

COURT OF QUEEN'S BENCH FOR SASKATCHEWAN

AMENDMENTS TO *THE QUEEN'S BENCH RULES*

The Queen's Bench Rules are amended, effective September 1st, 2020, in the manner set forth below:

PART 1
Rules

New Rule 6-25

1 Rule 6-25 is repealed and the following substituted:

“How appearance day applications are to be dealt with

6-25(1) Appearance day applications will be scheduled to commence 30 minutes before the time chambers is scheduled to commence and shall be heard by telephone.

(2) The parties to an appearance day application must be available by telephone when the appearance day application is scheduled to commence and remain available until the application is heard”.

Rule 11-27 amended

2 The following subrule is added after subrule 11-27(1):

“(1.1) A warrant of committal for civil contempt of Court may be in Form 11-27”.

Rule 11-28 amended

3 Subrule 11-28(1) is amended by striking out “on an application by or with the written consent of the Attorney General for Saskatchewan.”.

Rule 15-62 amended

4 The following subrule is added after subrule 15-62(2):

“(3) A warrant of committal for contempt of Court pursuant to *The Enforcement of Maintenance Orders Act, 1997* may be in Form 15-62”.

Information note amended

5 The Information Note following rule 16-14 is amended by adding “, other than land or other real property,” **after** “property”.

AMENDMENTS TO THE QUEEN'S BENCH RULES

2

PART 2
Forms

Form 10-40A amended

6 Form 10-40A is amended in paragraph 10 by striking out “*The Land Contracts (Actions) Act*” wherever it appears and in each case substituting “*The Land Contracts (Actions) Act, 2018*”.

Form 10-45A amended

7 Form 10-45A is amended is amended in paragraph 8 by striking out “*The Land Contracts (Actions) Act*” wherever it appears and in each case substituting “*The Land Contracts (Actions) Act, 2018*”.

New Form 11-27

8 The following Form is added after Form 11-25:

**“Form 11-27
(Subrule 11-27(1.1))**

COURT FILE NUMBER _____

COURT OF QUEEN'S BENCH FOR SASKATCHEWAN

JUDICIAL CENTRE _____

WARRANT OF COMMITTAL FOR CIVIL CONTEMPT

TO: The Peace Officers in Saskatchewan; and
The keeper of the Provincial Correctional Centre in Saskatchewan

WHEREAS:

1. _____ DOB _____ (hereinafter called the offender) was on the ____ day of _____, 20 ____ declared by the Honourable Justice _____ to be in civil contempt of Court.
2. It was ordered that the offender be imprisoned in a Provincial Correctional Centre for a period of _____ days, without remission, and then to be brought back before the Court on _____, 20 ____ at _____ a.m./p.m, or such sooner date that the Court may direct, to be further dealt with according to law.
3. It was further ordered that the offender be subject to immediate release from custody on payment of the sum of \$ _____ to the officer having custody of the offender.

AMENDMENTS TO THE QUEEN'S BENCH RULES

THE PEACE OFFICERS ARE HEREBY COMMANDED, in her Majesty's name:

- (a) to arrest the offender if it is necessary to do so in order to take the offender into custody; and
- (b) to convey the offender to the Provincial Correctional Centre and deliver the offender to the keeper of the Provincial Correctional Centre.

THE KEEPER OF THE PROVINCIAL CORRECTIONAL CENTRE IS HEREBY COMMANDED to receive the offender into custody and imprison the offender for the period of time set out above and then to have the offender brought back before the Court on the date and time set out above to be further dealt with according to law, or to immediately release the offender on receipt of the sum of \$ _____, whichever first occurs, with that sum being paid over to the Court to be dealt with as the Court may direct.

ISSUED at _____, Saskatchewan, this _____ day
of _____, 2 ____ .

Judge or Clerk for the Court of Queen's Bench for Saskatchewan".

New Form 15-62

9 The following Form is added after Form 15-57B:

“Form 15-62
(Subrule 15-62(3))

COURT FILE NUMBER _____

COURT OF QUEEN'S BENCH FOR SASKATCHEWAN
(FAMILY LAW DIVISION)

JUDICIAL CENTRE _____

**WARRANT OF COMMITTAL FOR CONTEMPT FOR FAILURE TO COMPLY
WITH A MAINTENANCE ORDER**

TO: The Peace Officers in Saskatchewan; and
The keeper of the Provincial Correctional Centre in Saskatchewan

WHEREAS:

1. _____ DOB _____ (hereinafter called the offender) was on
the ____ day of _____, 20 ____ declared by the Honourable Justice _____
to be in contempt of Court for failure to pay a maintenance order.

2. It was ordered that the offender be imprisoned in a Provincial Correctional Centre:

- for a period of _____ days to be served:
 - continuously.
 - intermittently on _____ (*pattern of intermittent sentence*).
- for a period of _____ days without remission and then to be brought back before the Court
on _____, 20 ____ at ____ a.m./p.m, or on such sooner date that the Court may
direct, to be further dealt with according to law.

3. It was further ordered that the offender be subject to immediate release from custody on payment of the
sum of \$ _____ to the officer having custody of the offender.

THE PEACE OFFICERS ARE HEREBY COMMANDED, in her Majesty's name:

- (a) to arrest the offender if it is necessary to do so in order to take the offender into custody; and
- (b) to convey the offender to the Provincial Correctional Centre and deliver the offender to the
keeper of the Provincial Correctional Centre.

AMENDMENTS TO THE QUEEN'S BENCH RULES

5

THE KEEPER OF THE PROVINCIAL CORRECTIONAL CENTRE IS HEREBY COMMANDED to receive the offender into custody and imprison the offender for the period of time set out above and then to have the offender brought back before the Court on the date and time set out above to be further dealt with according to law, or to immediately release the offender on receipt of the sum of \$ _____, whichever first occurs, with that sum being paid over to the Court to be dealt with as the Court may direct.

ISSUED at _____, Saskatchewan, this _____ day
of _____, 2 _____.

Judge or Clerk for the Court of Queen's Bench for Saskatchewan".

AMENDMENTS TO THE QUEEN'S BENCH RULES

6

CERTIFICATE

I, MARTEL D. POPESCU, Chief Justice of Her Majesty's Court of Queen's Bench for Saskatchewan, certify that these amendments to *The Queen's Bench Rules* were made by a majority of judges of Her Majesty's Court of Queen's Bench for Saskatchewan pursuant to section 28 of *The Queen's Bench Act, 1998*.

Dated at Saskatoon, Saskatchewan, July 9th, 2020.


Martel D. Popescu, C.J.Q.B.