



UNIFORM LAW CONFERENCE OF CANADA

MINUTES OF THE CIVIL SECTION, 2017

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GENERAL RESOLUTION respecting Appearance of Reports in the Proceedings

It is the practice of the Civil Section to resolve that all written reports, and summaries of all oral reports, appear in the Annual Proceedings. The purpose of a general resolution to this effect is to clarify the distinction between the formal resolution and the substantive action resolutions respecting each individual part.

RESOLVED:

THAT the written reports presented to the Civil Section and to the joint session of the Civil and Criminal Sections appear in the 2017 Proceedings; and

THAT a summary of the oral reports presented to the Civil Section and to the joint session of the Civil and Criminal Sections appear in the 2017 Proceedings.

BUSINESS COMPLETED SINCE THE 2016 CONFERENCE – Oral Report

Presenter: John Lee

In John Lee's absence, Sarah Dafoe presented the oral report of the business completed since the 2016 Conference. In 2016, the Conference adopted, subject to minor revisions, the *Uniform Access to Digital Assets by Fiduciaries Act*, and amendments to the *Uniform Wills Act* and the *Uniform Recognition of Substitute Decision Making Documents Act*. Minor revisions were made and the final Acts circulated to jurisdictional representatives in November 2016. The *Uniform Arbitration Act* and the *Uniform Protection of Public Participation Act* were also adopted subject to further review by jurisdictional representatives. The *Uniform Arbitration Act* was adopted pursuant to the November 30 rule, and the *Uniform Protection of Public Participation Act* was also adopted pursuant to the November 30 rule, extended to April 30 by the Executive Committee.

RESOLVED:

THAT the report of the past Chair of the Civil Section be accepted.

UNIFORM COMMERCIAL TENANCIES ACT – Report

Presenter: Leah Howie, Saskatchewan
Richard Olson, British Columbia

Ms. Howie and Mr. Olson presented the progress report of the working group, which builds on the previous written reports presented in each of 2012, 2013, 2014, and 2016, and an oral report in 2015. The 2017 report sets out the remainder of the working group's policy recommendation for creation of the *Uniform Commercial Tenancies Act*.

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The 2017 Report made recommendations in relation to the following:

- statutory right of re-entry;
- apportionment;
- acceleration clauses;
- *interesse termini*;
- application of contractual principles;
- shopping centre leases; and
- summary dispute resolution.

Mr. Olson and Ms. Howie presented on the recommendations and led discussions on each topic. During discussion with respect to the statutory right of re-entry, Mr. Olson and Ms. Howie advised they would take the following concerns raised by delegates back to the working group:

- a need for more precise language with respect to what will constitute a material consequence as this is generally a self-help remedy;
- there may be utility in retaining the right of re-entry for criminal activity, which needs to be balanced against the risk of abuse where judgement is left to the landlord; and
- that when determining whether a material breach occurred the Act should recognize the cumulative effect breaches may have in addition to a repetitive effect to identify when the damage moves from trivial to serious.

With respect to acceleration clauses, the working group presented that the Act

- should not prohibit accelerated rent clauses in commercial leases;
- should give the court jurisdiction to provide relief from penalty from the application of an acceleration clause; and
- should add an implied term to all commercial leases stating that leases are deemed to have accelerated rent provision providing for the payment of 3 months of rent on default.

Delegates raised concerns with respect to when an acceleration clause would be triggered and that there may be utility in limiting the application of an acceleration clause to situations where the landlord has reason to believe the tenant is insolvent and not to address delays in payment. Mr. Olson noted that usually accelerated rent clauses are triggered on termination of the lease or bankruptcy and not by a mere default. Mr. Olson indicated that accelerated rent is not a penalty. Delegates sought clarity when the Act is drafted with respect to where acceleration clauses would operate.

On the topic of contractual principles, delegates asked several questions around the duty to mitigate including: what happens when the landlord terminates the lease, is there a duty to mitigate? Is there any harm to saying there is a duty to mitigate where it can be contracted out of? Delegates also raised concern respecting the enforceability of covenants on assignment and that the provision is worded too broadly so as to potentially bind a person by the lease despite land titles legislation.

