Federal Court of Appeal and
Federal Court Rules Committee

2024-2025 GLOBAL REVIEW OF THE *FEDERAL COURTS RULES*

Final Report of the Sub-Committee

December 2025

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BACKGROUND

On April 2, 2024, the Global Review Sub-Committee (Sub-Committee) issued an Invitation to Participate (Invitation) in a public consultation regarding possible changes to the *Federal Courts Rules* (Rules). The Invitation identified nine subject areas for discussion, and also encouraged participants to submit proposals and suggestions of their own.

A total of 88 participants responded to the Invitation, comprising counsel who appear before the Federal Court of Appeal and Federal Court (Federal Courts), self-represented litigants and parties, other members of the legal profession, associations, academic researchers, members of the public, and individuals who selected the category "other".

Most comments were collected using an online form, although some participants chose to make their submissions by email. The window for participation was open from April 2, 2024 to July 2, 2024. The final submission was received on July 15, 2024.

Following the consultation, the Sub-Committee presented a "What We Heard" report to the Rules Committee on October 25, 2024. Following a robust discussion, the Rules Committee asked the Sub-Committee to prepare an Interim Report summarizing the proposals and the commentary received from participants in the public consultation and Rules Committee members. The Rules Committee considered the Interim Report at its meeting of April 4, 2025, and requested that the Sub-Committee prepare this Final Report.

The previous Global Review of the Rules was completed more than ten years ago. According to the Report of the Sub-Committee published in October 2012, "no one suggested that the *Federal Courts Rules*, overall, do not work reasonably well or accomplish their purposes. In fact, the general tenor of comments suggested a high level of satisfaction with the rules". That continues to be the case today. Despite the inclusion in the Invitation of the question "Should the Rules be streamlined or simplified in any particular way?", no suggestions for fundamental change were forthcoming. Indeed, there is reason to believe that the current Rules, particularly when combined with initiatives such as active case management at the Federal Court, offer certain advantages over the rules of procedure in other jurisdictions.[1]

The Sub-Committee wishes to acknowledge the well-considered and helpful comments received from participants and Rules Committee members throughout this process. These contributions have significantly informed the Sub-Committee's deliberations and have helped to shape the recommendations contained in this Final Report.

[1] Gerard Kennedy, "The Federal Courts' Advantage in Civil Procedure" (2023) 102:1 Can. B. Rev. 75 at 87, 105-107, 109-113. Online: https://cbr.cba.org/index.php/cbr/article/view/4911.

CURRENT CONTEXT AND EMERGING ISSUES

The Sub-Committee notes that the *Ontario Rules of Civil Procedure* are currently undergoing a comprehensive review to identify possible reforms to make civil court proceedings more efficient, affordable and accessible. The outcome of this review may result in proposals that are worthy of consideration by the Rules Committee. However, the Federal Courts differ from their provincial counterparts in important ways, including with respect to jurisdiction, file volume and timely adjudication. The Sub-Committee is not currently proposing changes to the Rules on the scale envisaged by the Ontario review.

Nevertheless, like courts elsewhere, the Federal Courts are facing unprecedented challenges arising from increased caseloads and strained resources. More than ever, these circumstances demand that the Federal Courts modernize their procedures, improve efficiency, and broaden access to justice.

The Courts Administration Service (CAS) has recently launched its first Digital Strategy, which aims to enhance service delivery and ensure the Federal Courts remain accessible and responsive. A key initiative is improving digital access to court services through expanded e-filing and online payment systems. To support these efforts, the Treasury Board of Canada has approved funding for CAS' Digital Courts Modernization (DCM) project.

The recommendations presented in this Final Report must be understood within this larger context. The Sub-Committee recommends prioritizing the removal of barriers to technological modernization, as well as the elimination of outdated procedures that may contribute to inefficiencies. Access to justice remains the guiding principle of the Rules. Modernization must also accommodate the needs of self-represented litigants or individuals with limited access to technology.

RECOMMENDATIONS

This Final Report divides the proposals contained in the Invitation into three categories. The first comprises areas that the Sub-Committee recommends be prioritized for further development. The second comprises matters that may warrant future consideration, but no immediate action is proposed. The third consists of proposals the Sub-Committee does not recommend pursuing further.

1. Priority areas for further development

a) Modernizing the Rules to accommodate electronic service, filing, and broader digitization

The Invitation solicited comments on whether the Rules should be modernized to more fully accommodate electronic service. A key proposal was to make electronic service the default.

