

COMMUNIQUÉ

Spring 2025

President's Report

Maria Markatos, Saskatchewan



As the sunlight grows stronger and the days stretch longer, I am delighted to provide an update on the work of the ULCC Executive Committee in preparation for the August 10-14, 2025, annual meeting in Halifax.

Over the last few months, we have had many new Jurisdictional Representatives (JRs) join the ULCC. I welcome them with open arms and am confident that their time with the ULCC will be productive, enjoyable, and long-lasting. We have also had some changes to the Executive Committee. We welcomed James Meloche as Criminal Section Chair, following the appointment of Justice Andrew Davis to the Court of King's Bench for Saskatchewan. We also said goodbye to Anny Bernier following her appointment as Associate Deputy Minister of the Ministère de la Justice in Québec. The ULCC thanks Anny and Justice Davis for their contributions and commitment to the ULCC and wishes them well in their new roles.

In the fall *Communiqué*, I indicated that the Executive Committee would continue to review guide documents and work towards a record retention policy. I am pleased to report that the hard work of immediate Past President Matthew Hinshaw is nearly complete with a dozen guide documents now available in English and French on the ULCC website. Work towards a record retention policy, which will inform digitization of old ULCC records, is still underway and in the capable hands of Christine Badcock.

The Executive Committee also undertook to annually review the format of the annual meeting. At the mid-year meeting of the JRs in February, we reviewed the successes and challenges associated with the virtual observer option at the 2024 annual meeting. Following a review of the feedback received, the Executive Committee has decided to offer the virtual observer option for another year. This option will once again be limited to the Civil Section and joint sessions and will allow virtual attendees to visually observe and listen to the plenary sessions and the meetings of the Civil Section in the official language of their choice. However, like last year and given the one-way nature of the technology being used, virtual attendees will not be able to offer interventions directly through the audio-visual system in the room.

On April 1, 2025, annual contribution requests were sent to the jurisdictions. In these uncertain times, it is especially important to acknowledge the funding provided by the jurisdictions, which are our sole source of income and allow the ULCC to continue to fulfill its mandate. Thank you to all jurisdictions for their ongoing support and commitment to the ULCC's law reform initiatives.

The Executive Committee continues to support and promote the principal work of the ULCC to encourage uniformity between Canadian jurisdictions, to create consistency and predictability in the law for Canadians, and to resolve legal issues of national concern that impact all Canadians. In a time when governments are moving towards eliminating legislative restrictions across provincial and territorial boundaries, the efforts of the ULCC and the camaraderie with which our projects are

completed can set an example for work done beyond the scope of this organization.

The host committee for our upcoming annual meeting in Halifax is hard at work and I thank Tanisha Blackmore and

Civil Section Chair

Tyler Nyvall, British Columbia

It is with some trepidation that I started my term as Chair of the Civil Section in August 2024. The Civil Section has been fortunate to have had, in Christine Badcock and Valérie Simard, two very able Chairs during the four years that I have been a Jurisdictional Representative. I have had the benefit of observing and learning from these two superb leaders during their respective tenures and will seek to approach their level of excellence during the two years of my term.

I would like to thank our Jurisdictional Representatives (JRs), who form the Civil Section Steering Committee, for their productive engagement in our near monthly meetings. We have been able to have vigorous but respectful debate on a variety of topics during our meetings and I look forward to continuing to work with the JRs to both further the work of the ULCC and examine how the organization can work best.

Recognition of ULCC's work - The ULCC's reports and uniform acts are regularly referenced in publications and law firm newsletters. In 2024, the ULCC was mentioned in the Canadian Lawyer Magazine article "Liability and apology: Canada's Apology Act explained".

Acts adopted this past year - In 2024, four ULCC uniform acts were enacted by three provinces:

- Saskatchewan: Bill 149 [The Franchise Disclosure Act](#), which implements the Uniform Franchises Act (2005), was assented to May 8, 2024.
- Quebec: Bill 73 [An Act to counter non-consensual sharing of intimate images and to improve protection and support in civil matters for persons who are victims of violence](#), which implements the Uniform Non-consensual Disclosure of Intimate Images Act 2021, was assented to December 4, 2024.
- Prince Edward Island:
 - Bill 41 the [Benevolent and Community Crowdfunding Act](#) (SPEI 2024, c.45), which implements the Uniform Benevolent and

Angus Gibbons for their efforts to date. I look forward to seeing you all, and the products of this year, this summer in beautiful Nova Scotia.

Community Crowdfunding Act (2020), was assented to April 23, 2024.

- Bill 42 the [Reviewable Transactions Act](#) (SPEI 2024, c. 52), which implements the Uniform Reviewable Transactions Act (2012), was assented to April 23, 2024.

Current work - The ULCC Civil Section currently has 10 active projects. We expect a final report from the Joint Ventures project at the upcoming annual meeting. In addition, there are nine projects in various stages that we expect will provide progress reports:

- Non-Disclosure Agreements
- Treatment of Animals
- Intestate Succession
- Class Proceedings
- Cash Payments
- Uniform Charity Act
- Enforcement of Foreign Judgments
- Defamation Law in the Internet Age
- Hague Convention on the Recognition and Enforcement of Foreign Judgments in Civil and Commercial Matters (2019)

It should be noted that an increasing number of projects are being chaired by outside volunteers. The ULCC encourages participation by JRs on working groups and particularly asks JRs to consider chairing working groups. Having outside volunteers chair working groups does create budget pressures, as there is a desire to have project chairs present at the annual meeting and this impacts the travel subsidy portion of the ULCC budget.