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Mr. Olson noted that the working group recommends that the Act include a fairly broad summary dispute resolution process, but that the Act not prescribe how the summary process will be carried out. The working group will emphasize the importance of a speedy resolution.

The working group sought direction from the Conference on the following questions:

1. Should the apportionment in respect of time provision apply to advance payments?
2. Should the parties be allowed to contract out of the provision that rent abatement or diversion should be a self-help remedy only where the tenant has already obtained judgment against the landlord?
3. Are there any additional contractual principles the Working Group should consider including in the Uniform Commercial Tenancies Act?
4. What should the overarching purpose of the summary dispute resolution procedure be?

There were no comments with respect to question 1. During discussion on question 2 delegates confirmed parties should be able to negotiate the terms of their leases and should be able to contract out of provisions provided there is oversight by the court. The working group asked that any additional contractual principles the working group should consider under question 3 be communicated through the chair. Finally on question four delegates debated whether the creation of a commercial tenancies board would be appropriate or if proceeding by way of summary procedure was a better option. Generally, delegates agreed that the overarching purpose of the summary dispute resolution process was to ensure access to justice in an inexpensive and efficient manner.

RESOLVED:

THAT the report of the working group be accepted;

THAT the recommendations of the working group, as presented in the report, are supported by the Conference;

THAT the working group note that in response to consultation question 4 in the report, the Conference identified the overarching purpose of the summary dispute resolution process to promote speedy, efficient and inexpensive access to justice; and

THAT the working group prepare uniform legislation and commentaries in accordance with the recommendations contained in the report and the directions of the conference, as well as the reports and directions from 2012-2016, and report back to the Conference at the 2018 meeting.

UNIFORM VITAL STATISTICS ACT – Report and Uniform Act

Presenters: Kathleen Cunningham, British Columbia

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Leslie Turner, Manitoba

The ULCC's *Uniform Vital Statistics Act* was last updated in 1987. Several jurisdictions have incorporated the Uniform Act in whole or in part, and since then some have also updated certain provisions to adapt to current legal and societal needs. As a result, the Uniform Act is out of date and in need of reform to encourage consistency across the country.

The working group has provided updates to the ULCC annually since 2014. Ms. Cunningham and Ms. Turner presented the working group's final report and Uniform Act. The 2017 Report includes:

- corrections to the 2016 Report;
- recommendations arising from consultation with the Coordinating Committee of Senior Officers in Family Justice Ministries (CCSO Family Justice) with respect to 2016 recommendations 30 and 33;
- amendments to the 2016 recommendations to correct or clarify recommendations including those related to change of sex designation provisions;
- a summary of drafting decisions to give effect to the modernization of the 1987 Act by addressing ambiguities, drafting issues and change to practice; and
- an overview of the draft Uniform Act.

The new recommendations included:

- the Uniform Act should not include provisions for recognition of Aboriginal custom adoptions at this time and recommendations 29 and 30 from the 2016 report should be withdrawn, however the commentary should acknowledge that there are differences between most statutorily based adoption schemes and Aboriginal custom adoptions;
- revisions on who may complete the birth report and what information with respect to parents should be included in the birth report. Ms. Cunningham advised the ULCC that the revisions will ensure there is no interference with family law legislation and that a person cannot be included as a parent on the birth report without providing consent.
- the Uniform act should include a process, such as for change of name, for notifying the jurisdiction with the birth registration that there has been a change of sex designation where that change is recorded in a jurisdiction other than the birth jurisdiction and that a change of sex certificate should be available where there is a change of sex designation.
- that the registrar be permitted to register a birth based on available information without a birth report being received as there may be unusual circumstances where a child is born and no birth report is provided to the registrar;

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Ms. Cunningham noted that the area of sex designation is changing rapidly and after consultation with the Canadian Human Rights Commission a decision was made to wait and revisit the issue of changing a birth registration designation and whether a third option should be provided. This area continues to be in flux and there are ongoing court matters. The Working group made no recommendation in this regard but recommends the ULCC revisit this issue as the law in this area develops.

