

UNIFORM LAW CONFERENCE OF CANADA CONFÉRENCE POUR L'HARMONISATION DES LOIS AU CANADA

Minutes of the Closing Plenary Session of the 106th Annual Meeting
of the Uniform Law Conference of Canada
at the Ottawa Marriott Hotel
in Ottawa, Ontario
on Friday, August 16, 2024, at 10:15 AM EDT

Opening Remarks

ULCC President Matthew Hinshaw welcomed the delegates to the closing plenary of the 2024 ULCC annual meeting. He said that the week had been both busy and productive. He thanked everyone for their hard work and hoped that they had enjoyed their week. He congratulated the East team, which won the annual softball game by three runs on Wednesday and indicated hoping that everyone who played had a good time. Darcy McGovern, K.C., was named the most valuable player of the game. Mr Hinshaw also thanked all those who attended the closing banquet at the Museum of Nature the night before and particularly thanked those who organized the wonderful event.

Mr Hinshaw invited Craig Savage, Chair of the Criminal Section, to present his report.

Reports from the Section Chairs

i. Criminal Section

Chair Craig Savage indicated that the Criminal Section had a very productive week. The Section considered 28 resolutions, of which 23 passed, four (4) were withdrawn, and one (1) was defeated. He said that one new working group was formed. The working group will discuss recommendations concerning the restriction of the publication of the name or other identifying information of an accused person, following a great deal of debate on that issue. The Section accepted a final working group report regrading section 490 of the *Criminal Code*, as well as four status reports. On a go-forward basis, there will be five working groups.

Mr Savage said that Andrew Davis, who is the Jurisdictional Representative for Saskatchewan, will be the Chair of the Criminal Section at the 2025 annual meeting in Halifax. As well, James Meloche from the Public Prosecutions Service of Canada accepted the nomination, which was passed, to be the Criminal Section Chair in 2026, in Winnipeg.

In addition to everyone who has already been thanked, Mr Savage indicated appreciating Mr Hinshaw's guidance and assistance throughout the week.

Mr Hinshaw indicated that Mr Savage had done a great job during the week and thanked him for his work. He then invited Christine Badcock, Chair of the Civil Section, to present her report.

ii. Civil Section

Chair Christine Badcock reported that the Civil Section also had a busy and productive week. The Section received first reports on two projects, the Class Actions project and the Payments in Cash project. She said that they are fortunate to have Assistant Professor Boulanger-Bonnely and Professor Cumyn leading those projects respectively. The Section also received progress reports on a number of other projects, including a report on Joint Ventures and

**UNIFORM LAW CONFERENCE OF CANADA
CONFÉRENCE POUR L’HARMONISATION DES LOIS AU CANADA**

a report on Non-disclosure Agreements (NDAs). Ms Badcock indicated that there was some very good discussion on the NDAs report and the recommendations contained therein, a discussion that lasted almost an entire day.

With respect to international law, Ms Badcock said that the Civil Section delegates heard from Lisa Jacobs of the Uniform Law Commission (ULC) in the US, who attended a couple of days of the Section’s meetings. The Section also heard from Kathryn Sabo on private international law, as well as received a report on a new project on Enforcement of Foreign Judgments, which working group will be led by Professor Saumier. She said that the Civil Section also adopted two products, the *Guide for Preparing Uniform Acts and Regulations* and the *Principles for Drafting Uniform Legislation Giving Force of the Law to an International Convention*. Ms Badcock thanked John Mark Keyes and his working group for their work on the Guide and Valérie Simard for her work on the Principles, and for getting those documents to adoption.

Ms Badcock thanked everyone who participated in person and virtually in the Civil Section meeting during the week. In particular, she also thanked Christina Croteau and Peter Lown, K.C., for all their hard work, both during the week and throughout the year. She said she was delighted that Tyler Nyvall, the Civil Section’s JR from British Columbia, would now commence his term as Chair of the Civil Section. She said she had very much enjoyed the opportunity to serve as the Section’s Chair over the past two years.

Mr Hinshaw thanked Ms Badcock for her service and her two years as Chair of the Civil Section, indicating that it had been great working with her.

Mr Hinshaw invited Laura Pitcairn to provide a follow-up report to the Roles Review Committee’s report at the Opening Plenary.

