Evans and Malone JJ.A.)

May 30, 2003
Supreme Court of Canada

Application for leave to appeal filed

M.A. and T.A.

v. (29686)

Attorney General of Canada (Sask.)

NATURE OF THE CASE

Torts - Assessment - Damages - Actions for damages for emotional injuries and financial losses suffered as a consequence of sexual assault - Trial judge awarding \$30,000 non-pecuniary damages, \$15,000 aggravated damages and \$15,000 punitive damages to each of the Applicants - Quantum of non-pecuniary damages appealed - Court of Appeal reducing non-pecuniary damage award to \$20,000 and disallowing aggravated damages - What is the correct standard of review of the appellate court of a province and is that standard different for the Appellate Court of Saskatchewan - Whether the Court of Appeal erred in substituting its view of appropriate damages under the guise of determining that the damages at trial were inordinately high.

PROCEDURAL HISTORY

November 7, 2001
Court of Queen's Bench of Saskatchewan
(Barclay J.)

Applicants' actions for damages allowed in part; general damages in the amount of \$30, 000 and aggravated damages in the amount of \$15,000; and \$15,000 punitive damages for each Applicant awarded

January 22, 2003
Court of Appeal for Saskatchewan
(Sherstobitoff, Lane and Jackson JJ.A.)

Appeal against the amount of non-pecuniary damages, allowed; amount of damages reduced to \$20 000 for each Applicant; no aggravated damages

March 24, 2003
Supreme Court of Canada

Application for leave to appeal filed

New Solutions Financial Corporation

v. (29355)

Transport North American Express Inc. (Ont.)

NATURE OF THE CASE

Commercial law - Criminal law - Statutes - Contracts - Loan - Creditor and debtor - *Criminal Code* - Criminal rate of interest - Severability - Whether in reversing the decision of the application judge, the Court of Appeal held that the Respondent had not shown that the other fees and charges were clearly part of the interest rate payment and whether such finding conflicts with the definition of the term "interest" provided by section 347(2) of the *Criminal Code*.

PROCEDURAL HISTORY

May 23, 2001
Ontario Superior Court of Justice

Rate of interest in the agreement between the parties contravenes section 347(1)(a) of the *Criminal Code*;

(Cullity J.)	Applicant entitled to enforce payments except that monthly interest rate changed to reduce effective annual interest rate for purposes of s. 347 to 60%
June 17, 2002 Court of Appeal for Ontario (Rosenberg, Feldman and Sharpe [<i>dissenting</i>] JJ.A.)	Appeal allowed
September 16, 2002 Supreme Court of Canada	Application for leave to appeal filed
February 20, 2003 Supreme Court of Canada	Application for leave to appeal granted
June 25, 2003 Supreme Court of Canada	Application for an extension of time and for leave to cross-appeal pursuant to Rule 29 filed

**CORAM: Iacobucci, Binnie and LeBel JJ. /
Les juges Iacobucci, Binnie et LeBel**

Normand Martineau

c. (29794)

Le Ministre du Revenu national (C.A.F.)

NATURE DE LA CAUSE

Charte canadienne des droits et libertés - Al. 11c) - Droit administratif - Droit fiscal - Douanes et accise - Saisie - Avis de confiscation compensatoire - *Loi sur les douanes*, L.R.C. (1985), ch. 1 (2^e suppl.) - Par. 135.(1) - *Règles de la Cour fédérale* (1998) - Règle 236(2) - Procédure - Jugements et ordonnances - Procédure préalable au procès - Interrogatoire au préalable - La Cour d'appel fédérale a-t-elle commis une erreur de droit en refusant de reconnaître au demandeur le statut d'inculpé au sens de l'alinéa 11c) de la *Charte canadienne des droits et libertés* dans les procédures judiciaires entreprises ? - La Cour d'appel fédérale a-t-elle commis une erreur de droit en refusant de reconnaître que l'avis de confiscation compensatoire prévu à l'art. 124 de la *Loi sur les douanes* est une véritable conséquence pénale au sens du test établi dans la décision *R. c. Wigglesworth* [1987] 2 R.C.S. 541 ?