The Invitation also sought input on whether to update the Rules to more formally address electronic filing. Proposed changes included making electronic filing mandatory in all but exceptional cases.

The vast majority of participants were supportive of the proposals to fully embrace electronic filing and service. However, a number of participants expressed reservations about making electronic service the default, citing some litigants' limited access to technology and reliable internet connectivity. Participants also raised concerns about the potential impact of mandatory electronic filing on self-represented litigants or parties with limited internet access.

In its discussion, members of the Rules Committee acknowledged that most participants were comfortable with these proposals. It was noted that the use of electronic service and filing is increasingly the norm before courts and tribunals. Members also observed that making electronic filing and service the default would improve efficiency by streamlining document handling, reducing delays, and minimizing reliance on physical processes.

The Rules Committee recognized the importance of ensuring that any modernization of the Rules continues to promote access to justice. To that end, the Committee emphasized that exceptions should be made to accommodate parties who face barriers to the use of technology.

The Rules Committee also noted that specific proposals related to electronic service and filing will require careful consideration, and issues of practical implementation will need to be assessed to ensure the Rules function effectively.

The Sub-Committee recommends prioritizing the modernization of the Rules to accommodate electronic service and filing. It also recognizes that the DCM project may shape future practices related to service, filing and other procedural matters. The Sub-Committee therefore recommends that CAS be invited to collaborate with the Rules Committee to ensure that the Rules are compatible with the DCM project as it continues to evolve.

b) Removing references to outdated practices and technologies

The Invitation sought comments on updating the Rules to remove outdated practices and better reflect an increasingly digital environment. Proposed changes included eliminating the option to serve, submit or file documents by fax; removing references to locked boxes; updating the provisions that address the length of documents and formatting; and improving payment processes.

Most participants supported these proposals. However, some reforms—such as eliminating the use of fax machines and revising the provisions governing document length and formatting—generated more discussion. Concerns about ending the use of fax machines focused on the potential impact on self-represented litigants, incarcerated individuals, and others with limited electronic access. Concerns regarding how document length is regulated in the Rules focused on the need for clear, easily enforceable requirements.

In their discussion of these proposals, members of the Rules Committee agreed that to maintain access to justice, exceptions should be available to permit the use of fax machines by litigants who lack reliable internet access or technological infrastructure. The Rules Committee also

recognized the importance of ensuring that any revised provisions addressing document length be both clear and enforceable.

The Sub-Committee recommends that priority be given to eliminating outdated practices and technologies from the Rules, consistent with the previous discussions of the Rules Committee.

c) Increasing the monetary limit for simplified actions

Currently, the procedure for simplified actions applies to any action in which each claim is limited to monetary relief in an amount not exceeding $100,000, exclusive of interest and costs; and to actions *in rem* for monetary relief that does not exceed $50,000, exclusive of interest and costs. The Invitation sought input on whether to amend Rules 292(a) and 292(b) to increase these monetary limits.

Participants were generally supportive of this proposal, with only three of the 40 submissions expressing disagreement.

In its discussion, members of the Rules Committee supported an increase in the monetary limit for simplified actions. This change would allow more cases to benefit from a streamlined and cost-effective procedure, enhancing access to justice and reducing the burden on both litigants and the Court. A limit of $200,000 was suggested. It was unclear to members of the Rules Committee and members of the Court who specialize in maritime law why a different threshold should apply to monetary claims that are brought in the context of *in rem* proceedings. The Committee noted that raising the monetary limit for simplified actions would permit associate judges to decide them, contributing to the efficient allocation of judicial resources.

The Sub-Committee recommends that this proposal be prioritized.

d) Recommendations of the Registry

The Registry submitted a number of proposals to improve operational efficiency, some of which would require amendment of the Rules. The Rules Committee affirmed its commitment to supporting initiatives from the Registry that promote greater agility and effectiveness—particularly in the context of current resource constraints. A summary of the Registry's recommendations is attached as Annex A.

In its comments to the Rules Committee, Registry representatives asked the Committee to bear in mind the broader vision of a national and digital Registry operation, emphasizing standardization, automation, and consistency across regions. References to localized procedures are increasingly outdated in light of this direction.

