

Criminal Practice Directive No. 6

Applications for Discretionary Orders Restricting Media Reporting or Public Access

Effective January 1, 2014

Application of Practice Directive

1. This Practice Directive applies to:
 - (a) an application for a discretionary order restricting media reporting of, or media or public access to, a criminal proceeding; and
 - (b) an application to vary or set aside an existing discretionary order restricting media reporting of, or media or public access to, a criminal proceeding.

Notice to Parties

2.
 - (1) An applicant for a discretionary order restricting media reporting of, or media or public access to, a proceeding shall, at least three days before the proceeding to which the order is to apply, serve the parties to the proceeding with:
 - (a) a notice of motion returnable on the first day of the proceeding;
 - (b) an affidavit; and
 - (c) a draft order.
 - (2) The applicant shall also file the notice of motion, affidavit and draft order mentioned in subsection (1), with proof of service, with the Registrar at least three days before the proceeding to which the order is to apply.

Requirements for Notice of Motion

3. The notice of motion must:
 - (a) state the basis for the motion;
 - (b) set forth the grounds on which the motion is made, including the authority under which the order is sought, whether it is the common law discretion of the Court or a specific statutory provision; and

(c) state precisely the relief sought by the applicant, including the particular terms of the order being sought.

Notice to Media

4. An applicant for a discretionary order restricting media reporting of, or media or public access to, a proceeding shall, at least three days before the hearing of the application, complete the electronic Notice of Application for a Publication Ban that can be found in the Resources section of the Saskatchewan Law Courts' website (www.sasklawcourts.ca).

Standing

5. Standing to be heard on the application is in the sole discretion of:

- (a) the Court; or
- (b) if the proceeding is a chambers matter, the judge hearing the application.

Note: This Practice Directive is issued by the Court under the authority of *The Court of Appeal Act, 2000* and Rule 74 of *The Court of Appeal Rules*.

Melanie A. Baldwin, Registrar
Court of Appeal for Saskatchewan