HISTORIQUE DES PROCÉDURES

Le 11 décembre 2001 Cour fédérale du Canada, Section de première instance (Le protonotaire Morneau)	Requête de l'intimé visant à soumettre le demandeur à un interrogatoire au préalable en vertu de la règle 236(2) des <i>Règles de la Cour fédérale</i> (1998), accueillie
Le 28 janvier 2002 Cour fédérale du Canada, Section de première instance (Le juge Blais)	Appel de la décision du protonotaire, rejeté
Le 3 avril 2003 Cour d'appel fédérale (Les juges Létourneau, Nadon et Pelletier)	Appel rejeté

Le 2 juin 2003
Cour suprême du Canada

Le 21 mai 2003
Demande d'autorisation d'appel déposée

David S. MacKay

v. (29765)

Ministry of Social Development and Economic Security and the Attorney General of British Columbia (B.C.)

NATURE OF THE CASE

Canadian Charter of Rights and Freedoms – Civil – Civil rights – Social welfare – Recipient of income assistance having benefits reduced upon receiving *Canada Pension Plan* survivor pension benefit following death of common law partner – Deduction of CPP survivor pension mandated by *B.C. Benefits (Income Assistance) Act* and *Regulations*, as constituting “unearned income” – In an application for relief under section 15 of the *Charter* can the Court reject the grounds of discrimination and the relevant comparator group without considering the actual position of the Applicant? – Does the *Charter* apply to intra-governmental arrangements made outside of the legislative sphere? – Are widows on welfare discriminated against compared with all other widows in receipt of Canada Pension Plan survivor’s benefits, by the fact that they are denied the benefit of those payments through dollar-for dollar reduction by the provincial authorities? – Did the courts below err in failing to acknowledge that “saving money” is not sufficient grounds to deny widows and widowers on welfare the effective benefit arising from their right in perpetuity to the federal survivor’s benefit? – *B.C. Benefits (Income Assistance) Act Regulations, B.C. Reg. 75/97 s. 1 (f)* – *Canadian Charter of Right and Freedoms, s. 15(1)*.

PROCEDURAL HISTORY

March 15, 2002
Supreme Court of British Columbia
(Dillon J.)

Applicant’s petition to declare the definition of unearned income unconstitutional, dismissed

March 11, 2003
Court of Appeal for British Columbia
(Southin, Rowles and Prowse JJ.A.)

Appeal dismissed

May 7, 2003
Supreme Court of Canada

Application for leave to appeal filed

Corazon Macatula

v. (29757)

Jean Tessier, Larry Tessier, Helen Tessier, Ken Tessier, Darryl Tessier, Clint Tessier and Blair Tessier (Man.)

NATURE OF THE CASE

Procedural law – Appeal – Standard of review – Contracts – Verbal agreement – Home care worker purchasing winning lottery ticket for client – Proceeds exceeded \$11 million – Whether verbal agreement existed to split proceeds of winning ticket – Whether court of appeal applied incorrect standard in reviewing decision of trial judge who found no agreement existed – Whether the application of the “evidence to support” standard of review, in isolation from and without regard to the “palpable and overriding error” standard of review, is incorrect.

PROCEDURAL HISTORY

March 28, 2002
Court of Queen’s Bench of Manitoba
(Schwartz J.)

Applicant’s action dismissed: no verbal agreement found to exist between Applicant and Respondent Jean Tessier

March 3, 2003
Court of Appeal of Manitoba
(Huband [*dissenting*], Monnin and Steel JJ.A.)

Appeal dismissed

May 1, 2003
Supreme Court of Canada

Application for leave to appeal filed

22.7.2003

Before / Devant : IACOBUCCI J.

Motion for a stay of execution

Requête en vue de surseoir à l'exécution

Attorney General of Canada, et al.

v. (29842)

Ainsworth Lumber Co. Ltd. (B.C.)

GRANTED / ACCORDÉE

UPON APPLICATION by the applicants Attorney General of Canada and Paul Martin for a stay of execution;

AND HAVING READ the material filed ;

IT IS HEREBY ORDERED THAT:

1. The application for a stay of execution pending the application for leave to appeal and, if leave is granted, pending the final determination of the appeal, is granted;
 2. There shall be no order as to costs;
 3. The application for leave to appeal shall be expedited.
-

22.7.2003

Before / Devant : THE REGISTRAR

Motion to extend the time in which to serve and file the appellant's record, factum and book of authorities

Requête en prorogation du délai imparti pour signifier et déposer les dossier, mémoire et recueil de jurisprudence et de doctrine de l'appelant

Robert Kenneth Hartshorne

v. (29531)

Kathleen Mary Mildred Hartshorne (B.C.)