The Sub-Committee recommends that consideration of the Registry's recommendations be prioritized.

e) Miscellaneous amendments attracting broad support

The Invitation included a number of miscellaneous amendments related to timelines and procedural matters. The following proposals received broad support during the consultation process:

- Amending Rule 7(2) to increase the period of consent extension beyond one-half of the initial period.
- Amending Rule 51(2) to extend the deadline to appeal the order of an associate judge in a simplified action to 30 days from 10.
- Setting a fixed deadline after service under Rule 203(2).
- Removing the 30-day notice in the notice of a pre-trial conference under Rule 261.
- Having the 30-day timeline for the service of the Applicant's affidavit under Rule 306 run from the date of transmission of the Certified Tribunal Record.
- Amending Rule 314(2)(c) to require a party filing a requisition to indicate whether all parties agree with the maximum amount of time required for the hearing, and if not, how many days or hours each party believes are required.
- Limiting written representations on a motion to a fixed page or word limit under Rule 364 and making related changes to Rules 369(3) and 369.2(3) for motions in writing.

In its discussion, many members of the Rules Committee supported the creation of a new Rule under Part 2 to govern communications to the Court via the Registry on matters of substance without the consent of the other party or leave of the Court, similar to rules enacted in other jurisdictions.[2]

The Sub-Committee recommends that these proposals be prioritized.

f) Housekeeping items

The Sub-Committee recommends several minor housekeeping amendments, listed in Annex B.

[2] See for example Ontario, *Rules of Civil Procedure*, RRO 1990, Reg 194, r 1.09 and *Nova Scotia Civil Procedure Rules*, Royal Gaz Nov 19, 2008, r 87.

2. Proposals not recommended at this time but warranting future review

a) Incorporating elements from the Federal Courts' practice directions

The Federal Courts have issued practice directions to complement the Rules with respect to various matters.[3] The Invitation solicited comments on the possibility of incorporating elements of the practice directions into the Rules.

Many participants expressed support for this proposal, noting that it would enhance both clarity and efficiency. Of the potential amendments outlined in the Invitation, nearly all were uncontroversial.

In its discussion, members of the Rules Committee generally supported the proposition that procedural and other requirements are best set out in the Rules to ensure clarity and accessibility.

However, not all aspects of the current practice directions enjoyed wide support. One proposal that drew attention from both participants and members of the Rules Committee was to amend the Rules to require parties to be ready to argue costs at the hearing of a motion, application, or action.

The Rules are currently silent on when parties are to make submissions regarding costs in proceedings. While the Federal Court's Amended Consolidated General Practice Guidelines address this issue, the Court's experience is that parties have often not agreed on the disposition and/or quantum of costs before the hearing. They are also rarely prepared to make submissions on costs before the end of the hearing. This leads to inefficiencies. A successful party may be incentivized to seek higher costs. Furthermore, consideration of additional written submissions or a further hearing necessitates additional judicial resources.

In their discussion, members of the Rules Committee observed that clarification of the Rules governing costs submissions would be beneficial for parties and the Court. Costs submissions in complex proceedings could be addressed by the case management judge or trial judge in advance of the hearing.

The Sub-Committee recommends that the formalization of practice directions, including in the area of costs, be explored further as time and other priorities may permit, bearing in mind that many of the current practice directions are uncontroversial, e.g., the procedure for filing confidential documents, informal requests for interlocutory relief, adjournments, and the use of condensed books of authorities and compendia.

b) Expanding the role of associate judges

Associate judges are judicial members of the Court. Rule 50 sets out the scope of the associate judges' jurisdiction. The Invitation solicited comments on the possibility of expanding their role. Specific examples were included in the Invitation.

[3] See the Federal Court of Appeal's Consolidated Practice Direction and the Federal Court's Amended Consolidated General Practice Guidelines.

Most participants supported expanding associate judges' authority in specific areas, such as issuing judgments on consent and varying a judge's order in specified circumstances. However, some participants opposed expanding their authority to matters such as injunctions, contempt proceedings, and summary judgments. The main concerns expressed were the degree of deference given to associate judges' decisions on appeal, the availability of appeal mechanisms, and the potential impacts on existing caseloads.

While both the Rules Committee and associate judges expressed interest in revisiting this issue in the future, they noted that the associate judges' current case management workload would not permit them to take on additional responsibilities at this time. In addition, further examination will be required regarding appeal rights (particularly in the context of stays of removal) and statutory limitations on associate judges' authority.

The Sub-Committee recommends that this proposal be explored further as time and other priorities may permit.

c) Granting a limited discretionary power to the Registry to accept or refuse non-compliant documents

Under Rule 72, where the Administrator is of the opinion that a document is not in the form required by the Rules or that other conditions precedent to its filing have not been fulfilled, the Administrator must refer the document to a judge or associate judge, who may then direct the Administrator to accept or reject the document.