Committee Reports

i. Roles Review Committee

Laura Pitcairn stated that she was happy to announce that Greg Blue, K.C., from the British Columbia Law Institute had agreed to be the next Chair of the ACPDM. Ms Pitcairn thanked Mr Blue on behalf of the Roles Review Committee and said that they were excited to have him take on this role, as well as to be able to bring the work of the Committee to a close.

Mr Hinshaw thanked Ms Pitcairn and the other Committee members for their work over the past number of years. He also thanked Mr Blue, K.C., for agreeing to take on the role and said that he was looking forward to working with him.

Mr Hinshaw said that, at the closing banquet the previous evening, Darcy McGovern, K.C., had given a very nice tribute to Peter Lown, K.C., outgoing Chair of the ACPDM. Mr Hinshaw asked for a motion to have the text of Mr McGovern’s remarks at the closing banquet be entered into the minutes of the closing plenary. Moved by Tyler Nyvall. Seconded by Anny Bernier. The motion passed unanimously.

Mr Hinshaw thanked Mr Lown, indicating it had been an honour, a privilege and a pleasure to work with him over the years and that it is impossible to replace the irreplaceable. He thanked Mr Lown for everything he has done for the ULCC, indicating that he would be missed.

**UNIFORM LAW CONFERENCE OF CANADA
CONFÉRENCE POUR L'HARMONISATION DES LOIS AU CANADA**

Thank-You Resolution

Mr Hinshaw proposed the following Resolution:

BE IT RESOLVED THAT the Uniform Law Conference of Canada express its thanks to:

1. The Government of Canada, the Department of Justice and the Public Prosecution Service of Canada for hosting the 2024 (106th) annual meeting of the Uniform Law Conference of Canada;
2. Claudette Commanda, Chancellor, University of Ottawa, for her proposed remarks and willingness to attend, even though in the end she was not able to attend;
3. Arif Virani, Minister of Justice and Attorney General of Canada, for his video remarks at the Opening Plenary;
4. Michael Sousa, Senior Assistant Deputy Minister of Justice, Government of Canada; Madam Justice Catherine Kane, Federal Court; and John D. Stefaniuk, K.C., President, Canadian Bar Associate, for speaking at the ULCC's Clark W. Dalton, K.C., Reception;
4. Professor Shauna Van Praagh, President, Law Commission of Canada, for her presentation at the Earl Fruchtmann Memorial Seminar, as well as for her participation and attendance during the week. The connections between the ULCC and the LCC are important and valuable and it's wonderful to be able to work together and assist each other;
5. Madam Justice Andromache Karakatsanis, Supreme Court of Canada, for her keynote address at the Closing Banquet, and her very thought-provoking words relating to access to justice;
6. Our international guest Lisa Jacobs, Chair, Executive Committee, Uniform Law Commission of the United States, for her attendance and presentation to the Civil Section and for the ULC's ongoing support and collegiality; as well as Tim Berg, President of the ULC, who was unable to attend but sent his well wishes. The connections between the ULCC and the ULC are very important and the ULCC looks forward to maintaining these in the coming years;
5. The annual meeting planning committee for all of its work: from our host jurisdiction, Manon Dostie, Aleksander Godlewski, James Meloche, Laura Pitcairn, Kathryn Sabo, Valérie Simard, Matthew Taylor, Kelsey Cooper, Rose-Marie Guerra, Melissa Quesnel, and Bilal Syed; as well, from the ULCC, Matthew Hinshaw, Pierre Daigneault, and Michelle Lemieux;
6. The secretariat staff, everyone who helped out during the week, ensuring everything was running smoothly and directing people to the right places: Kelsey Cooper, Rose-Marie Guerra, Melissa Quesnel, Claudine Riel, and Shanelle Tremblay;
7. The 2023-2024 Executive Committee, whose members were engaged and worked hard: Vice-President Maria Markatos; Immediate Past President Sarah Dafoe; Civil Section Chair Christine Badcock; Criminal Section Chair Craig Savage; Criminal Section Secretary Aleksander Godlewski; Communications Committee Chair Tyler Nyvall; Chair of the Advisory Committee on Program Development and Management, Peter Lown, K.C.; and members-at-large Anny Bernier, Manon Dostie, Laura Pitcairn; as well as Christina Croteau, Legal Project and Research Coordinator, and Pierre Daigneault, Executive Director and Administrator; and, until December 2023, Michelle Lemieux, Executive Director;