The Working group also highlighted clarifications and modernizations made to the Uniform Act including: new definitions such as “health practitioner”, maintaining confidentiality of adoption records, clarifying priority of who registers a death and replacing prescribed forms with forms approved by the registrar.

Ms. Cunningham then led the delegates through a review of the draft the *Uniform Vital Statistics Act*. Highlights of the review and discussion included:

- A review of new terminology, in particular the distinction between birth notice, birth report, and a registration;
- At section 9 delegates discussed situations where birth parents refused to recognize a father in registration and the father subsequently obtains a court order. The working group agreed to revisit this issue;
- At section 10 delegates discussed if any feedback was obtained from registrars with respect to their ability to cope with symbols and searches. The working group will address this in the commentary. Delegates also discussed conflict between this Act and the *Uniform Change of Name Act* and that the default should be that provisions in this Act should be consistent with other existing uniform Acts;
- At sections 18 and 19 delegates discussed the content of the commentary and that it should reflect deliberations of the working group in reaching policy decisions to identify what was considered for example the use of “sex” instead of “gender;”
- At section 23 delegates discussed creating a record of an abortion over 20 weeks which would also be considered a stillbirth and the appropriateness of sending this away for further policy consideration. This was outside the scope of the working group’s mandate, but will be included in the commentary to draw attention to the distinction between a stillbirth and an intentional medical procedure;
- At sections 29, 31 and 57 delegates recommended that the commentary be clarified to indicate the changes made, reflect the legal effect of a delayed registration and direct jurisdictions to examine their access and privacy legislation to ensure confidentiality, respectively;
- Consideration of whether “Aboriginal” should be replaced by “Indigenous” and that this should be included in the commentary to allow jurisdictions to determine how to proceed.

RESOLVED:

THAT the 2017 report of the working group is accepted;

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THAT the recommendations set out in the 2017 report are accepted, subject to the following:

- Where the recommendations in the 2017 report propose amendments to recommendations in the 2016 report, the 2016 report is not amended but the amended resolutions will supersede the recommendations in the 2016 report;
- Where the recommendations in the 2017 report propose amendments to numbered paragraphs in the 2016 report, the 2016 report is not amended but the recommendations in the 2017 report are accepted in principle for the purpose of correcting or clarifying information in the 2016 report;

THAT the Civil Section directs the working group:

- To consider what amendments may be necessary to the *Uniform Change of Name Act*, in order to be consistent with section 10 of the proposed Act (registration of indigenous name); and
- To make changes to ensure that the proposed surname provisions are in accordance with *Trociuk v. BC* (Supreme Court of Canada, 2003);

THAT the recommendations and directions as noted above, and the other directions of the Civil Section be incorporated into the uniform Act and commentaries, and circulated to the jurisdictional representatives. Unless two or more objections are received by the Projects Coordinator by November 30, 2017, the *Uniform Vital Statistics Act* should be taken as adopted as a uniform Act and recommended to jurisdictions for enactment; and THAT upon adoption,

- the 1987 *Uniform Vital Statistics Act* be withdrawn, and
- if amendments to the *Uniform Change of Name Act* are proposed in order to be consistent with section 10 of the *Uniform Vital Statistics Act*, those amendments are adopted as well.

**UNIFORM FRANCHISES ACT AND REGULATIONS –
Report and Recommendations from the Canadian Franchising Association**

Presenters: Peter Snell, Chair of the UFA Central Working Group
 Larry Weinberg, Chair of Legal and Legislative Affairs Committee – CFA
 Ryan Eickmeier, Vice-President Government Relations & Public Policy of CFA
 Lorraine McLachlan, President and CEO of CFA

Mr. Eickmeier, Ms. McLachlan, Mr. Snell, and Mr. Weinberg presented a report on the *Uniform Franchises Act* (UFA) and recommendations for consideration.

