

## **CLOSING PLENARY SESSION**

**August 20, 1998**

### **MINUTES**

#### **Opening of Meeting**

The meeting opened at 10:30 a.m. on Thursday, August 20, 1998 with Douglas Moen as Chair and Claudette Racette as Secretary.

The Chair wanted to take this opportunity to say how much the delegates appreciated meeting in Nova Scotia. This year, Nova Scotia has provided a new standard in hospitality. It was truly a pleasure to have the Eastern hospitality and being in the province.

On behalf of the Conference, he thanked the Nova Scotia hosts. (A round of applause followed). The Chair then called upon Jonathan Davies, one of the Nova Scotia hosts, to say a few words.

He stated that it was a great pleasure for Nova Scotia to host the Conference this year. He wanted to thank his Committee particularly. They have done a great job. They are wonderful people who worked very hard. He very much appreciated their efforts. He thanked the referees Ed Dupuis and Judge MacDonald. He then presented a humorous account of the baseball game.

#### **Report from the Criminal Section**

The Chair, Alexander Pringle, reported on the work of the Section. The Minutes of the Criminal Section are set out on page 79 in English and 105 in French.

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The Section's Nominating Committee recommended that Yvan Roy of Justice Canada be elected as Chair for the 1999 meetings.

### **Report from the Civil Section**

The Chair, Ronald Perozzo, reported on the work of the Section. The Minutes of the Civil Section are set out on page 45 in English and 60 in French. Joint session minutes are at page 77 in English and 78 in French.

The Section's Nominating Committee nominated Arthur Close, Q.C. of British Columbia to be the next Chair of the Civil Section.

### **Approval of Resolution**

The President requested approval of the Resolution that was made at the joint session with respect to the Electronic Evidence Act.

MOVED BY Susam Amrud, seconded by Philippe Lortie THAT the draft **Uniform Electronic Evidence Act** and commentaries be adopted as a **Uniform Act** and recommended to jurisdictions for enactment AND THAT the report appear in the proceedings. Motion carried.

The President acknowledged the excellent work that the section chairs undertook during the course of the year. He also offered congratulations to the new section chairs. (A round of applause followed).

### **Report from the Resolutions Committee**

The Committee, Frédérique Sabourin, Glen Abott and Réjean Babineau presented the following Resolutions:

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BE IT RESOLVED that the Conference express its appreciation by way of a letter from the Executive Director to Dr. Jim Smith, Minister of Justice, Gordon Gillis, Deputy Minister, and Martin Herschorn, Deputy Director of Public Prosecutions for the Government of Nova Scotia, for hosting the 80th meeting of the Conference during which we enjoyed fruitful and stimulating intellectual discussions and lively camaraderie and conviviality.

Gordon Hebb of the Office of the Legislative Counsel that hosted the reception on Sunday.

The Organizing Committee, Neil Ferguson, Jonathan Davies, Gordon Johnson, Bernadette MacDonald, Brenda Croft and Darlene Wilson with special thanks to Neil and Jonathan for acting as excellent guides towards Halifax and the historical tour of the breweries.

Express special thanks to Darlene Wilson, Brenda Croft, Arlene Tufts, Wanda Chezenko, Josée Gardiner and Anna Fried who assumed the responsibility of the secretariat along with Claudette Racette, our Executive Director.

The various governments for the translation of various documents used by the Conference.

All those who prepared papers for the consideration of delegates and those who presented papers.

Douglas Moen, our outgoing President for all his efforts on behalf of the Conference, both on substantive matters and in the promotion of the Conference and its products in the jurisdictions.

Nous voulons aussi souligner les excellentes contributions des présidents de nos sections de droit pénal et de droit civil qui ont réussi à nous maintenir au travail et qui nous

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ont permis d'avoir des échanges fructueux, Alex Pringle et Ron Perozzo.

Nous tenons à remercier tout particulièrement Catherine Kane en tant que secrétaire de la section pénale.

Nous voulons également adresser nos remerciements à nos collègues de la Conférence nationale américaine, le président Gene Lebrun, ainsi que le président du comité de liaison, M. Jeremiah Marsh.

Nous souhaitons tout particulièrement remercier les interprètes: Pour la section civile, Louise Béland, Michel Tremblay et James Crombie, pour la section pénale, Jean-Guy Robichaud, Christiane Savoie et Annette Pelletier, et Davie Higgins à la régie technique.

Special thanks to Sasha Raoul from the Nova Scotia Marketing Agency who contributed to the preparation of the certificates of the Order of the Good Time.

Special thanks to Judge D. William MacDonald, Q.C. and Ed Dupuis, the umpires.

Enfin, par la présente résolution, nous tenons à témoigner une grande appréciation pour le travail effectué au cours de l'année par Mme Claudette Racette, notre Directrice administrative qui participait pour la sixième fois à notre réunion annuelle.

MOVED by Frédérique Sabourin, seconded by Glen Abott and Réjean Babineau, that the report of the Resolutions Committee be adopted. Motion carried.

### **Report from the Nominating Committee**

Before receiving the report of the Nominating Committee, the President acknowledged the contributions of Richard Mosley as he leaves the Executive of the

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Conference. Rick has done a tremendous amount of work for the Conference. He has been very faithful in ensuring that Deputies and Ministers are well aware of the work of the Conference. He has also been able to successfully deliver uniform legislation to the Criminal Code that reflects the work of the Conference. The Conference owes a great deal to Rick for his contributions to the Executive Committee and to the Conference. (A round of applause followed).

Richard Mosley stated that the Nominating Committee was comprised of himself, Peter Lawn, John Gregory and Carol Snell. "Je suis très heureux de vous informer que notre nomination pour l'année 1998-99 est pour le président, notre cher collègue, Paul Monty, as Vice President, Jeffrey Schnoor. Therefore, the new Executive Committee will be comprised of:

President - Paul Monty

Vice President - Jeffrey Schnoor, Q.C.

Past President - Douglas Moen, Q.C.

Chair of the Criminal Section - Yvan Roy

Chair of the Civil Section - Arthur Close, Q.C.

Chair of the Drafting Section - Lionel Levert, Q.C."

MOVED by Richard Mosley, seconded by Bruce MacFarlane, THAT the report of the Nominating Committee be adopted. Motion carried.

The newly elected President thanked the delegates for their vote of confidence.

Jeffrey Schnoor expressed his appreciation for the confidence. He was honoured and thrilled to participate in the Conference. He has been coming since 1986 and has seen the Conference develop and mature into an organization that is making an important contribution to our country.

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### **1999 Conference**

The new President then asked Bruce MacFarlane to say a few words about the 1999 Conference.

On behalf of the Manitoba delegation, Bruce MacFarlane invited all the delegates to Winnipeg next year from August 15 to 19. The Province is thrilled to host the next ULC conference in Winnipeg. Summer promises to be an exciting time in the city. A few weeks before the Conference, the city will be hosting the PanAm Games and a lot of people from the U.S., Central America will be filtering through the city and the province during the entire month of August.

He stated that they are in the process of finalizing a program that they believe will be quite exciting. Delegates have before them an information package on Winnipeg and Manitoba that he suggested they might want to take with them for future reference. He concluded by saying that they would be delighted to see the delegates in Winnipeg next year.

### **Acknowledgment**

Graham Walker moved a motion of thanks to Doug Moen and to the members of the Executive Committee for the very fine work they did during the year. The motion was carried by a round of applause from the delegates.

### **Adjournment**

There being no further business, the new President stated that he was looking forward to seeing everyone in Winnipeg next year.