

1998

CHAPTER 48

An Act to make consequential amendments to certain Acts resulting from the enactment of *The Queen's Bench Act, 1998*

This Act was Schedule D of *The Queen's Bench Revision Act*, being chapter Q-1.1 of the *Statutes of Saskatchewan, 1998*. That Act was assented to on May 21, 1998. (See Chapter Q-1.1, s.7)

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CHAPITRE 48

Loi apportant des modifications corrélatives à certaines lois par suite de l'édiction de la *Loi de 1998 sur la Cour du Banc de la Reine*

Cette loi était l'annexe D de la *Loi sur la révision de la Cour du Banc de la Reine*, étant le chapitre Q-1,1 des *Lois de la Saskatchewan 1998*. Cette loi a été sanctionnée le 21 mai 1998. (Voir chapitre Q-1,1, art.7)

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CHAPTER 48

An Act to make consequential amendments to certain Act resulting from the enactment of *The Queen's Bench Act, 1998*

(Assented to June 11, 1998)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

Short title

1 This Act may be cited as *The Queen's Bench Consequential Amendment Act, 1998*.

R.S.S. 1978, c.A-32 amended

2(1) *The Attachment of Debts Act* is amended in the manner set forth in this section.

(2) Subsection 3(3) is amended by striking out "writ of summons" and substituting "statement of claim".

(3) Subsection 5(2) is amended by striking out "writ of summons" wherever it appears and in each case substituting "statement of claim".

(4) The Schedule is amended by striking out "(To be endorsed in the same manner as a Writ of Summons)" at the end of each version of Form A.

S.S. 1984-85-86, c.C-43.1 amended

3 *The Court Officials Act, 1984* is amended by adding the following sections after section 10:

"Clerks of the court, *Bankruptcy and Insolvency Act*

10.1 For the purposes of Part X of the *Bankruptcy and Insolvency Act* (Canada), every local registrar and every deputy local registrar appointed pursuant to this Act is deemed to be a clerk of the court as defined in section 217 of the *Bankruptcy and Insolvency Act* (Canada).

"Court reporters

10.2(1) An official court reporter appointed pursuant to this Act shall:

(a) take and report the evidence at trials and the opinions, decisions and judgments made by judges; and

(b) perform any other duties that may be assigned by order of the Lieutenant Governor in Council or fixed pursuant to the rules of court.

(2) A copy of evidence taken at a trial by an official court reporter and certified by the court reporter who took the evidence or by the local registrar of the court with whom the evidence has been filed has, for all purposes, the same effect as the original evidence".

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CHAPITRE 48

Loi apportant des modifications corrélatives à certaines lois par suite de l'édiction de la *Loi de 1998 sur la Cour du Banc de la Reine*

(Sanctionnée le 11 juin 1998)

SA MAJESTÉ, sur l'avis et avec le consentement de l'Assemblée législative de la Saskatchewan, édicte:

Titre abrégé

1 *Loi de 1998 apportant des modifications corrélatives à la Loi sur la Cour du Banc de la Reine.*

Modification du ch.A-32 des R.S.S. 1978

2(1) La loi intitulée *The Attachment of Debts Act* est modifiée de la manière énoncée au présent article.

(2) Le paragraphe 3(3) est modifié par suppression des mots «writ of summons» et leur remplacement par les mots «statement of claim».

(3) Le paragraphe 5(2) est modifié par suppression des mots «writ of summons» partout où ils apparaissent et leur remplacement dans chaque cas par les mots «statement of claim».

(4) L'Annexe est modifiée par suppression des mots «(To be endorsed in the same manner as a Writ of Summons)» à la fin de chaque version de la formule A.

Modification du ch.C-43.1 des S.S. 1984-85-86

3 La loi intitulée *The Court Officials Act, 1984* est modifiée par adjonction des articles suivants après l'article 10:

«Clerks of the court, *Bankruptcy and Insolvency Act*

10.1 For the purposes of Part X of the *Bankruptcy and Insolvency Act* (Canada), every local registrar and every deputy local registrar appointed pursuant to this Act is deemed to be a clerk of the court as defined in section 217 of the *Bankruptcy and Insolvency Act* (Canada).

«Court reporters

10.2(1) An official court reporter appointed pursuant to this Act shall:

(a) take and report the evidence at trials and the opinions, decisions and judgments made by judges; and

(b) perform any other duties that may be assigned by order of the Lieutenant Governor in Council or fixed pursuant to the rules of court.

(2) A copy of evidence taken at a trial by an official court reporter and certified by the court reporter who took the evidence or by the local registrar of the court with whom the evidence has been filed has, for all purposes, the same effect as the original evidence”.

S.S. 1989-90, c.D-25.1, section 29 amended

4 Clause 29(5)(d) of *The Dependent Adults Act* is repealed and the following substituted:

“(d) a certificate of pending litigation or a certificate vacating a certificate of pending litigation”.

R.S.S. 1978, c.E-12, section 24 amended

5 Clause 24(1)(a) of *The Executions Act* is amended in the portion that follows subclause (ii) by striking out “or local master”.

R.S.S. 1978, c.L-5 amended

6(1) *The Land Titles Act* is amended in the manner set forth in this section.

(2) Clause 57(b) is amended by striking out “*lis pendens*” and substituting “pending litigation”.

