

Supreme Court of Canada / Cour suprême du Canada

(Le français suit)

JUDGMENTS IN APPEALS AND LEAVE APPLICATIONS

December 19, 2019

For immediate release

OTTAWA – The Supreme Court of Canada has today deposited with the Registrar judgments in the following appeals and leave applications.

JUGEMENTS SUR APPELS ET DEMANDES D’AUTORISATION

Le 19 décembre 2019

Pour diffusion immédiate

OTTAWA – La Cour suprême du Canada a déposé aujourd’hui auprès du registraire les jugements dans les appels et demandes d’autorisation suivants.

APPEALS / APPELS

The [reasons for judgment](#) will be available shortly. / Les [motifs de jugement](#) seront disponibles sous peu.

37748 **Minister of Citizenship and Immigration v. Alexander Vavilov - and - Attorney General of Ontario, Attorney General of Quebec, Attorney General of British Columbia, Attorney General of Saskatchewan, Canadian Council for Refugees, Advocacy Centre for Tenants Ontario - Tenant Duty Counsel Program, Ontario Securities Commission, British Columbia Securities Commission, Alberta Securities Commission, Ecojustice Canada Society, Workplace Safety and Insurance Appeals Tribunal (Ontario), Workers’ Compensation Appeals Tribunal (Northwest Territories and Nunavut), Workers’ Compensation Appeals Tribunal (Nova Scotia), Appeals Commission for Alberta Workers’ Compensation, Workers’ Compensation Appeals Tribunal (New Brunswick), British Columbia International Commercial Arbitration Centre Foundation, Council of Canadian Administrative Tribunals, National Academy of Arbitrators, Ontario Labour-Management Arbitrators’ Association, Conférence des arbitres du Québec, Canadian Labour Congress, National Association of Pharmacy Regulatory Authorities, Queen’s Prison Law Clinic, Advocates for the Rule of Law, Parkdale Community Legal Services, Cambridge Comparative Administrative Law Forum, Samuelson-Glushko Canadian Internet Policy and Public Interest Clinic, Canadian Bar Association, Canadian Association of Refugee Lawyers, Community & Legal Aid Services Programme, Association québécoise des avocats et avocates en droit de l’immigration and First Nations Child & Family Caring Society of Canada (F.C.)**
2019 SCC 65 / 2019 CSC 65

Coram: Wagner C.J. and Abella, Moldaver, Karakatsanis, Gascon, Côté, Brown, Rowe and Martin JJ.

The appeal from the judgment of the Federal Court of Appeal, Number A-394-15, 2017 FCA 132, dated June 21, 2017, heard on December 4, 5 and 6, 2018, is dismissed with costs throughout.

L'appel interjeté contre l'arrêt de la Cour d'appel fédérale, numéro A-394-15, 2017 FCA 132, daté du 21 juin 2017, entendu les 4, 5 et 6 décembre 2018, est rejeté avec dépens devant la Cour et les juridictions inférieures.

37896 **Bell Canada and Bell Media Inc. v. Attorney General of Canada - and - Attorney General of Ontario, Attorney General of Quebec, Attorney General of British Columbia, Attorney General of Saskatchewan, Canadian Radio-television and Telecommunications Commission, Telus Communications Inc., Advocacy Centre for Tenants Ontario - Tenant Duty Counsel Program, Ontario Securities Commission, British Columbia Securities Commission, Alberta Securities Commission, Ecojustice Canada Society, Workplace Safety and Insurance Appeals Tribunal (Ontario), Workers' Compensation Appeals Tribunal (Northwest Territories and Nunavut), Workers' Compensation Appeals Tribunal (Nova Scotia), Appeals Commission for Alberta Workers' Compensation, Workers' Compensation Appeals Tribunal (New Brunswick), British Columbia International Commercial Arbitration Centre Foundation, Council of Canadian Administrative Tribunals, National Academy of Arbitrators, Ontario Labour-Management Arbitrators' Association, Conférence des arbitres du Québec, Canadian Labour Congress, National Association of Pharmacy Regulatory Authorities, Queen's Prison Law Clinic, Advocates for the Rule of Law, Cambridge Comparative Administrative Law Forum, Association of Canadian Advertisers, Alliance of Canadian Cinema, Television and Radio Artists, Samuelson-Glushko Canadian Internet Policy and Public Interest Clinic, Canadian Bar Association, Blue Ant Media Inc., Canadian Broadcasting Corporation, DHX Media Ltd., Groupe V Média inc., Independent Broadcast Group, Aboriginal Peoples Television Network, Allarco Entertainment Inc., BBC Kids, Channel Zero, Ethnic Channels Group Ltd., Hollywood Suite, OUTtv Network Inc., Stingray Digital Group Inc., TV5 Québec Canada, ZoomerMedia Ltd., Pelmorex Weather Networks (Television) Inc. and First Nations Child & Family Caring Society of Canada (F.C.)**
2019 SCC 66 / 2019 CSC 66