GRANTED / ACCORDÉE Time extended to July 18, 2003.

23.7.2003

Before / Devant : IACOBUCCI J.

Motion to extend the time in which to serve and file the record and factum and of the respondent and to present oral argument at the hearing of the appeal

Sa Majesté la Reine

c. (29198)

Jacques Fontaine (Crim.)(Qué.)

Requête en prorogation du délai imparti pour signifier et déposer les dossier et mémoire de l'intimé et requête visant à présenter une plaidoirie orale à l'audition de l'appel

GRANTED / ACCORDÉE Délai prorogé au 4 juillet 2003.

23.7.2003

Before / Devant : IACOBUCCI J.

Motion to extend the time in which to file the application for leave

Richard Kappo, Councillor of the Sturgeon Lake Cree Nation, on behalf of the Sturgeon Lake Cree Nation

v. (29855)

The Subdivision and Development Appeal Board (Municipal District of Greenview No. 16), et al. (Alta.)

Requête en prorogation du délai imparti pour déposer la demande d'autorisation

GRANTED / ACCORDÉE Time extended to July 3, 2003.

**NOTICES OF INTERVENTION FILED
SINCE LAST ISSUE**

**AVIS D'INTERVENTION DÉPOSÉS
DEPUIS LA DERNIÈRE PARUTION**

23.7.2003

BY/PAR: Attorney General of British Columbia

IN/DANS: **Minister of Human Resources Development Canada**

v. (29351)

Betty Hodge (F.C.A.)

23.7.2003

BY/PAR: Attorney General of British Columbia

IN/DANS: **Director, Income Maintenance Branch, Ministry of Community and Social Services and Attorney General of Ontario**

v. (29294)

Sandra Falkner, Deborah Sears, Cynthia Johnston-Pepping and Claude Marie Cadieux (Ont.)

**NOTICE OF DISCONTINUANCE
FILED SINCE LAST ISSUE**

**AVIS DE DÉSISTEMENT DÉPOSÉS
DEPUIS LA DERNIÈRE PARUTION**

23.7.2003

Canadian Pacific Limited

v. (29427)

**Attorney General of Canada on behalf of HER
MAJESTY THE QUEEN IN RIGHT OF CANADA,
et al. (B.C.)**

(Leave)

DEADLINES: APPEALS

The Fall Session of the Supreme Court of Canada will commence October 6, 2003.

The Supreme Court of Canada has enacted new rules that came into force on June 28, 2002.

Pursuant to the *Supreme Court Act and Rules*, the following requirements for filing must be complied with before an appeal can be heard:

1) For notices of appeal filed on and after June 28, 2002

Appellant's record; appellant's factum; and appellant's book(s) of authorities must be filed within 12 weeks of the filing of the notice of appeal or 12 weeks from decision on the motion to state a constitutional question.

Respondent's record (if any); respondent's factum; and respondent's book(s) of authorities must be filed within eight weeks after the service of the appellant's documents.

Intervener's factum and intervener's book(s) of authorities, (if any), must be filed within eight weeks of the order granting leave to intervene or within 20 weeks of the filing of a notice of intervention under subrule 61(4).

Parties' condensed book, if required, must be filed on the day of hearing of the appeal.

2) For notices of appeal filed before June 28, 2002

Appellant's record; appellant's factum; and appellant's book(s) of authorities must be filed within four months of the filing of the notice of appeal.

Respondent's record (if any); respondent's factum; and respondent's book(s) of authorities must be filed within eight weeks of the date of service of the appellant's documents.

Intervener's factum and intervener's book(s) of authorities, if any, must be filed within four weeks of the date of service of the respondent's factum, unless otherwise ordered.

Parties' condensed book, if required, must be filed on or before the day of hearing of the appeal.

The Registrar shall enter the appeal on a list of cases to be heard after the respondent's factum is filed or at the end of the eight-week period referred to in Rule 36.

DÉLAIS : APPELS

La session d'automne de la Cour suprême du Canada commencera le 6 octobre 2003.

