



Province of Alberta

COURT OF QUEEN'S BENCH ACT

Revised Statutes of Alberta 2000
Chapter C-31

Current as of December 11, 2018

Office Consolidation

© Published by Alberta Queen's Printer

Alberta Queen's Printer
Suite 700, Park Plaza
10611 - 98 Avenue
Edmonton, AB T5K 2P7
Phone: 780-427-4952
Fax: 780-452-0668

E-mail: qp@gov.ab.ca
Shop on-line at www.qp.alberta.ca

Copyright and Permission Statement

Alberta Queen's Printer holds copyright on behalf of the Government of Alberta in right of Her Majesty the Queen for all Government of Alberta legislation. Alberta Queen's Printer permits any person to reproduce Alberta's statutes and regulations without seeking permission and without charge, provided due diligence is exercised to ensure the accuracy of the materials produced, and Crown copyright is acknowledged in the following format:

© Alberta Queen's Printer, 20__.*

*The year of first publication of the legal materials is to be completed.

Note

All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

Regulations

The following is a list of the regulations made under the *Court of Queen's Bench Act* that are filed as Alberta Regulations under the Regulations Act

	Alta. Reg.	<i>Amendments</i>
Court of Queen's Bench Act		
Fees and Expenses for Witnesses and Interpreters	123/84	80/87, 289/88, 187/91, 206/2001, 64/2005, 221/2006, 306/2006, 68/2008, 31/2012, 170/2012
Judicial Districts.....	117/2010	
Provincial Court Judges and Masters in Chambers Compensation	176/98	14/99, 104/99, 211/99, 216/2000, 54/2001, 197/2001, 251/2001, 198/2002, 131/2003, 221/2004, 239/2004, 66/2005, 117/2005, 266/2006, 104/2007, 170/2007, 61/2008, 12/2009, 43/2009, 20/2012, 170/2012, 178/2015

Provincial Judges and Masters in Chambers Registered and Unregistered Pension Plans.....	196/2001	251/2001, 24/2002, 78/2002, 97/2002, 118/2005, 267/2006, 68/2008, 13/2009, 43/2009, 21/2012, 31/2012, 170/2012, 222/2017
Transcript Fees and Format.....	167/2010	31/2012, 170/2012, 62/2013, 145/2015

COURT OF QUEEN'S BENCH ACT

Chapter C-31

Table of Contents

1	Definitions
	Constitution of the Court
2	Continuation of Court
3	Composition of Court
4	Supernumerary judges
	Judges
5	Oath of office
6	Residence
7	Judgment by former judge
7.1	Judges are justices of the peace
	Masters in Chambers
8	Appointment of masters in chambers
8.1	Retirement age
8.2	Reappointment of masters in chambers
8.21	Reappointment of half-time masters in chambers
8.3	Appointment of ad hoc master in chambers
8.4	Resignation
9,10	Jurisdiction
10.1	Inability of master in chambers to complete proceedings
10.2	Judgment by former master in chambers
11	Referee
12	Appeal
13	Reference to judge
14	Protection from action
14.1	Confidentiality of selection process
15	Complaints
15.1	Restriction on other employment
16	Regulations

Case Management Counsel

- 16.1 Appointment of case management counsel
- 16.2 Power and duties of case management counsel

Officers and Employees Generally

- 17 Personnel
- 18 Powers of officers of Court
- 19 Duties of sheriffs, etc.

Miscellaneous

- 21 Costs
- 22 Court sittings
- 23 Judicial districts
- 24 Council of judges

Transitional and Consequential

- 26 References
- 27 Transition to new name

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

Definitions

- 1 In this Act,
 - (a) “Associate Chief Justice” means an Associate Chief Justice of the Court of Queen’s Bench of Alberta;
 - (a.1) “Chief Justice”, except in sections 5 and 25(1)(a), means the Chief Justice of the Court of Queen’s Bench of Alberta;
 - (a.2) “Court” means the Court of Queen’s Bench of Alberta;
 - (b) “judge” includes a supernumerary judge of the Court of Queen’s Bench of Alberta;
 - (b.1) “Judicial Council” means the Judicial Council established under Part 6 of the *Judicature Act*;
 - (b.2) “master in chambers” means a master in chambers appointed or approved to continue in office under this Act and includes a half-time master in chambers, a part-time master in chambers and an ad hoc master in chambers;

- (c) "Minister" means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act.

RSA 2000 cC-31 s1;2008 c13 s2;2011 c20 s4;2015 c12 s2;
2017 c22 s15

Constitution of the Court

Continuation of Court

2(1) The Trial Division of the Supreme Court of Alberta is continued as a superior court of civil and criminal jurisdiction styled the Court of Queen's Bench of Alberta.

