

ULCC | CHLC

UNIFORM LAW CONFERENCE OF CANADA

CONFÉRENCE POUR L'HARMONISATION DES LOIS AU CANADA

**GUIDE FOR CHAIRS OF CIVIL SECTION WORKING
GROUPS**

UNIFORM LAW CONFERENCE OF CANADA

GUIDE FOR WORKING GROUP CHAIRS

PRELIMINARY INFORMATION

The Working Group Chair (WG Chair) should familiarize themselves with the Uniform Law Conference of Canada ([ULCC](#)), its mission, governance, membership and internal policies, including the following:

- [ULCC Constitution and By-Laws](#)
 - the mission of harmonization and law reform
 - the governance structure
 - the [ULCC staff](#) and [committees](#)
 - the Executive Director
 - the Legal Project and Research Coordinator
 - the Civil Section (CS) Steering Committee, its chair and [jurisdictional representatives](#)
 - the Advisory Committee on Program Development and Management (ACPDM) and its chair
 - the bilingualism and bijuralism of the work
 - the diversity and expression of viewpoints
 - the confidentiality of documents produced and deliberations held
 - the possibility of [joint projects](#) between the Civil Section and the Criminal section
- [policies](#) adopted by the ULCC
 - - Statement of Policy on Diversity and Inclusion
 - - Statement of Policy on the Environment and Climate Crisis
- [policies](#) adopted by the CS
 - Policy on the Distribution of Materials to the Civil Section for its Annual Meeting (Policy on Distribution)
 - Policy on Reports Presented to the Civil Section Annual Meeting (Policy on Reports)
- [drafting aids](#) adopted by the CS
 - Drafting Conventions for Acts
 - Principles for Drafting Uniform Legislation Giving Force of Law to an International Convention
 - Guidelines for Drafting Uniform Legislation Giving Force of Law to an International Convention (2019)
- [ULCC website](#):
 - minutes of previous annual meetings
 - uniform acts and other documents presented at previous annual meetings
- [budgetary considerations and funding opportunities](#)
 - to be discussed with the Legal Project and Research Coordinator

UNIFORM LAW CONFERENCE OF CANADA

PROJECT STAGES

1 - Setting up a working group and identifying a working group chair

The project proposal form contains a box designed to list the names and profiles of people who could form the working group, as well as a person interested in playing the role of the WG Chair.

The working group should be composed of approximately 5 to 10 members, including a chair.

Ideally, the working group should be composed of individuals who can bring forward diverse perspectives to fully address the legal and policy issues that will be examined. There should be working group members who are familiar with the common law and the civil law and if possible, bilingual.

Members could include experts such as:

- academics;
- public and private practitioners;
- experts from law reform institutes;
- members of professional associations - such as the various bar associations in Canada (and the Chambre des notaires du Québec, where applicable);
- experts from various governments in Canada (including jurisdictional representatives in the CS, and experts from the federal and Québec governments, depending on the project).

At all times, the Legal Project and Research Coordinator should participate in the work to guide the working group in carrying out its work in accordance with ULCC standards.

As well, the WG Chair should work with the Legal Project and Research Coordinator to identify a drafter who would be available to draft the uniform act.

2 - Prepare a working group schedule that follows the ULCC work cycle, and clarify expectations with working group members

The ULCC follows a work schedule that begins generally in September of a given year and ends in August of the following year, coinciding with its annual meeting.

Thus, working groups must carry out their work in such a way as to be able to present delegates with the results of their work year at the annual meeting.

Projects vary in scope and complexity. Sometimes, despite the best efforts of all working group members, the project may face challenges that have an impact on the duration of the work (e.g., the appointment of a legislative drafter who can draft the Uniform Act), the cycle of a project may differ or be prolonged.

The WG Chair and the Legal Project and Research Coordinator should work together to determine the work cycle that is most appropriate for the project, bearing in mind the requirements set out by the [Policy on the Distribution](#).

UNIFORM LAW CONFERENCE OF CANADA

Most of the projects are developed over a period covering two or three annual meetings cycles.

- First annual meeting
 - Presentation of a policy report prepared in accordance with the [Policy on Reports](#).
 - For projects that take place over a period of more than two years, the initial policy report would include an overview of the project and the subsequent policy reports would contain a more comprehensive legal analysis and proposed policy recommendations.
- Second annual meeting
 - Presentation of a final report prepared in accordance with the [Policy on Reports](#).
 - Presentation of a draft uniform act and commentaries prepared in accordance with the [Policy on Reports](#).

3 - Start and continuation of work, including consultations

The WG Chair and members should agree on the most effective way for carrying out the legal research, drafting the various reports and holding discussions.

The WG Chair is responsible for ensuring that all working group members can express their views, and that exchanges remain respectful, in accordance with the [Policy on Reports](#)

Depending on the project, the WG Chair or members may wish to hold consultations with stakeholders. The Legal Project and Research Coordinator can help the working group identify the best way to consult stakeholders. Results of such consultations should be mentioned in the WG's reports to the CS.

4 - Monthly update on work carried out

To contribute to the efficient management of the ULCC's time and resources, the WG Chair should ensure that the CS Chair, the Legal Project and Research Coordinator or the ACPDM Chair receives, where possible, a monthly update on the working group's progress.

5 - Drafting the report, and the draft uniform act, if applicable

The working group is responsible for preparing, in accordance with the [Policy on Reports](#), a final report and a draft uniform act with commentary. The WG Chair is responsible for ensuring that all WG members have had the opportunity to comment on these documents.

The WG Chair is responsible for consulting with the Chair of the CS Steering Committee on the resolution proposed in the report. Examples of past resolutions are available on the [ULCC website](#). Guidance may be found in resolutions from the most recent annual meetings.

The WG Chair is responsible for ensuring that the documents are submitted for distribution to the CS within the timeframe prescribed by the [Policy on Distribution](#).

UNIFORM LAW CONFERENCE OF CANADA

In addition, the WG Chair is responsible for conducting the work in such a way as to allow for a reasonable period for the preparation of a quality translation of the report or draft uniform act. The Legal Project and Research Coordinator can assist the WG Chair in determining how best to achieve this.

6 - Presentation of the report, and of the draft uniform act, where applicable

At the annual meeting, the WG Chair or another WG member is responsible for presenting a summary of the work carried out by the WG and explaining the analyses that led to the proposed recommendations. The presenter is also responsible for leading discussions about the project and responding to comments and questions from delegates and observers.