La Cour suprême du Canada a adopté de nouvelles règles qui sont entrées en vigueur le 28 juin 2002.

Conformément à la *Loi sur la Cour suprême* et aux *Règles*, il faut se conformer aux exigences suivantes avant qu'un appel puisse être entendu:

1) Pour les avis d'appel déposés le ou après le 28 juin 2002

Le dossier de l'appelant, son mémoire et son recueil de jurisprudence et de doctrine doivent être déposés dans les douze semaines du dépôt de l'avis d'appel ou douze semaines de la décision de la requête pour formulation d'une question constitutionnelle.

Le dossier de l'intimé (le cas échéant), son mémoire et son recueil de jurisprudence et de doctrine doivent être déposés dans les huit semaines suivant la signification des documents de l'appelant.

Le mémoire de l'intervenant et son recueil de jurisprudence et de doctrine, le cas échéant, doivent être déposés dans les huit semaines suivant l'ordonnance autorisant l'intervention ou dans les vingt semaines suivant le dépôt de l'avis d'intervention visé au paragraphe 61(4).

Le recueil condensé des parties, le cas échéant, doivent être déposés le jour de l'audition de l'appel.

2) Pour les avis d'appel déposés avant le 28 juin 2002

Le dossier de l'appelant, son mémoire et son recueil de jurisprudence et de doctrine doivent être déposés dans les quatre mois du dépôt de l'avis d'appel.

Le dossier de l'intimé (le cas échéant), son mémoire et son recueil de jurisprudence et de doctrine doivent être déposés dans les huit semaines suivant la signification des documents de l'appelant.

Le mémoire de l'intervenant et son recueil de jurisprudence et de doctrine, le cas échéant, doivent être déposés dans les quatre semaines suivant la signification du mémoire de l'intimé, sauf ordonnance contraire.

Le recueil condensé des parties, le cas échéant, doivent être déposés au plus tard le jour de l'audition de l'appel.

Le registraire inscrit l'appel pour audition après le dépôt du mémoire de l'intimé ou à l'expiration du délai de huit semaines prévu à la règle 36.

SUPREME COURT OF CANADA SCHEDULE
CALENDRIER DE LA COUR SUPREME

- 2003 -

04-07-2002

OCTOBER - OCTOBRE						
S	M	T	W	T	F	S
D	L	M	M	J	V	S
			1	2	3	4
5	M 6	7	8	9	10	11
12	H 13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

NOVEMBER - NOVEMBRE						
S	M	T	W	T	F	S
D	L	M	M	J	V	S
						1
2	M 3	4	5	6	7	8
9	10	H 11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

DECEMBER - DECEMBRE						
S	M	T	W	T	F	S
D	L	M	M	J	V	S
	M 1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	H 25	H 26	27
28	29	30	31			

- 2004 -

JANUARY - JANVIER						
S	M	T	W	T	F	S
D	L	M	M	J	V	S
				H 1	2	3
4	5	6	7	8	9	10
11	M 12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

FEBRUARY - FÉVRIER						
S	M	T	W	T	F	S
D	L	M	M	J	V	S
1	2	3	4	5	6	7
8	M 9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29						

MARCH - MARS						
S	M	T	W	T	F	S
D	L	M	M	J	V	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	M 15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

APRIL - AVRIL						
S	M	T	W	T	F	S
D	L	M	M	J	V	S
				1	2	3
	5	6	7	8	H 9	10
11	H 12	13	14	15	16	17
18	M 19	20	21	22	23	24
25	26	27	28	29	30	

MAY - MAI						
S	M	T	W	T	F	S
D	L	M	M	J	V	S
						1
2	3	4	5	6	7	8
9	M 10	11	12	13	14	15
16	17	18	19	20	21	22
23	H 24	25	26	27	28	29
30	31					

JUNE - JUIN						
S	M	T	W	T	F	S
D	L	M	M	J	V	S
		1	2	3	4	5
6	M 7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

Sittings of the court:
Séances de la cour:

Motions:
Requêtes:

Holidays:
Jours fériés:



18 sitting weeks/semaines séances de la cour
87 sitting days/journées séances de la cour
9 motion and conference days/ journées
requêtes.conférences
3 holidays during sitting days/ jours fériés
durant les sessions