

NOTICE

COURT OF QUEEN'S BENCH OF MANITOBA

RE: AMENDMENTS TO THE COURT OF QUEEN'S BENCH RULE 63 REGARDING STAY ORDERS PENDING APPEAL

**This Rule was amended by M.R. 149/2009 effective
October 1, 2009.**

The primary effect of this Rule change is to make it clear that a motion brought in the Court of Queen's Bench seeking to stay an order granted by a judge of the Court of Queen's Bench:

- (a) may be brought at any time before the appeal is determined; and
- (b) must be brought before the judge who made the order being appealed from.

Queen's Bench Rule 63.01(1) now reads:

"An appeal to the Court of Appeal shall not operate as a stay of execution or proceedings under the order appealed from, but the judge who granted the order may stay the order at any time before the appeal is determined."

This change affects practice in the Manitoba Court of Queen's Bench only.

ISSUED BY:

Original signed by

**The Honourable Mr. Justice D.D. Yard
Chairperson, Queen's Bench Statutory Rules Committee (Manitoba)**

DATE: October 1, 2009