

NOTICE

COURT OF QUEEN'S BENCH OF MANITOBA

RE: AMENDMENTS TO COURT OF QUEEN'S BENCH RULES

**The following amendments will come into force on
July 1, 2008:**

Queen's Bench Rule 70.06(4)(b)

Affidavits of service and certificates of service in respect of petitions issued under Rule 70 require the original signed acknowledgment of service as opposed to a copy of same. The rule is now consistent with the form as well (Form 70I). See Manitoba Regulation 87/2008.

Queen's Bench Rule 76 – Small Claims Actions

Various amendments were made the rule and a number of the forms, the effect of which is to:

1. Make provision in small claims actions for the involvement of a litigation guardian on behalf of persons under a disability;
2. Making it clear that appeal periods run from the date of the filing of the relevant certificate of decision which date appears in the certificate itself;
3. Making it clear that service of notice of the appeal where the appeal is taken to the Court of Queen's Bench is to be effected within 20 days of filing;
4. Making it clear that on appeals to the Court of Appeal service is to be effected in accordance with that court's rules; and
5. Harmonizing the language of the rules with that of the forms in these areas.

See Manitoba Regulation 88/2008.

Note: It is expected that the current session of the legislature will pass amendments to The Court of Queen's Bench Small Claims Practices Act which will change the word "signing" to "filing" in section 12(4) to harmonize with the amended rule and forms, and in addition will amend section 9 to remove the 60-day limit on adjournments thereby permitting adjournments *sine die* in appropriate circumstances.

ISSUED BY:

Original signed by _____

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

DATE: May 30, 2008