(1.1) The Surrogate Court of Alberta is continued in the Court of Queen's Bench.

(2) Repealed 2018 c20 s6.

(3) The Lieutenant Governor in Council may authorize a seal to be used by the Court as occasion requires.

RSA 2000 cC-31 s2;RSA 2000 c16(Supp) s35;2018 c20 s6

Composition of Court

3(1) The Court consists of

- (a) the chief judge, who shall be called the Chief Justice of the Court of Queen's Bench of Alberta,
- (b) 2 associate chief judges, who shall each be called Associate Chief Justice of the Court of Queen's Bench of Alberta,
- (c) 74 other judges, who shall be called justices of the Court of Queen's Bench of Alberta, and
- (d) the supernumerary judges of the Court.

(2) The Lieutenant Governor in Council may by order increase the number of judges of the Court.

(3) Notwithstanding subsection (1), each judge of the Court of Appeal of Alberta is by virtue of that office a judge of the Court of Queen's Bench.

(4) Notwithstanding subsection (1), there is an additional office of judge of the Court that a Chief Justice who has resigned the office of Chief Justice may elect to hold on compliance with, and on meeting the qualifications under, the *Judges Act* (Canada).

(5) Notwithstanding subsection (1), there is an additional office of judge of the Court that an Associate Chief Justice who has resigned

the office of Associate Chief Justice may elect to hold on compliance with, and on meeting the qualifications under, the *Judges Act* (Canada).

RSA 2000 cC-31 s3;2008 c13 s3;2013 c23 s4;2015 c12 s2;
2017 c22 s15

Supernumerary judges

4(1) For each office of judge under section 3(1)(a), (b) and (c) there is an additional office of supernumerary judge that any judge of the Court may elect to hold on compliance with, and on meeting the qualifications under, the *Judges Act* (Canada).

(2) If the Chief Justice or an Associate Chief Justice makes an election under subsection (1), that Justice shall hold only the office of supernumerary judge of the Court.

RSA 2000 cC-31 s4;2008 c13 s4;2015 c12 s2

Judges

Oath of office

5 Each judge and master in chambers, before entering on the duties of that office, shall take the oath prescribed by the *Oaths of Office Act* before the Lieutenant Governor, the Chief Justice of Alberta, the Chief Justice of the Court of Queen's Bench of Alberta or an Associate Chief Justice.

RSA 2000 cC-31 s5;2008 c13 s5;2015 c12 s2

Residence

6(1) The Chief Justice shall reside at or in the neighbourhood of Edmonton or Calgary.

(2) Before entering on the duties of office, each judge other than the Chief Justice shall reside at or in the neighbourhood of a city approved in writing by the Minister and may subsequently with the approval in writing of the Minister change the judge's place of residence so as to reside at or in the neighbourhood of another city.

(3) In exercising the Minister's powers of approval under subsection (2), the Minister shall, as far as possible, ensure that one or more judges reside at or in the neighbourhood of each of Calgary, Edmonton, Grande Prairie, Lethbridge, Medicine Hat and Red Deer.

(4) Subsection (3) applies only in respect of a power of approval exercised

- (a) in respect of a judge who was not a judge of The Trial Division of the Supreme Court of Alberta or The District Court of Alberta immediately before June 30, 1979, or

- (b) in respect of a judge who was a judge of The Trial Division of the Supreme Court of Alberta or The District Court of Alberta immediately before June 30, 1979 and who changes the judge's place of residence after June 30, 1979.

RSA 2000 cC-31 s6;2008 c13 s6

Judgment by former judge

7 If a judge ceases to hold office without giving a judgment in any matter that was fully heard by him or her, the judge may, within 3 months after ceasing to hold office, give judgment in that matter as if the judge were still a judge of the Court and that judgment has the same effect as though given by a judge of the Court.

RSA 1980 cC-29 s7

Judges are justices of the peace

7.1 Every judge is, by virtue of the judge's office, a justice of the peace for the purposes of an application made under section 492.1 or 492.2 of the *Criminal Code* (Canada) when that application is made in conjunction with an application under Part VI of the *Criminal Code* (Canada).

2009 c42 s2

Masters in Chambers

Appointment of masters in chambers

8(1) The Lieutenant Governor in Council may appoint officers of the Court called masters in chambers.

(2) The Lieutenant Governor in Council shall make regulations respecting the remuneration and benefits to be paid to masters in chambers.

(3) Repealed 2008 c13 s7.

