



COURT OF KING'S BENCH
FOR SASKATCHEWAN

GENERAL APPLICATION PRACTICE DIRECTIVE #3

DISCRETIONARY ORDERS RESTRICTING MEDIA REPORTING OR PUBLIC ACCESS

REFERENCE: GA-PD #3

Effective: July 1, 2013

Revised: July 1, 2014; November 1, 2023; April 1, 2026

Notice to Parties

1. An applicant for a discretionary order restricting media reporting of, or media or public access to a proceeding shall, at least five days before the proceeding to which the order is to apply, serve the parties to the proceeding with a Notice of Application, supporting affidavit and draft order.

Requirements of the Notice of Application

2. The Notice of Application must:
 - a) state the basis for the application;
 - b) set forth the grounds on which the application 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 the rationale for seeking the order;
 - c) state precisely the relief sought by the applicant, including the particular terms of the order being sought; and
 - d) be filed with the Court at least three days before the proceeding.

Notice to Media

3. An applicant for a discretionary order restricting media reporting of, or media or public access to a proceeding shall, at least five 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: <https://sasklawcourts.ca/resources/media-room/publication-ban-application/>

The applicant is to file proof of completion of the electronic Notice of Application for a Publication Ban at least three days before the proceeding.

4. Notice to the media described in paragraph 3 also applies to application to vary, vacate or set aside a discretionary order.

Standing

5. Standing to be heard on the application remains in the sole discretion of the judge hearing the application.

Interim Order

6. A judge may restrict access to and/or ban publication of the information that is the subject of the application until the application is determined.
7. Unless otherwise ordered, the materials on an application for a discretionary order restricting media reporting of, or media or public access to a proceeding, are open to the public.
8. In the event of an unforeseen application for a restriction on publication (such as sensitive information unexpectedly disclosed mid-trial), the applicant may seek an interim order without providing the above notices and, if the order is granted, the applicant must then comply with the above provisions, modifying the notices to identify the interim order and to give notice of an application for confirmation of the interim order.

Chief Justice M.D. Popescul
Court of King's Bench for Saskatchewan