Coram: Wagner C.J. and Abella, Moldaver, Karakatsanis, Gascon, Côté, Brown, Rowe and Martin JJ.

The appeal from the judgment of the Federal Court of Appeal, Number A-472-16, 2017 FCA 249, dated December 18, 2017, heard on December 4, 5 and 6, 2018, is allowed with costs throughout. The judgment of the Federal Court of Appeal is set aside, and the decisions of the Canadian Radio-television and Telecommunications Commission (CRTC 2016-334 and CRTC 2016-335) are quashed. Abella and Karakatsanis JJ. dissent.

L'appel interjeté contre l'arrêt de la Cour d'appel fédérale, numéro A-472-16, 2017 CAF 249, daté du 18 décembre 2017, entendu les 4, 5 et 6 décembre 2018, est accueilli avec dépens dans toutes les cours. L'arrêt de la Cour d'appel fédérale est infirmé et les décisions du Conseil de la radiodiffusion et des télécommunications canadiennes (CRTC 2016-334 et CRTC 2016-335) sont cassées. Les juges Abella et Karakatsanis sont dissidentes.

37897 **National Football League, NFL International LLC and NFL Productions LLC v. Attorney General of Canada - and - Attorney General of Ontario, Attorney General of Quebec, Attorney General of British Columbia, Attorney General of Saskatchewan, Canadian Radio-television and Telecommunications Commission, Telus Communications Inc., Advocacy Centre for Tenants Ontario - Tenant Duty Counsel Program, Ontario Securities Commission, British Columbia Securities Commission, Alberta Securities Commission, Ecojustice Canada Society, Workplace Safety and Insurance Appeals Tribunal (Ontario), Workers' Compensation Appeals Tribunal (Northwest Territories and Nunavut), Workers' Compensation Appeals Tribunal (Nova Scotia), Appeals Commission for Alberta Workers' Compensation, Workers' Compensation Appeals Tribunal (New Brunswick), British Columbia International Commercial Arbitration Centre Foundation, Council of Canadian Administrative Tribunals, National Academy of Arbitrators, Ontario Labour-Management**

**Arbitrators' Association, Conférence des arbitres du Québec, Canadian Labour Congress, National Association of Pharmacy Regulatory Authorities, Queen's Prison Law Clinic, Advocates for the Rule of Law, Cambridge Comparative Administrative Law Forum, Association of Canadian Advertisers, Alliance of Canadian Cinema, Television and Radio Artists, Samuelson-Glushko Canadian Internet Policy and Public Interest Clinic, Canadian Bar Association and First Nations Child & Family Caring Society of Canada (F.C.)
2019 SCC 66 / 2019 CSC 66**

Coram: Wagner C.J. and Abella, Moldaver, Karakatsanis, Gascon, Côté, Brown, Rowe and Martin JJ.

The appeal from the judgment of the Federal Court of Appeal, Number A-471-16, 2017 FCA 249, dated December 18, 2017, heard on December 4, 5 and 6, 2018, is allowed with costs throughout. The judgment of the Federal Court of Appeal is set aside, and the decisions of the Canadian Radio-television and Telecommunications Commission (CRTC 2016-334 and CRTC 2016-335) are quashed. Abella and Karakatsanis JJ. dissent.

L'appel interjeté contre l'arrêt de la Cour d'appel fédérale, numéro A-471-16, 2017 CAF 249, daté du 18 décembre 2017, entendu les 4, 5 et 6 décembre 2018, est accueilli avec dépens dans toutes les cours. L'arrêt de la Cour d'appel fédérale est infirmé et les décisions du Conseil de la radiodiffusion et des télécommunications canadiennes (CRTC 2016-334 et CRTC 2016-335) sont cassées. Les juges Abella et Karakatsanis sont dissidentes.