(3) Section 164 is amended:

(a) in the portion of subsection (1) that precedes clause (a) by striking out “*lis pendens*” and substituting “pending litigation”;

(b) in the portion of subsection (1) that follows clause (b) by striking out “*lis pendens*” and substituting “certificate of pending litigation”; and

(c) in subsection (2) by striking out “*lis pendens*” wherever it appears and in each case substituting “pending litigation”.

R.S.S. 1978, c.L-14, section 16 amended

7 Subsection 16(3) of *The Libel and Slander Act* is amended:

(a) by striking out “writ of summons” and substituting “statement of claim”; and

(b) by striking out “writ” and substituting “statement of claim”.

S.S. 1997, c.M-6.11, section 49 amended

8 Section 49 of *The Matrimonial Property Act, 1997* is amended:

(a) in the English version by striking out “Sections 48 and 49 of *The Queen's Bench Act*” and substituting “Sections 46 and 47 of *The Queen's Bench Act, 1998*”; and

(b) in the French version by striking out “Les articles 48 et 49 de la loi intitulée *The Queen's Bench Act*” and substituting “Les articles 46 et 47 de la *Loi de 1998 sur la Cour du Banc de la Reine*”.

Modification de l'article 29 du ch.D-25.1 des S.S. 1989-90

4 L'alinéa 29(5)d) de la loi intitulée *The Dependent Adults Act* est abrogé et remplacé par ce qui suit:

«(d) a certificate of pending litigation or a certificate vacating a certificate of pending litigation».

Modification de l'article 24 du ch.E-12 des R.S.S. 1978

5 L'alinéa 24(1)a) de la loi intitulée *The Executions Act* est modifié dans la partie qui suit le sous-alinéa (ii) par suppression des mots «or local master».

Modification du ch.L-5 des R.S.S. 1978

6(1) La loi intitulée *The Land Titles Act* est modifiée de la manière énoncée au présent article.

(2) L'alinéa 57b) est modifié par suppression des mots «*lis pendens*» et leur remplacement par les mot «pending litigation».

(3) L'article 164 est modifié:

a) dans la partie du paragraphe (1) qui précède l'alinéa a), par suppression des mots «*lis pendens*» et leur remplacement par les mots «pending litigation»;

b) dans la partie du paragraphe (1) qui suit l'alinéa b), par suppression des mots «*lis pendens*» et leur remplacement par les mots «certificate of pending litigation»;

c) au paragraphe (2), par suppression des mots «*lis pendens*» partout où ils apparaissent et leur remplacement dans chaque cas par les mots «pending litigation».

Modification de l'article 16 du ch.L-14 des R.S.S. 1978

7 Le paragraphe 16(3) de la loi intitulée *The Libel and Slander Act* est modifié:

a) par suppression des mots «writ of summons» et leur remplacement par les mots «statement of claim»;

b) par suppression du mot «writ» et son remplacement par les mots «statement of claim».

Modification de l'article 49 du ch.M-6.11 des S.S. 1997

8 L'article 49 de la *Loi de 1997 sur les biens matrimoniaux* est modifié:

a) dans la version anglaise, par suppression des mots «Sections 48 and 49 of *The Queen's Bench Act*» et leur remplacement par les mots «Sections 46 and 47 of *The Queen's Bench Act, 1998*»;

b) dans la version française, par suppression des mots «Les articles 48 et 49 de la loi intitulée *The Queen's Bench Act*» et leur remplacement par les mots «Les articles 46 et 47 de la *Loi de 1998 sur la Cour du Banc de la Reine*».

S.S. 1983, c.P-43.1, section 35 amended

9 Clause 35(4)(d) of *The Public Trustee Act* is repealed and the following substituted:

“(d) a certificate of pending litigation or a certificate vacating a certificate of pending litigation”.

S.S. 1988-89, c.S-17.1, section 27.2 amended

10 Subsection 27.2(21) of *The Saskatchewan Farm Security Act* is amended by striking out “*lis pendens*” and substituting “pending litigation”.

R.S.S. 1978, c.S-26, section 69 amended

11 Section 69 of *The Saskatchewan Insurance Act* is amended by striking out “local master” and substituting “judge”.

S.S. 1988-89, c.S-42.2, section 135.4 amended

12 Clause 135.4(8)(b) of *The Securities Act, 1988* is amended by striking out “*lis pendens*” and substituting “pending litigation”.

Modification de l'article 35 du ch.P-43.1 des S.S. 1983

9 L'alinéa 35(4)d) de la loi intitulée *The Public Trustee Act* est abrogé et remplacé par ce qui suit:

«(d) a certificate of pending litigation or a certificate vacating a certificate of pending litigation».

Modification de l'article 27.2 du ch.S-17.1 des S.S. 1988-89

10 Le paragraphe 27.2(21) de la loi intitulée *The Saskatchewan Farm Security Act* est modifié par suppression des mots «*lis pendens*» et leur remplacement par les mots «pending litigation».

Modification de l'article 69 du ch.S-26 des R.S.S. 1978

11 L'article 69 de la loi intitulée *The Saskatchewan Insurance Act* est modifié par suppression des mots «local master» et leur remplacement par le mot «judge».

Modification de l'article 135.4 du ch.S-42.2 des S.S. 1988-89

12 L'alinéa 135.4(8)b) de la loi intitulée *The Securities Act, 1988* est modifié par suppression des mots «*lis pendens*» et leur remplacement par les mots «pending litigation».