**UNIFORM LAW CONFERENCE OF CANADA
CONFÉRENCE POUR L’HARMONISATION DES LOIS AU CANADA**

8. The Budget and Finance Committee, which dealt with a lot of interesting issues in the past year: Maria Markatos (Chair), Sarah Dafoe, Christine Badcock, Craig Savage, Peter Lown, K.C., Aleksander Godlewski, Elizabeth Strange, Tyler Nyvall, Chloé Rousselle, and Matthew Hinshaw, as well as Christina Croteau, Legal Project and Research Coordinator, and Pierre Daigneault, Executive Director and Administrator; and, until December 2023, Michelle Lemieux, Executive Director;

9. The members of the Roles Review Committee, who did important work with great care and great results: Laura Pitcairn (Co-chair), Valérie Simard (Co-chair), Christine Badcock, Manon Dostie, Matthew Hinshaw, Maria Markatos, Elizabeth Strange, as well as Christina Croteau, Legal Project and Research Coordinator, and Pierre Daigneault, Executive Director and Administrator; and with appreciation to Catherine Cooper and Michelle Lemieux for their contributions;

10. ULCC support, Peter J M Lown, K.C., Chair, ACPDM and International Committee; Christina Croteau, Legal Project and Research Coordinator; and Pierre Daigneault, Executive Director and Administrator; as well as Michelle Lemieux, Executive Director, until December 2023;

12. The interpreters without whom the annual meeting doesn’t work, for doing a difficult job so well: Romina Cousineau, Emmanuelle Dubois, Laura Garfinkel, Miryam Bureau, Craig Pollock, Émilie Rochon-Gruselle, Jacques Audet, Cécilia Shae, Sara Vafai, Fannie St-Pierre Tanguay;

13. The audio-visual technicians from LMB Systems, for the troubleshooting and creative solutions, and for ensuring that everything ran smoothly during the week: Joey Larivière, Sarah Thomson, Yasi Dabras, Sam Berkson and Marty Grenier;

14. From the Ottawa Marriott Hotel, Christina Khenmanisoht, Julie Ann Madlansacay and all of the wonderful staff onsite this week, for hosting and for creating a wonderful space in a comfortable location;

15. The jurisdictional representatives, delegates, presenters, and working group and committee chairs and members, without whom none of the work actually happens, for their enthusiasm, energy and time committed to it;

thank you very much.

Motion carried unanimously.

Mr Hinshaw invited Sarah Dafoe to present the report of the Nomination Committee.

Report from the Nomination Committee

On behalf of the Nomination Committee, Chair Sarah Dafoe announced that the Committee has selected Chloé Rousselle to be nominated for the role of Vice-President for the coming year. Ms Rousselle began her career in criminal law in 2013 as a prosecutor at the Director of Criminal Penalties in Quebec. Among other things, she acted as main interlocutor for a number of federal/provincial/territorial and provincial initiatives. In 2020, she joined Justice Canada and its Criminal Law Policy section where she took part in policy development for legislative initiatives, as well as preparatory work for international negotiations. For the past year she’s been a legislative drafter. Ms Rousselle’s involvement with the ULCC began in 2017 and she’s since had the privilege of playing

UNIFORM LAW CONFERENCE OF CANADA CONFÉRENCE POUR L'HARMONISATION DES LOIS AU CANADA

several roles in addition to delegate, including as Quebec's jurisdictional representative in 2019 and Criminal Section Chair in 2021.

Ms Dafoe also presented the Nomination Committee's nomination for the next President of the ULCC, Maria Markatos. Ms Markatos is Senior Crown Counsel with the Legislative Services branch, Public Law Division of the Ministry of Justice and Attorney General for Saskatchewan. She graduated from the University of Regina in 2001 with a Bachelor of Arts and the University of Saskatchewan College of Law in 2004, with a Bachelor of Laws with distinction. Ms Markatos articulated with the Ministry in 2004 and, since 2005, has been a lawyer with the Legislative Services branch. She was ULCC's Civil Section Chair in 2017-2018 and also for another half-year in 2018-2019. She has been on the Implementation Committee, the Roles Review Committee, the ACPDM, and the Executive Committee, first as a member at large and, over the past year, as ULCC's Vice-President and Chair of the Budget and Finance Committee.

Ms Dafoe stated that, with these two individuals, Ms Rousselle and Ms Markatos, the ULCC will be in great hands. She presented the following motion on behalf of the Nomination Committee:

THAT Maria Markatos and Chloé Rousselle be nominated for President and Vice-President of the ULCC respectively for 2024-2025. Moved by Elizabeth Strange. Seconded by Anny Bernier. Motion passed unanimously.