In the Invitation, comments were solicited on whether it may be appropriate for the Registry to have a limited discretionary power to accept or refuse certain irregular documents, under reserve of objection by a party. Examples provided in the Invitation included unsworn affidavits or uncommissioned exhibits; Notices of Application that do not include the relief sought, the grounds for review or the documents to be relied upon; and documents that do not comply with the technical requirements of the Rules (*e.g.*, numbered paragraphs, font, margins).

Most participants expressed at least some support for granting a discretionary power to the Registry, but some were strongly opposed. Supporters argued that this discretion would improve efficiency. Others expressed concern about inconsistent enforcement across Registry offices and the risk of procedural delays or loss of rights. A small group opposed giving discretion to Registry officers altogether, maintaining that this function requires legal training and should reside only with members of the Court.

In its discussion, members of the Rules Committee acknowledged the potential for inconsistent handling of non-compliant documents. It emphasized that any discretion granted to the Registry would need to be supported by clear parameters and adequate training.

While members of the Rules Committee generally agreed that permitting the Registry to reject egregiously non-compliant documents could promote efficiency, they also questioned whether any benefits would be offset by parties appealing rejections to the Court.

Finally, the Committee acknowledged that any further analysis of this proposal should take into account the potential implications of digitization in shaping the scope of discretion granted to the Registry.

The Sub-Committee recommends that this proposal be explored further as time and other priorities may permit.

d) Regulating the use of artificial intelligence (AI)

A recurring suggestion that was made in the course of the Sub-Committee's consultations was that the Rules explicitly address the use of AI in court documents and expert evidence.

In its discussion, members of the Rules Committee acknowledged that AI raises novel issues that are not addressed in the Rules. However, it was also recognized that the rapid pace of AI development presents challenges to codifying expectations in fixed Rules, which risk becoming outdated soon after their adoption.

The Federal Court has issued an updated Notice on the Use of Artificial Intelligence in Court Proceedings (amended May 7, 2024), which requires parties to declare when AI has been used to generate or create content in documents submitted to the Court. The Federal Court has also included a paragraph on AI in its Amended Consolidated General Practice Guidelines, indicating that failure to comply with the Notice may result in consequences for parties and/or counsel, including the imposition of an adverse costs award or an order to show cause why the party or counsel in question should not be held in contempt.

Recent Federal Court decisions have underscored the importance of compliance: the Court has imposed consequences on parties and counsel who have either failed to comply with the Notice or concealed their use of AI. Sanctions have included costs awards and the removal of documents from the Court record.[4] These developments suggest that the existing Rules and practice direction provide adequate mechanisms to address serious instances of AI misuse. However, ongoing vigilance will be necessary to ensure that the Rules keep pace with important developments in the use and regulation of AI within the legal profession.

The Sub-Committee recommends that the Rules not be amended at this time to address the use AI. However, the issue should continue to be revisited as the technology and its use in legal proceedings evolve.

[4] *Hussein v Canada (Immigration, Refugees and Citizenship)*, 2025 FC 1138 and *Lloyd's Register Canada Ltd. v Choi*, 2025 FC 1233.

3. Proposals that the Sub-Committee does not recommend pursuing further

a) Amending the Rules to reflect certain jurisprudential developments

Several rulings of the Federal Courts have clarified the scope of the Rules and the authority of the Federal Courts. The Invitation solicited comments on whether to amend the Rules to reflect jurisprudential developments and provided specific examples of potential amendments.

While some of the proposed amendments were well-supported, others proved to be more contentious. The proposal to amend the Rules to permit representation by a non-lawyer if the interests of justice so require generated strong reaction. Some participants cautioned that this could open the door for immigration consultants to appear before the Federal Courts. A broader concern focused on the lack of regulation of non-lawyers and the potential adverse impact on access to justice.

A proposal to amend Rule 466 to explicitly provide that failure to comply with a direction may constitute contempt also generated significant discussion. The potential for a finding of contempt for non-compliance with a direction is currently recognized in jurisprudence.[5]

In the absence of a demonstrable benefit, the Sub-Committee does not recommend amending the Rules to reflect the jurisprudential developments identified in the Invitation.

b) Revising the Rules governing class actions to reflect changes in other jurisdictions

Class action proceedings before the Federal Courts are governed by Part 5.1 of the Rules. These Rules set out the procedural requirements for advancing a class action, from certification to costs. The Invitation solicited comments on whether to revise the Rules to reflect procedural changes in the provinces, notably Ontario. Examples of possible revisions were included in the Invitation.

