

**NOVA SCOTIA COURT OF APPEAL
Amendments to Civil Procedure Rule 90**

December 22, 2009

1. **Rule 90.07(2)** is amended by:

changing “Form 90.07” to “Form 90.07A”.

2. **Rule 90.07** is amended by:

adding as sub-rule 97.07(4):

“(4) The notice of appeal (tribunal) may be in Form 90.07B.”

3. **Form 90.07** is amended by:

changing “Form 90.07” to “Form 90.07A”.

4. **Form 90.07B:**

The following Form 90.07B is added to the Forms and will immediately precede Form 90.08:

Nova Scotia Court of Appeal

Between:

[name]

Appellant

and

[name]

Respondents

[include as respondents the Attorney General of Nova Scotia and the Tribunal appealed from in addition to any other respondent]

Notice of Appeal (Tribunal)

To [name and address of each respondent]:

Appellant appeals

The appellant appeals from the order [or decision] dated [], 20[], *[state whether the whole or only part, and if so which part, of the order or decision is being appealed from]* in the proceedings in the *[name of tribunal]* showing tribunal number *[insert file number]* made by *[name of decision-maker]* .

Order or decision appealed from

The *[order/decision]* was made on [], 20[]. It was made at [], Nova Scotia.

Grounds of appeal

The grounds of appeal are

(1) *[state grounds completely and concisely]*

(2) []

(3) [] .

Authority for appeal

[include list of legislation relied on]

Order requested

The appellant says that the court should allow the appeal and that the order or decision appealed from be *[reversed/rescinded/varied]* and *[describe requested relief]*.

Respondent’s Notice of Intention to Participate

A respondent may participate in this tribunal appeal as a respondent only if the respondent files a notice of intention to participate no more than ten days after this notice of appeal is delivered to the respondent.

Motion for date and directions

The appeal will be heard on a time and date to be set by a judge of the Court of Appeal. The appellant must, not more than twenty-five days after the date this notice is filed, make a motion to a judge of the Court of Appeal to set that time and date and give directions. You will be notified of the motion.

Contact information

The appellant designates the following address:

[]

Documents delivered to this address will be considered received by the appellant on delivery. Further contact information is available to each party through the prothonotary.

Signature

Signed [], 20[]

Signature of appellant
Print name: []

OR

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

Registrar’s Certificate

I certify that this notice of appeal was filed with the court on [], 20[].

[Attach copy of any written decision and order appealed from]

J. Michael MacDonald, C.J.N.S.

Elizabeth A. Roscoe, J.A.

Nancy J. Bateman, J.A.

Jamie W.S. Saunders, J.A.

Linda Lee Oland, J.A.

M. Jill Hamilton, J.A.

Joel E. Fichaud, J.A.

Duncan R. Beveridge, J.A.