RSA 2000 cC-31 s8;2008 c13 s7

Retirement age

8.1(1) A master in chambers shall retire on attaining the age of 70 years.

(2) Subject to Part 6 of the *Judicature Act*, no master in chambers may be removed from office before attaining retirement age.

2008 c13 s8

Reappointment of masters in chambers

8.2(1) Notwithstanding section 8.1(1), a master in chambers may, in accordance with this section, continue in office as a master in chambers.

- (2) Where a master in chambers is approaching the age of 70 years, the Chief Justice may approve that person to continue in office as a master in chambers for a term of one year.
- (3) Where a master in chambers has been approved to continue in office as a master in chambers under this section, the Chief Justice may approve that person to continue in office as a master in chambers for a further term of one year.
- (4) The Chief Justice may approve a person to continue in office as a master in chambers under this section if
- (a) the Chief Justice determines that approving that person to continue in office will enhance the efficient and effective administration of the Court, and
 - (b) the approval is given in accordance with and subject to the criteria established by the Chief Justice and approved by the Judicial Council.
- (5), (5.1) Repealed 2017 c22 s15.
- (6) A master in chambers may only be approved to continue in office under this section if
- (a) repealed 2017 c22 s15,
 - (b) the master in chambers has consented to continue in office,
 - (c) the master in chambers is not nor has been an ad hoc master in chambers, and
 - (d) the master in chambers has not attained the age of 75 years.
- (7) A master in chambers who has been approved to continue in office under this section may, subject to subsection (6), be approved to continue in office under subsection (3) for further terms of one year.
- (8) Notwithstanding anything in this section, if a master in chambers who is approved to continue in office under this section attains the age of 75 years at any time during the master's term, that master's term expires when that master in chambers attains that age.
- (9) If a master in chambers is approved to continue in office under this section, the Chief Justice shall notify the person designated by the Minister no later than 20 days before the effective date of the approval in the form approved by the Minister.

(10) A master in chambers who, on the coming into force of this subsection, is serving a term of office after having been reappointed under subsection (2) or (3), as they read at any time before the coming into force of this subsection, is deemed, on the coming into force of this subsection, to have been approved to continue in office for the same term.

2008 c13 s8;2014 c13 s1;2017 c22 s15

Reappointment of half-time masters in chambers

8.21(1) Notwithstanding section 8.1(1), a master in chambers may, in accordance with this section, continue in office as a half-time master in chambers.

(2) Where a master in chambers

- (a) has attained the age of 60 years and has completed 10 years of service as a master in chambers, and
- (b) states in writing to the Chief Justice that the master in chambers is prepared to retire as a full-time master in chambers in order to continue in office as a half-time master in chambers,

the Chief Justice may approve that person to continue in office as a half-time master in chambers on that person's retirement as a full-time master in chambers if the Chief Justice determines that approving that person to continue in office will enhance the efficient and effective administration of the Court.

(3) Where a master in chambers

- (a) is approaching the age of 70 years but has not attained age 70, and
- (b) states in writing to the Chief Justice that the master in chambers is prepared to retire at age 70 as a full-time master in chambers in order to continue in office as a half-time master in chambers,

the Chief Justice may approve that person to continue in office as a half-time master in chambers on that person's retirement as a full-time master in chambers if the conditions in subsection (6) are met.

(4) Where a master in chambers

- (a) has been approved to continue in office as a full-time master in chambers pursuant to section 8.2, and

- (b) states in writing to the Chief Justice that the master in chambers is prepared to retire as a full-time master in chambers in order to continue in office as a half-time master in chambers,

the Chief Justice may approve that person to continue in office as a half-time master in chambers on that person's retirement as a full-time master in chambers if the conditions in subsection (6) are met.

(5) Where a master in chambers

- (a) is a half-time master in chambers whose term is about to expire, and
- (b) states in writing to the Chief Justice that the master in chambers is prepared to continue as a half-time master in chambers,

the Chief Justice may approve that person to continue in office for one year as a half-time master in chambers if the conditions in subsection (6) are met.

(6) The Chief Justice may approve a person to continue in office under subsection (3), (4) or (5) if

- (a) the Chief Justice determines that approving that person to continue in office under subsection (3), (4) or (5) will enhance the efficient and effective administration of the Court, and
- (b) the approval is given in accordance with and subject to the criteria established by the Chief Justice and approved by the Judicial Council.

(7), (7.1) Repealed 2017 c22 s15.

