



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

**Criminal Section Rules of Procedure**

**Interpretation**

- 1(1)** The terms “conference”, “delegate” and “jurisdictional representative” have the same meaning assigned by subsection 1(1) of the Uniform Law Conference of Canada (ULCC) By-laws.
- 1(2)** The term “secretary” means the secretary appointed pursuant to subsection 12(1) of the ULCC By-laws.

**Jurisdictional Delegations**

- 2(1)** Each province and territory, as well as the federal government, shall designate the number of delegates participating in the conference.
- 2(2)** Each delegation shall be headed by a jurisdictional representative.
- 2(3)** Each jurisdictional representative shall submit a list of its delegates in writing to the ULCC Executive Director on or before July 1st, each year.
- 2(4)** All jurisdictional representatives shall identify themselves and their jurisdictional delegation at the beginning of the annual meeting.
- 2(5)** Members of the judiciary attending the meetings shall be recognized as full delegates but, as a matter of principle, will not have a vote.

**Agenda**

- 3(1)** The agenda for the Criminal Section annual meeting is prepared by the Chair for the year in question with the assistance of the Secretary and the other members of the Criminal Section Steering Committee.
- 3(2)** Supplementary agenda items may be considered during the deliberations of the Criminal Section at the annual meeting at the discretion of the Chair.

**Resolutions and Reports**

- 4(1)** Format of Resolutions and Reports:
  - a) Resolutions shall follow the template provided by the Secretary and be limited to a maximum of two (2) 8 ½ x 11 pages.

- b) Resolutions shall contain the following headings:
- subject,
  - statutory reference, if applicable,
  - name of constituent jurisdiction presenting the resolution,
  - summary, and
  - recommendation.
- c) Where applicable, resolutions shall make reference to any previous known resolutions on similar issues considered by the Criminal Section.
- d) A resolution that has been considered by the Criminal Section within the past five years shall not be submitted for consideration without leave of the Chair.
- e) Where feasible, resolutions should be provided to the Secretary in both official languages.
- f) Reports of the Criminal Section shall follow the ULCC template.

**4(2)** Timelines for receipt and distribution of resolutions and reports:

- a) Resolutions shall be sent electronically to the Secretary on or before April 30th, or as otherwise directed by the Secretary.
- b) Reports shall be sent electronically to the Secretary on or before June 1 or as otherwise directed by the Secretary.
- c) Resolutions and reports shall be sent electronically to the jurisdictional representatives by the Secretary at least one month prior to the meeting.
- d) The Secretary may request that any delegate who wishes to submit a resolution or report after the above-noted deadlines be responsible for distributing the relevant document to the other jurisdictional delegations, in both official languages.

**4(3)** Order of Presentation of Resolutions:

- a) The Resolutions will be presented in alphabetical order by the Provincial and Territorial delegations commencing with Alberta in 2001. The order of rotation will change from year to year with the lead jurisdictional delegation from the immediately preceding annual meeting presenting resolutions last in rotation at the next annual meeting, and in like fashion the rotation will change from year to year thereafter.
- b) The delegation from Canada will present Resolutions for consideration after the Resolutions received from the Provincial and Territorial delegations have been presented.
- c) Resolutions from the floor will be presented after the regular business of the Criminal Section has been completed if permission is granted by a majority vote of the delegates.
- d) Where the Chair wishes to present a resolution on behalf of the jurisdictional delegation of which he or she would ordinarily be a member, the incoming Chair of the Criminal Section shall assume the responsibilities of the chair while that resolution is being debated and voted upon. If the incoming Chair is unable to perform this function, the immediate past Chair of the Criminal Section shall assume this role.
- e) The order of discussion by delegates shall be at the recognition of the Chair.

- f) The length of the deliberations on each resolution shall be at the discretion of the Chair.

### **Individual voting**

- 5(1)** The Chair shall orally state the resolution or amended resolution before putting it to a vote of the delegates. A majority vote by show of hands:
- for the resolution, or
  - against the resolution, or
  - abstaining from voting on the resolution,
- will determine if a resolution is carried or defeated. Abstentions, through show of hands, will also be recorded.
- 5(2)** Each member of a jurisdictional delegation is entitled to cast a vote except in the case of a vote by constituent jurisdiction as provided by subsection 32(3) of the ULCC By-laws.
- 5(3)** The delegates may, by majority vote, decide that an agenda item is to be carried over for another year or that no action is to be taken in regard to an item.
- 5(4)** Individual delegates must be physically present to vote or abstain.

### **Vote by Constituent Jurisdiction**

- 6.** Where a vote by constituent jurisdiction is called pursuant to subsection 32(3)(a) of the ULCC By-laws, this vote takes precedence over the vote of individual delegates.

### **Confidentiality**

- 7.** In addition to the circumstances where release of materials is permitted under section 30 of the ULCC By-Laws, a resolution that has been debated may be released to federal, provincial or territorial government officials for the purpose of consideration or analysis.

### **Report of the Federal Jurisdictional Representative**

- 8.** The federal jurisdictional representative shall report on the status of the resolutions carried in prior years.

### **Rules of Procedure and Policies of the Criminal Section**

- 9.** Adoption or amendment of a rule of procedure or policy made by the Steering Committee pursuant to subsection 34(1) of the ULCC By-laws is subject to a majority vote by constituent jurisdiction in its favour at the next annual meeting of the Criminal Section, in accordance with subsection 32(3) of the ULCC By-laws.