Ms. McLachlan provided an overview of the Canadian Franchising Association (CFA) and franchising in Canada including their membership and the relationship between franchisee and franchisor.

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Mr. Weinberg then provided an overview of why amendments to the UFA are necessary given developments in case law and the evolution of franchising worldwide. Franchise exists in 35 countries and Canada is the only one that is regulated in only part of the country. Alberta was the first of six Canadian jurisdictions to enact legislation with respect to franchises and Alberta's Act predates the UFA. Ontario, Manitoba, Prince Edward Island, New Brunswick and most recently British Columbia have legislation in place based largely on the UFA.

The Act requires prospective franchisees to be provided with pre-sale disclosure, imposes a duty of fair dealing on both franchisors and franchisees and establishes the right of franchisees to associate. A franchisor's legal duty to disclose is satisfied through a franchise disclosure document (FDD). The FDD was meant to be plain language and has turned into a relatively lengthy and complicated document. Mr. Weinberg suggested that as a result of the ever expanding disclosure requirements franchisors can never be sure they have included everything. If disclosure is deficient a franchisee has 60 days to walk away from the contract and a franchisee not provided with a FDD has 2 years to walk away. Mr. Weinberg suggests that unhappy franchisees are using deficient FDD as exit strategies and this is discouraging franchisors from entering the Canadian market.

Mr. Snell addressed his experience with the UFA being involved in the development of the recent British Columbia Act. Renee Mulligan of the British Columbia Ministry of Justice then provided context with respect to why they decided to introduce legislation and some of the difficulties they encountered trying to obtain participation from franchisees who appeared to be reluctant to come forward and unable to articulate their concerns.

Mr. Eickmeier provided an update on the project status and where they hope to go over the next 10 months. The report of the CFA working group identified developments in the case law and an evolution of franchising generally since the UFA was drafted. The report suggests that the UFA is no longer reflective of best practices, but that jurisdictions are hesitant to deviate from the provisions in the uniform act. The report makes several recommendations to maintain consistency, increase usability and support best practices across the country including the following:

- amendments to various definitions within the UFA;
- limiting the scope of "material fact" disclosure to material facts that relate directly to the finite list of required disclosure items in the regulations;
- expanding the amount of auditing and review standards that are acceptable with regards to financial statements;
- implementing "substantial compliance" as has been adopted in Manitoba, and most recently in British Columbia;
- revising language used in various exemptions to eliminate the uncertainty which currently makes the majority of exemptions unusable;
- implementing a mature franchisor exemption; and
- adding a section to the Act to address obligations of prospective franchisees in the event they rescind the franchise agreement.

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Additional recommendations for amendments to the uniform franchise act regulations include:

- revisions to risk warnings;
- amendments to various definitions;
- implementing an option for alternative methods of delivery;
- adopting language used in various other provincial legislation, especially with respect to require disclosure regarding advertising, territory, licences and permits and lists of current and former franchisees and franchisor businesses; and
- removing mandatory mediation.

During discussion, delegates indicated this is an active topic in several jurisdictions and that it is an area where uniformity across the country is beneficial. Delegates acknowledged the tremendous work undertaken by the CFA working group, but that if this project proceeds the ULCC needs to play a full role in policy development and management of a ULCC working group. A ULCC working group would need to be clearly balanced in terms of representation of both franchisors and franchisees, as well as representation from Quebec.

RESOLVED:

THAT the report of the Canadian Franchise Association be received;

THAT Ryan Eickmeier, Lorraine McLachlan, Peter Snell and Larry Weinberg be thanked for their attendance and thoughtful presentation; and

THAT the Civil Section ask the Advisory Committee on Program Development and Management to consider the creation of a Uniform Law Conference of Canada working group on this topic.

