

NOTICE

MANITOBA COURTS

RE: CCAA ORDERS

In January 2019, the Court met with representatives of the insolvency bar to canvass current Court practices in insolvency proceedings. The topic of adopting standard form CCAA and Receivership orders was raised, mindful that the majority of other jurisdictions have such orders.

The group was supportive of the Court striking a committee to create the standard form orders. A committee was struck, comprised of three judges and three insolvency lawyers. A standard form CCAA order was finalized in June, after receiving input from the insolvency bar. Work on the Receivership order will continue in September.

The finalized standard form CCAA order has been posted to the Court's web site. The form may be accessed at the following link:

http://www.manitobacourts.mb.ca/site/assets/files/1145/manitoba_initial_ccaa_order_final.pdf

Effective September 30, 2019, the Court expects the starting point for all CCAA orders will be the model form. A note of caution. "Starting point" means just that - no two cases will be the same such that modifications to the standard form are expected. The model form is not intended to replace the lawyers' obligation to present an order suitable to the facts of their particular case.

Changes to the model form are to be clearly identified by underlining additions, striking deletions or such other notation that makes sense. The bottom line is that readers of a proposed CCAA order are to be able to determine from its face how it differs from the model form.

We anticipate finalizing the model receivership order before year end.

COMING INTO EFFECT

This notice comes into effect immediately.

ISSUED BY:

"Original signed by Chief Justice Joyal"

**The Honourable Chief Justice Glenn D. Joyal
Court of Queen's Bench (Manitoba)**

DATE: August 30, 2019