While participants were generally supportive of some proposals —such as adopting an expedited process for carriage motions and coordinating multijurisdictional class actions— they expressed strong opposition to others, notably the suggestion to permit certification only if common questions of fact or law predominate. Those who expressed concerns tended to focus on potential barriers to access to justice.

In its discussion, members of the Rules Committee emphasized the importance of access to justice and the effective stewardship of class actions. It was suggested that any amendments should aim to preserve the attractiveness of the Federal Courts as a forum for national class actions. The jurisprudence that has developed, particularly in the Federal Court of Appeal, is robust and provides clear guidance for the conduct of class actions under the existing Rules.

[5] *Planet Fitness Inc. v Planet Fitness Franchising LLC*, 2025 FC 840, citing *Njoroge v Canada (Attorney General)*, 2023 FCA 98.

The Sub-Committee does not recommend changes to the Rules governing class actions at this time. Future examination of the class actions Rules is best undertaken by a specialized working group should a need be identified in the future.

c) Providing that decisions of associate judges may be appealed only with leave, or directly to the Federal Court of Appeal

The Invitation solicited input on whether the Rules should be amended to change the appeal process for rulings made by associate judges. Those who addressed this issue observed that this proposal would not improve efficiency or save expense. They noted that adding a leave requirement or providing for an appeal directly to the Federal Court of Appeal could introduce new barriers, make proceedings more complex, or result in protracted appeal proceedings.

In its discussion, members of the Rules Committee expressed concern that the proposal could cause delays or increase the Federal Courts' workload, depending on the approach taken. Implementation may also require statutory amendment.

The Sub-Committee does not recommend that this proposal be pursued further.

d) Creating two sets of Rules, one for the Federal Court and one for the Federal Court of Appeal

Currently, the Rules govern proceedings before both Federal Courts. The Invitation solicited comments on whether two sets of Rules should be created, one for the Federal Court and another for the Federal Court of Appeal.

The majority of participants supported maintaining a single set of Rules for both Federal Courts. A unified framework provides predictability and allows parties to benefit from a common body of caselaw. Some participants also noted that having two separate sets of Rules could hinder access to justice for self-represented litigants, who would be required to make sense of two distinct procedural regimes.

In its discussion, members of the Rules Committee observed that no clear benefits of adopting two separate sets of Rules had been identified. In light of current budgetary constraints and overburdened resources of the Registry, the Committee considered it more practical to maintain a common set of Rules for both Courts to ensure consistency and ease of application.

The Sub-Committee does not recommend that this proposal be pursued further.

e) Enacting a Rule on the permitted scope of practice directions

The Invitation sought the views of participants on the possibility of enacting a rule to address the permitted scope of practice directions.

While some participants recognized that practice directions provide flexibility, others noted that they require parties to consult several sources of information to determine the proper procedure. Some expressed concern about the use of practice directions to, in effect, amend the Rules.

In its discussion, members of the Rules Committee recognized the challenge of articulating the circumstances in which a practice direction will be appropriate. While there may be value in providing a stronger legal foundation for the use of practice directions, the Rules should not unduly constrain the discretion of a Chief Justice to issue directions in exigent circumstances.

The Sub-Committee does not recommend that this proposal be pursued further at this time.

f) Including dedicated rules for particular practice areas

The Invitation sought comments on whether dedicated rules should be developed for particular practice areas. This proposal is unrelated to the *Federal Courts Citizenship, Immigration and Refugee Protection Rules*, which are outside the scope of the current review. Some participants supported the creation of specialized rules governing proceedings in the areas of intellectual property law, aboriginal law, and applications pursuant to s 77 of the *Official Languages Act*. Others, however, expressed concern that the addition of area-specific rules could result in an unnecessary expansion of the Rules.

The Sub-Committee does not recommend that this proposal be pursued further at this time.

g) Miscellaneous amendments for which there was little or no support

The following proposals—originally listed in the "Miscellaneous Amendments" section of the Invitation—received a lack of clear support from participants and members of the Rules Committee:

- Setting a deadline for the service of expert reports under Rule 52.2.
- Considering whether the notice of appearance under Rule 305 should include grounds of opposition, and whether the timeline for filing the notice of appearance should be extended.
- Extending the 20-day limit for cross-examinations under Rule 308.
- Amending Rule 314(2)(d) to require that parties provide their availabilities for more than 90 days in their requisition for a hearing.
- Under Rule 95(2), requiring answers to non-privileged and proportionate questions under reserve of objection, unless otherwise ordered.