With this, Mr Hinshaw stated that it was his pleasure to hand the gavel over to Ms Markatos.

Incoming President's Remarks

Ms Markatos started by thanking everyone. She said that it was her honour and privilege to have the confidence of the members of the ULCC to take on the role of President for the year ahead. Looking over the long list of accomplished past presidents, she indicated feeling the weight of their collective history on her shoulders. She hopes to not only keep the ship afloat over the next year but to also continue to maintain the course charted by those before her. The end of another annual meeting offers the promise of renewed enthusiasm for the ULCC and the important work undertaken by the two Sections. Ms Markatos said that, as she looked around the room at all of the past section chairs, she counted 13, as well as eight past presidents, who all continue to contribute. The commitment of the delegates is clear. She indicated also being pleased to see so many former delegates and other friends attend events throughout the week.

Ms Markatos said that she attended her first annual meeting in 2011 in Winnipeg and that she is looking forward to going back. Since that time, she has seen many changes and developments within the ULCC and, in fact, the ULCC is coming out of several years of renewal. The Strategic Plan Oversight Committee undertook a comprehensive review of all the ULCC's foundational documents. The Roles Review Committee considered and refreshed the ongoing responsibilities of the officers of the ULCC. And, this year, the Budget and Finance Committee developed a policy for the regular review of the annual assessments.

With the foundational work of SPOC and the Roles Review Committee complete, Ms Markatos said that she would like to turn our focus to the core work of the ULCC, namely the products we generate. She stated that we live in a vast country with varying and often polarizing interests; nevertheless, the work of the ULCC remains constant: to develop for implementation uniform laws and resolutions that will apply across Canada in the same manner for all Canadians. Jurisdictions continue to implement our uniform acts and courts continue to refer to our materials, which Christina Croteau reported to the Civil Section delegates earlier in the day. She said that, for our part, we need to continue to provide them with the product to consider.

**UNIFORM LAW CONFERENCE OF CANADA
CONFÉRENCE POUR L'HARMONISATION DES LOIS AU CANADA**

Ms Markatos thanked outgoing President Matthew Hinshaw and recognized the immense amount of time and effort he has put into the organization. As all delegates would have seen, he was running around with the microphone on the previous day at the banquet as we were waiting for the Supreme Court Justice to arrive; he was holding the door open for everyone coming into the museum. She said that the ULCC was a priority for Mr Hinshaw and his efforts towards the improvement and efficiencies have placed the organization on a solid footing for the future. She hopes that she can provide at least half of the leadership and guidance that Mr Hinshaw did during his term as President.

Ms Markatos said that the 2024-2025 Executive Committee is composed of representatives from across the country and from both Sections. She looks forward to working with incoming Vice-President Chloé Rousselle and the other Executive members, and she would like to thank outgoing members of the Executive, Craig Savage and Peter Lown, K.C., for their time and efforts over the past year.

Not wishing to repeat all of Mr Hinshaw's thank-you's, Ms Markatos thanked everyone for attending, as well as the host committee. She encourages all delegates to reach out to her throughout the year with any matters they would like to discuss. She looks forward to the coming year with promise and enthusiasm and is particularly looking forward to traveling east next year.

Ms Markatos turned the mic over to Angus Gibbon for the report from the host jurisdiction for the 2025 annual meeting.

2025 Annual Meeting

Mr Gibbon started by also thanking the hosts and organizers and everyone involved and said that the week had been so enriching, illuminating and lively and that it had been great spending time with everyone. He stated that it couldn't happen without all of the effort that went into it.

Mr Gibbon said that the next annual meeting of the ULCC would be held from Sunday, August 10, to Thursday August 14, 2025, in Halifax. He indicated that the program is still under development and that there is much work left to be done. However, he could promise three things. First, the issues will be interesting and challenging, and the discussions robust and rewarding. Second, he will teach anyone who wants to learn the words to Canada's greatest English language sea shanty, that being Barrett's Privateers by Stan Rogers. And third, there will be a softball game, and the East will win.

Mr. Gibbon presented a video of Nova Scotia sites and scenery. He invited all to attend next year and to bring their friends and family.

Other Business

There was no other business.

Adjournment

There being no other business, Ms Markatos adjourned the meeting.