Potential new projects - While the ULCC has a healthy number of projects in progress, there are currently not many potential new projects under consideration. The Advisory Committee on Program Development and Management (ACPDM) invites JRs to submit project proposals. This would be legislation under consideration in your jurisdiction that you believe would benefit from consideration and recommendation by independent experts, particularly legislation that would benefit the public if it was uniform (or close to uniform) across Canada.

Departures and arrivals - Mere words cannot express my appreciation of Kathryn Sabo, who announced in March that Manon Dostie would be taking over as the JR for the federal government. Kathryn has been a long-time member of the ULCC, approaching Peter Lown, K.C. (who has stepped back but not away from the ULCC) and the departed and beloved Clark Dalton, K.C., in duration and engagement with the organization. Kathryn could always be counted on to raise thoughtful, considered points in any discussion and to pitch a mean game of softball as a federal JR. Based in Ottawa, she nonetheless played for the West (based on her origins in Saskatchewan) in an effort to challenge the juggernaut that is the East.

We are fortunate to welcome Manon Dostie as a Jurisdictional Representative. Manon filled in as a JR numerous times over the past several years when Kathryn was unavailable, and I know that, while Manon may be stepping into the shadow of an impressive legacy, she will perform admirably in her own right.

Despite the fact that the West is now down a starting pitcher, I still look forward to seeing the delegates in Halifax in August.



Criminal Section Chair James Meloche, Canada

The 2024-2025 Criminal Section Steering Committee has undergone some unexpected changes throughout its term. We are sad to have lost members who had to leave to take on new professional opportunities. Most notably, in December I was named Chair of the Criminal Section to replace Justice Andrew Davis, following his appointment to the Saskatchewan Court of King's Bench. Since taking on the Chair position, I have and continue to receive tremendous support and guidance from my fellow colleagues and members of the Steering Committee: Craig Savage, Aleksander Godlewski, Matthew Hinshaw, Alisia Adams and Susan McKay. I express my sincere and heartfelt gratitude to Justice Davis and departing member Anny Bernier for their important and longstanding work in the Criminal Section of the ULCC.

Since my term as Criminal Chair was moved up to the present year, the Selection Committee was reconvened to name a new Criminal Section Chair for 2025-2026. I am thrilled to announce that Alisia Adams from the BC Prosecution Service accepted this role. She brings tremendous experience and expertise to this position as a Criminal Section Jurisdictional Representative since 2021. Congratulations and thank you to Alisia!

Preparations are underway in all parts of the country on resolutions to be presented to the ULCC Criminal Section at this summer's annual meeting in Halifax. All resolutions are to be received by April 30, 2025. At last year's meeting,

the Criminal Section piloted the use of SharePoint to organize and edit resolutions and to disseminate other meeting materials. This proved to be a great success from both efficiency and environmental perspectives. We will continue to use SharePoint at this year's meeting while we continue to seek other technological improvements to our operations.

Important work is being undertaken across the country in ULCC working groups studying complicated and important questions of criminal law. We await updates from working group chairs, and ultimately final reports, on such topics as the legal treatment of animals, personal records regimes, juries and fitness hearings, statutory exemptions to mandatory minimum sentences, and publication bans. I wish to personally thank all working group members from across the national legal community for your expertise, hard work, time and dedication.

I am honoured to serve as Chair of the Criminal Section and will work tirelessly to discharge all responsibilities in a manner that is commensurate with the impressive and skilled stewardship of those who came before me. The ULCC's annual meeting presents a unique and special forum for all lawyers working in criminal law to debate, consult and share ideas in a respectful and collegial setting. The annual meeting, taking place this year in the beautiful city of Halifax, will be a wonderful event. I look forward to seeing you all in August!

The 107th ULCC annual meeting



This summer, the Nova Scotia Department of Justice is proud to host the **Uniform Law Conference of Canada (ULCC) annual meeting** at the **Westin Nova Scotian Hotel** in downtown Halifax, located in **Mi'kma'ki**, the traditional territory of the **Mi'kmaq** people.

From **August 10-14, 2025**, attendees will have the opportunity to engage in important discussions on legislative harmonization and reform, while taking in the rich history and vibrant culture of Nova Scotia's capital city.

The **Westin Nova Scotian** is a landmark hotel overlooking Halifax harbour and has been welcoming guests since 1930. Originally built by the Canadian National Railway, this elegant hotel blends timeless charm with modern conference

rooms—making it the perfect setting for this year's meeting.

The Westin's downtown location will allow attendees to explore the city's stunning waterfront and visit historic sites like the **Halifax Citadel** or **Pier 21**, which served as the arrival point by sea for thousands of newcomers to Canada from 1928 to 1971.

While in town, attendees can enjoy fresh Atlantic seafood at a local restaurant, take a scenic ferry ride across the harbour, or stroll through the picturesque Public Gardens. For those looking to venture beyond the city, a short drive leads to the iconic **Peggy's Cove** and its unique landscape and breathtaking coastal views.

Join us for an unforgettable ULCC Annual Meeting in Halifax—where legal minds meet, and Atlantic hospitality shines!



Note: Only those invited can attend ULCC annual meetings.