

Nova Scotia Civil Procedure Rules
Amendment (Miscellaneous)
December 11, 2020

The following Rules are amended as follows:

1. Rule 4.22(1) is amended by adding the word “unexpired” before the first use of the word “action”.
2. The phrase “at appearance day” in Rule 7.10(j) is changed to “by appearance motion”.
3. The phrase “on appearance day” in Rule 24.06(1) is changed to “hearing an appearance motion”.
4. The following phrase is added to Rule 27.01(2) after the word “correspondence”: “, other than a motion to grant an order consented to by all interested persons,”.
5. Rule 36.04 is renumbered 36.04(1) and the following Rule (2) is added to Rule 36.04:
 - (2) A judge may withdraw permission for a representative to act without counsel, and require the representative to appoint a solicitor of record.
6. Clause 13 of the Amendment (Appearance) and clause 25 of the Amendment (Miscellaneous), both made by the judges of the Supreme Court of Nova Scotia on January 24, 2020 are removed for redundancy, such that Rules 84.02(4)(e) to (g) read as follows:
 - (e) the expiry of an action as declared by the prothonotary;
 - (f) information about a document filed by the court in the proceeding, such as a decision or a notice of prothonotary’s motion, including the title of the document and the date it is filed;
 - (g) information about an instrument issued by the court in the proceeding, such as an order or a release of judgment, including the title of the instrument and the date it is issued.

7. Rule 71.05(3) is amended by substituting the words *Adult Capacity and Decision-making Act* to replace the words *Incompetent Persons Act*.

Certificate

I, Deborah K. Smith, Chief Justice of the Supreme Court of Nova Scotia, certify that on December 11, 2020 a majority of the judges of the court made the foregoing amendments to the *Nova Scotia Civil Procedure Rules*.

Signed December 16th, 2020

**Original Signed by
Deborah K. Smith, C.J.**

Deborah K. Smith
Chief Justice of the Supreme Court
of Nova Scotia