INTER-PROVINCIAL/TERRITORIAL COLLECTION OF TAX DEBTS – Report

Presenter: Corinne Carlson, Alberta

Ms. Carlson presented the progress report of the Joint Inter-Provincial and Territorial Tax Conference and Uniform Law Conference of Canada Committee. The Committee was formed in Fall 2016 to review the Uniform Enforcement of Canadian Judgments and Decrees Act and provide recommendations for improvement. The working group considered three major categories for discussion:

- the definition of tax judgment – the definition may need to be updated;
- process for enforcement of tax judgment – presently tax judgments may be enforced in an away jurisdiction in the same manner as a judgement from the home jurisdiction under civil enforcement procedures. However, there are differences in the enforcement provisions of civil enforcement legislation and tax

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legislation. The Working Group will continue looking at whether enforcement options available in the enforcing jurisdiction should be available in the initiating ; and

- priority of tax judgments – in particular whether a tax debt from a home jurisdiction should be given priority over an ordinary debt in the away jurisdiction.

Ms. Carlson advised that the problem with the uniform act is that when you move to an away jurisdiction for collection you may lose special treatment in priority from the home jurisdiction. The away jurisdiction may treat the debt as a regular debt. Ms. Carlson reminded the conference how a tax judgment becomes enforceable in an away jurisdiction and advised that Working Group is looking at the possibility of skipping some of the steps a regular creditor needs to take, as well as considering whether tax judgments should be subject to a different priority, and if so, in what circumstances.

In discussing the report delegates noted that there is an issue in creating a super priority for tax judgments from other jurisdictions and that more work needs to be done in this area.

RESOLVED:

THAT the report of the working group be accepted;

THAT the working group continue its work in accordance with the recommendations contained in the report and the directions of the Conference; and

THAT the working group report back to the Conference at the 2018 meeting.

ELECTRONIC DOCUMENT RULES – Report and Draft Rule

Presenter: Crystal O'Donnell, Ontario
Graham Underwood, British Columbia

Ms. O'Donnell and Mr. Underwood presented the report of the Working Group and draft Rule. The goal of the project is to develop harmonized rules governing the production of documents in civil and administrative proceedings. Presently there is no common approach across Canada. A common approach will eliminate the problems differing rules and standards create such as additional expense, inconvenience, delay and inconsistency of practice. The draft rule presented incorporates best practices, and is focused on facilitating speedier, less expensive dispute resolution through the use of technology. The report highlights the principles the working group agreed on to guide the project. Ms. O'Donnell and Mr. Underwood provided additional information regarding the process and phases of electronic discovery and how the rules may apply. Ms. O'Donnell provided a list of the types of information that would be included and a general discussion followed.

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RESOLVED:

THAT the report of the working group be accepted;

THAT the working group consult further with the stakeholders identified in its report;
and

THAT the working group prepare uniform rules and commentaries in accordance with recommendations in the report and the directions of the Conference, and report back to the Conference at the 2018 meeting.

**JOINT SESSION ON COMPLEMENTARY PROVINCIAL/TERRITORIAL
LEGISLATION**

Presenter: Clark Dalton

Mr. Dalton presented the updated table respecting complementary provincial/territorial legislation. The chart has existed for years, but was recently revised given outside interest in the ULCC. Delegates discussed the substance of the chart and what should and should not be included.

RESOLVED:

THAT the report be accepted; and

THAT the Chart be recognized as a living document and that jurisdictions continue to update the chart throughout the year.

**JOINT SESSION ON CHARTER COSTS AWARDS AND OTHER CIVIL
CHARTER DAMAGES AGAINST THE CROWN**

Presenter: Manon Lapointe

Manon Lapointe presented a brief overview of the work done by the Working Group, including a Chart that was created to follow the judicial treatment of *Charter* award of costs following the Supreme Court of Canada's decision in *Henry v. British Columbia (Attorney General)*. Ms. Lapointe also noted that the members of the Working Group have examined the *R. v. Jordan* decision and the impact on the work with respect to *Henry*. In terms of next steps, Manon Lapointe sought volunteers from the Civil Section and felt that it would be invaluable to the work to have a co-chair from the Civil Section.