APPLICATIONS FOR LEAVE / DEMANDES D'AUTORISATION :

DISMISSED / REJETÉES

Packers Plus Energy Services Inc. and Rapid Completions LLC v. Essential Energy Services Ltd., Tryton Tool Services Limited Partnership, Baker Hughes Canada Company, Weatherford International PLC, Weatherford Canada Ltd., Weatherford Canada Partnership, Harvest Operations Corp., Resource Well Completion Technologies Inc. and Resource Completion Systems Inc. (F.C.) (Civil) (By Leave) ([38694](#))

The application for leave to appeal from the judgment of the Federal Court of Appeal, Number A-31-18, 2019 FCA 96, dated April 24, 2019, is dismissed with costs.

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel fédérale, numéro A-31-18, 2019 FCA 96, daté du 24 avril 2019, est rejetée avec dépens.

Katy Jean c. Agence du revenu du Québec (Qc) (Civile) (Autorisation) ([38766](#))

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel du Québec (Montréal), numéro 500-09-027146-174, 2019 QCCA 458, daté du 15 mars 2019, est rejetée avec dépens.

The application for leave to appeal from the judgment of the Court of Appeal of Quebec (Montréal), Number 500-09-027146-174, 2019 QCCA 458, dated March 15, 2019, is dismissed with costs.

Zoocheck Canada Inc., Voice for Animals Humane Society and Tove Reece v. Her Majesty the Queen In Right of Alberta (Minister of Agriculture and Forestry and Minister of Environment and Parks) and City of Edmonton (Alta.) (Civil) (By Leave) ([38774](#))

The application for leave to appeal from the judgment of the Court of Appeal of Alberta (Edmonton), Number 1703-0244-AC, 2019 ABCA 208, dated May 24, 2019, is dismissed with costs.

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de l'Alberta (Edmonton), numéro 1703-0244-AC, 2019 ABCA 208, daté du 24 mai 2019, est rejetée avec dépens.

Kim Barker v. Information and Privacy Commissioner of Ontario and Algoma Public Health (Ont.) (Civil) (By Leave) (38705)

The application for leave to appeal from the judgment of the Court of Appeal for Ontario, Number C65372, 2019 ONCA 275, dated April 9, 2019, is dismissed.

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de l'Ontario, numéro C65372, 2019 ONCA 275, daté du 9 avril 2019, est rejetée.

Shane Williams v. Her Majesty the Queen (N.B.) (Criminal) (By Leave) (N.B.) (Criminal) (By Leave) (38800)

The motion for an extension of time to serve and file the application for leave to appeal is granted. The application for leave to appeal from the judgment of the Court of Appeal of New Brunswick, Number 92-16-CA, 2018 NBCA 70, dated November 1, 2018, is dismissed.

La requête en prorogation du délai de signification et de dépôt de la demande d'autorisation d'appel est accueillie. La demande d'autorisation d'appel de l'arrêt de la Cour d'appel du Nouveau-Brunswick, numéro 92-16-CA, 2018 NBCA 70, daté du 1^{er} novembre 2018, est rejetée.

Nippon Yusen Kabushiki Kaisha, NYK Line (North America) Inc., NYK Line (Canada), Inc., Mitsui O.S.K. Lines, Ltd., Mitsui O.S.K. Bulk Shipping (U.S.A.), Inc., Kawasaki Kisen Kaisha, Ltd., "K" Line America, Inc., EUKOR Car Carriers, Inc., Wilh. Wilhelmsen Holding ASA, Wilh. Wilhelmsen ASA, Wallenius Wilhelmsen Logistics Americas, LLC, Wallenius Wilhelmsen Logistics AS, Wallenius Lines AB, WWL Vehicle Services Canada Ltd., Nissan Motor Car Carrier Co., Ltd. and World Logistics Service (USA) Inc. v. Darren Ewert (B.C.) (Civil) (By Leave) (38784)

The application for leave to appeal from the judgment of the Court of Appeal for British Columbia (Vancouver), Number CA45021, 2019 BCCA 187, dated May 29, 2019, is dismissed with costs.

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de la Colombie-Britannique (Vancouver), numéro CA45021, 2019 BCCA 187, daté du 29 mai 2019, est rejetée avec dépens.

Supreme Court of Canada / Cour suprême du Canada :
comments-commentaires@scc-csc.ca
(613) 995-4330