

Form 7.05

20

No.

Supreme Court of Nova Scotia

Between: [complete the heading as required by Rule 82 - Administration of Civil Proceedings]

[name]

Applicant

and

[name]

Respondents

Notice for Judicial Review

To: [name each respondent]

Request for judicial review

The applicant requests judicial review of [a decision/an action taken/a failure to decide or take action] by a decision-making authority [name decision-making authority] .

Decision to be reviewed

[The decision is dated _____, 20 ____./Modify for a failure to make a decision.]

[The authority under which the decision is made is refer to legislation, agreement for arbitration, or other authority.]

[The decision was first communicated to the applicant on _____, 20 ____./Modify for failure to make a decision.]

Attached to this notice is [a copy of the decision/copies of documents showing the action/copies of documents showing the failure to decide or to take action/a summary of the decision, action or failure] .

Grounds for review

The applicant seeks review on the following grounds:

1 [state grounds concisely]

2

3

Order proposed

The applicant requests an order [describe] .

You may participate

You may participate in the judicial review if you file a notice of participation no more than ten days after the day a copy of this notice for judicial review is delivered to you. Filing the notice entitles you to notice of further steps in the judicial review.

Record to be produced

[The applicant foresees no difficulty obtaining the record and believes it will be delivered to the court and the respondents no later than _____, 20 /or explain difficulty] . The record will be [name documents by which the proceeding under review was started; name any documents that responded to those initiating documents; a transcript of describe, documentary exhibits numbering _____, other exhibits namely _____ ; describe all the record] .

Notice to decision-making authority

The respondent, [name of the decision-making authority] , is required by Civil Procedure Rule 7 – Judicial Review and Appeal to file one of the following no more than five days after the day the decision-making authority is notified of this proceeding by delivery of a copy of this notice for judicial review:

- a complete copy of the record, with copies of separate documents separated by numbered or lettered tabs;
- a statement indicating that the decision-making authority has made arrangements with the applicant to produce of the record, providing details of those arrangements, and estimating when the return will be ready;
- an undertaking that the decision-making authority will appear on the motion for directions and will seek directions concerning the record;

- a summary of reasons given orally without a record and your certificate the summary is accurate, if you gave reasons orally and not on record.

If you fail in this regard, a judge may order costs against you including a requirement that you indemnify each other party for any expenses caused by your failure, such as expenses caused by an adjournment if that is the result.

Stay of proceedings or other interim remedy

The applicant [*will/will not*] make a motion for a stay of the enforcement of the decision under judicial review. [If a motion is to be made provide information on when the notice of motion is to be filed and state that the motion will be set for the same time as the motion for directions.]

Filing and delivering documents

Any documents you file with the court must be filed at the office of the prothonotary
Street, , Nova Scotia (telephone #).

When you file a document you must immediately deliver a copy of it to each other party entitled to notice, unless the document is part of an *ex parte* motion, the parties agree delivery is not required, or a judge orders it is not required.

Contact information

The applicant designates the following address:

Documents delivered to this address are considered received by the applicant on delivery.
Further contact information is available from the prothonotary.

Motion for date and directions

At [*a.m./p.m.*] on , 20 , the applicant will appear before a judge in
Chambers at the [*Law Courts/Courthouse*] , Street, , Nova
Scotia to make a motion for an order giving directions for the judicial review including a date

and time for the hearing of it. The judge may make an order or provide directions in your absence if you or your counsel fail to attend, and the court may determine the judicial review without further notice to you.

Signature

Signed _____, 20__

Signature of applicant
Print name:

[or]

Signature of counsel
[name] as counsel
for [name]

Prothonotary's certificate

I certify that this notice for judicial review was filed with the court on _____, 20__ .

Prothonotary

[attach copy of decision, documents showing subject of review, or summary]