RESOLVED:

THAT the report be accepted; and

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THAT the report be updated for presentation at the 2018 meeting.

JOINT SESSION ON CRIMINAL RECORD CHECKS – Report

Presenter: Tony Paisana

Tony Paisana indicated that for the past year, members of the Joint Working Group have studied criminal record checks across the country via a detailed questionnaire. Seven provinces responded to the questionnaire, the results of which confirmed that wide disparity exists in Canada regarding criminal record check practices. It was further reported that the disparities relate to the types of checks that can be conducted, what information will be disclosed in these checks, and what procedural mechanisms may exist to protect applicants from the adverse effects of incorrect or unfairly included information. The Working Group expects to propose a uniform criminal record checks Act modeled on Ontario's [*Police Record Checks Reform Act, 2015*](#).

Following discussion, the Interim Working Group Report was amended by modifying paragraphs 19 and 74 and removing paragraph 75, relating to the provinces of Quebec and Manitoba from whom information has not yet been provided. Representatives from both jurisdictions, as well as the three territories have undertaken to complete the questionnaire and provide it to the Chair of the Working Group. It was agreed that the Working Group Interim Report would be amended accordingly and delegates were asked not to circulate the current Interim Report until a revised version is made available.

RESOLVED:

THAT subject to the directions of the joint session, the report of the working group be accepted;

THAT the working group continue its work in accordance with the recommendations contained in the report and the directions of the Conference; and

THAT the working group report back to the Conference at the 2018 meeting.

JOINT SESSION ON THE STRATEGIC PLAN OVERSIGHT COMMITTEE (SPOC)

Presenter: Manon Dostie

The session began with Genevieve Harvey providing a report for the publications committee on communications strategy and the website. Efforts have been made to revamp the content and layout of the Communique to eliminate duplication and highlight the activities of the ULCC. The publications committee is also working towards standards for how documents will appear on the website for example uniform cover

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page, updated contact information, standardized headings and page margins. Going forward the website will focus on usability, professional image and ease of updating.

Ms. Dostie then led a discussion with respect to several topics including the renewal of the relationship of ULCC with other organizations such as FPT Ministers, the Canadian Bar Association and Law Reform Institutions and new organization such as Indigenous groups. Delegates discussed the challenges of ongoing participation of the CBA because of the rotation of representatives, how to engage Indigenous organizations, and how delegates other than jurisdictional representatives form part of the current delegations.

Delegates deliberated with respect to the length and timing of the annual meeting and several comments and suggestions arose including: moving the meeting to the Spring or Fall, starting the meeting on Monday, eliminating rotation of meetings in favour of a central location, maintaining flexibility on date and number of days depending on location. Delegates also discussed the name of the conference and if a change would be supported, appropriate and feasible from a budgetary standpoint at this time.

RESOLVED:

THAT the report of the Strategic Plan Oversight Committee (SPOC) and its working groups including the Constitution and By-laws working groups be accepted;

THAT SPOC and its working groups continue their work in accordance with the directions of the ULCC;

THAT delegates be invited to submit written comments for consideration by SPOC by October 1, 2017; and

THAT SPOC present revised versions of the Constitution and By-laws for adoption at its 2018 meeting.

AMERICAN UNIFORM LAW COMMISSION – Oral Report

Presenter: Harriet Lansing, Past President, American Uniform Law Commission

Ms. Lansing recounted some of the work of the American Uniform Law Commission (AULC) over the last year including the following Acts approved at the 126th annual meeting in July 2017:

- Uniform Regulation of Virtual Currency Businesses Act;
- Uniform Directed Trust Act;
- Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act;
- Uniform Parentage Act;
- Uniform Protected Series Act; and
- Model Veterans Treatment Court Act.