The Sub-Committee does not recommend that these proposals be pursued further.

CONCLUSION

While the current Rules continue to serve their purpose effectively, the consultation process and the Rules Committee's discussions revealed broad support for targeted modernization—particularly in the areas of electronic service and filing and digitization, procedural efficiency, and the removal of outdated practices and technology.

In addition to the recommendations contained in this Final Report, the Sub-Committee wishes to emphasize the importance of ensuring that the Rules align with the DCM project as it continues to evolve.

Members of the Global Review Sub-Committee:

Federal Court of Appeal:	Justices LeBlanc and Monaghan
Federal Court:	Justices Fothergill (Chair) and Furlanetto
	Associate Judges Steele and Horne

Senior Counsel to the Sub-Committee: Dominique Henrie

ANNEX A - REGISTRY RECOMMENDATIONS

The Registries of the Federal Court of Appeal and Federal Court made recommendations for implementing modernized Court procedures, including the following:

Issue 1: Electronic Service and Filing:

- Allow electronic service until 11:59 pm and standardize time zones.
- Modify the Acknowledgement of Receipt Form to include electronic service options.
- Remove the requirement for the Registry to serve the Crown at a specific regional office under Rule 133(2)(b).
- Integrate format requirements directly into each relevant form to simplify requirements for self-represented litigants.
- Remove the requirements for certified paper copies (Rule 65).
- Remove the confirmation requirement for electronically transmitted documents (Rule 395).

Issue 2: Removal of Anachronisms:

- Implement a Rule enabling Guidelines or Practice Directions for formatting requirements, instead of having the requirements in the Rules (see Rule 21, Rules of the Supreme Court of Canada).
- Update the Rules to improve the efficiency of payment collections by de-coupling payment of fees from submission for filing and introducing a timeline for payment confirmation.

Issue 3: Incorporating elements from the Practice Directions:

- Clarify that parties that file separate books of authorities under Rule 348(2) must serve them on the other parties.
- Clarify the process for requesting an oral hearing under Rule 35(2)(a) and Rule 369(2).

Additional recommendations:

- Clarify which Rules apply to motions in writing brought to the Federal Court of Appeal.
- Align the Requisition for Hearing forms (Forms 314 and 347) with paragraph 34 of the Federal Court of Appeal's Consolidated Practice Direction.
- Enhance support services for self-represented litigants and improve the Centre for Access to Justice materials. Host instructional videos on the website and improve website functionality.
- Clarify the fees payable in Tariff A by harmonizing the fees for digital files, physical document copies, and audio recordings.

- ❖ Consider raising or eliminating filing fees for improved efficiency.

The Registries also submitted a draft overview initiative related to simplifying the judicial review process for self-represented litigants.

ANNEX B - HOUSEKEEPING ITEMS

The following housekeeping items have been identified by the Sub-Committee as worthy of consideration. This list is not necessarily exhaustive.

- Add the National Day of Truth and Reconciliation to the list of holidays (Rule 2).
- Change “seasonal recess” to “winter recess” (Rules 2, 6(3), 34(1), 40(1)).
- Change to “His Majesty in right of Canada” (Rule 27(2)).
- Consider merging Rules 34 and 35 and/or explicitly requiring that motions of two hours or more be heard by way of special appointment, not on the general sittings.
- Declaratory relief (move to more logical location) (Rule 64).
- Move Rule 67(6) under Part 7.
- Requirement to submit documents in English or French extended to documents received but not filed (Rule 68).
- Include the option to affirm (Rule 92).
- Preliminary answer to objections, replace “may” by “must” (Rule 95(2)).
- Move Rule 153 under Part 4 and consider if it should apply to applications.
- Move Rules 200 and 201 under Part 3 or extend to Part 5.
- Move Rule 221 under Part 3.
- Remove “deemed filing” of supporting affidavits in Rules 306 and 307.
- Amend Rule 308 to specify that cross-examination on affidavits must be completed by all parties within 20 days after the filing of the respondent’s “proof of service of its affidavits or the expiration of the time for doing so, whichever is earlier.” This would replace the current requirement of “20 days after the filing of the respondent’s affidavit”.
- Amend Rules 309(2)(d) and 310(2)(b) to read “each supporting affidavit and documentary exhibit served” to clarify that affidavits must be in the Court record.
- For decisions transmitted electronically, change the confirmation of reception to confirmation of (successful) transmission (Rule 395(2)).
- Consider whether to increase or expand the fees payable for a service or procedure set out in Tariff A of the Rules.