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AULC authorized new drafting committees with respect to: virtual currency in the Uniform Commercial Code, notarization without geographic limits on the signor in the Uniform Law on Notarial Acts, regulating the management of funds raised through crowdfunding, and Anti-Slapp strategic law suits against public participation. The AULC also established three new study committees with respect to garnishment of wages in bank accounts, adverse possession and data breach notification.

Ms. Lansing noted the ongoing work between ULCC members and the AULC and confirmed the AULC's interest in continuing the cross border relationship through future harmonized law projects. Internationally the AULC continues to work towards the implementation of private law treaties and have several going project in this regard.

RESOLVED:

THAT the ULCC express its thanks to Harriet Lansing, of the Uniform Law Commission, for her presentation.

PRIVATE INTERNATIONAL LAW REPORT – Oral Report and Chart

Presenter: Kathryn Sabo, Justice Canada, International Private Law Section

Ms. Sabo provided an overview of activities and priorities of the Federal Department of Justice in International Private Law. A summary chart was provided to delegates, with written report to follow, outlining the status of current projects in International Commercial Law, Judicial Co-operation and Enforcement of Judgments, Family Law and Protection of Property. Ms. Sabo reviewed the chart and also highlighted big developments in the area of private international law, and provided an overview of the organizations and their mandates and areas for future consideration.

NEW PROJECT PROPOSALS – Oral Report

Presenter: Peter Lown

Mr. Lown provided a background on how new projects are determined and how they proceed and led discussion to obtain direction from the delegates on potential topics and if projects on these topics would be of interest, topical, viable and if the ULCC has internal expertise to proceed or requires outside support.

Mr. Lown provided an overview of existing legislation with respect to the unauthorized disclosure of intimate images and the different approaches taken across the country. Delegates agreed the matter is of topical and a national interest. Delegates discussed Manitoba's legislation, which creates a civil offence and also authorizes an organization to assist people with removing intimate images from the web.

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Mr. Lown then provided an overview of a potential defamation project. He advised that the Ontario Law Reform Commission has undertaken to review this area and is looking at releasing a consultation paper before the end of the year to provide final recommendations in 2018. Delegates agreed the matter is topical and of interest, and discussed how to proceed so as not to duplicate the review being undertaken by the OLRC, but maintain apprised on their progress.

Delegates discussed the status of e-wills and if the *Uniform Wills Act* should be amended to accommodate electronic wills. The ULCC previously determined they should not be admitted generally and left it to the court to determine under the dispensing powers, however the acceptance of electronic documents has changed considerably since 2003. The UK Law Reform Commission is looking at this topic with a final report expected in summer 2018. The American Uniform Law Commission also just approved an e-wills working group. There was interest in the area and further scoping should be done.

Delegates also discussed possible new projects related to legislation related to ticket sales, crowdfunding and its overlap with the *Uniform Informal Public Appeals Act*, and whether the *Uniform Court Jurisdiction and Proceedings Transfer Act* needs to be revisited given its minimal implementation across the country.

RESOLVED:

THAT the new projects report be accepted.

THE REPORT OF THE ADVISORY COMMITTEE AND REPORT OF THE INTERNATIONAL COMMITTEE – ORAL Report

Presenters: Peter Lown

Mr. Lown presented on the status of international initiatives. We continue to work closely with our AULC colleagues. The ULCC has observers in place on several American Uniform Law Conference study and working groups, including highly automated vehicles, anti-slapp, e-wills and crowdfunding. The AULC has asked how one gets a completed judgement into the enforcement system and wants to look at this on a joint basis. However, we have a *Uniform Enforcement of Foreign Judgments Act* and we have a method for registration and enforcement while the U.S. does not. We are not looking at a bi-lateral agreement on judgments, but instead will offer assistance to them as they develop their uniform legislation.

With respect to the work of the Advisory Committee, Mr. Lown had presented a summary of the processes of the Committee and the projects under consideration during the discussion of “New Project Proposals” and nothing further was added during this portion of the agenda.

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RESOLVED:

That the report of the Advisory Committee on Program Development and Management, the report of the International Committee, and the direction undertaken by the Advisory Committee be accepted.