(8) A master in chambers shall only be approved to continue in office as a half-time master in chambers if

- (a) the master in chambers has consented to continue in office as a half-time master in chambers,
- (b) the master in chambers is not nor has been approved to continue in office as an ad hoc master in chambers, and
- (c) the master in chambers has not attained the age of 75 years.

(9) The term for which a half-time master in chambers is approved to continue in office under this section is as follows:

- (a) if the master in chambers is approved to continue in office under subsection (2), the term commences on the date the master is approved to continue in office as a half-time master and expires on the commencement of the master's 70th birthday;
 - (b) if the master in chambers is approved to continue in office under subsection (3), the term is one year commencing on the master's 70th birthday;
 - (c) if the master in chambers is approved to continue in office under subsection (4), the term commences on the date the master is approved to continue in office as a half-time master and expires on the commencement of the master's next birthday;
 - (d) if the master in chambers is approved to continue in office under subsection (5), the term is one year commencing on the expiry of the previous term.
- (10)** A half-time master in chambers must serve the equivalent of 6 months of full-time service during the year.
- (11)** Half-time masters in chambers shall, in addition to any pension benefits, be paid an annual salary of up to 50% of the annual salary of a full-time master in chambers, but the total annual salary and pension benefits payable to a half-time master in chambers cannot exceed the annual salary of a full-time master in chambers.
- (12)** Notwithstanding anything in this section, the term of a half-time master in chambers expires when the master in chambers attains the age of 75 years.
- (12.1)** If a master in chambers is approved to continue in office under this section, the Chief Justice shall notify the person designated by the Minister no later than 20 days before the effective date of the approval in the form approved by the Minister.
- (13)** Subject to Part 6 of the *Judicature Act*, no half-time master in chambers approved to continue in office under this section may be removed from office before the expiry of that master's term.
- (14)** A master in chambers who, on the coming into force of this subsection, is serving a term of office after having been appointed or reappointed under subsection (2), (3), (4) or (5), as they read at any time before the coming into force of this subsection, is deemed, on the coming into force of this subsection, to have been approved to continue in office for the same term.

2011 c20 s4;2014 c13 s1;2017 c22 s15

Appointment of ad hoc master in chambers**8.3(1)** Where

- (a) a master in chambers retires or resigns, or
- (b) the term of office of a master in chambers approved to continue in office under section 8.2 expires,

that person may elect to become an ad hoc master in chambers.

(2) A master in chambers who is retired from office under Part 6 of the *Judicature Act* is not entitled to elect to become an ad hoc master in chambers.

(3) The Chief Justice may approve a person to continue in office as an ad hoc master in chambers if the person has made an election under subsection (1).

(4) The term of an ad hoc master in chambers is 2 years, but the Chief Justice may approve the ad hoc master to continue in office for further periods of 2 years.

(5) Section 8.1 does not apply to an ad hoc master in chambers.

(6) If a master in chambers is approved to continue in office under this section, the Chief Justice shall notify the person designated by the Minister no later than 20 days before the effective date of the approval in the form approved by the Minister.

(7) A master in chambers who, on the coming into force of this subsection, is serving a term of office after having been appointed under subsection (3), as it read at any time before the coming into force of this subsection, is deemed, on the coming into force of this subsection, to have been approved to continue in office for the same term.

2008 c13 s8;2017 c22 s15

Resignation

8.4 A master in chambers may at any time resign from being a master in chambers by giving a written notice signed by that master in chambers that includes the effective date of the resignation and delivering that notice to the Minister.

2008 c13 s8

Jurisdiction

9(1) In regard to all matters brought or proposed to be brought in the Court, a master in chambers

- (a) has the same power and may exercise the same jurisdiction as a judge sitting in chambers except in respect of
 - (i) appeals, applications in the nature of appeals, applications concerning the hearing of appeals and applications to vary or rescind an order made by a judge,
 - (ii) subject to subsection (2), stays of proceedings after verdict or on judgment after trial or hearing before a judge, unless all parties consent to the exercise of that jurisdiction by the master, and
 - (iii) a matter for which the Chief Justice has given a direction that a master is not to exercise that jurisdiction,

and

- (b) with the consent of the parties, has the same power and may exercise the same jurisdiction as a judge for hearing, determining and disposing of all applications and other matters.

(2) A master in chambers may, under section 181(1)(a) of the *Traffic Safety Act*, order that a suspension of a licence be stayed.

(3) Notwithstanding subsection (1), the power of and the jurisdiction exercisable by a master in chambers does not include

- (a) the trial of actions,
- (b) the determination of disputed or contentious questions of fact unless the parties agree to the disposition of the questions in chambers on affidavit evidence and without the trial of an issue or the hearing of oral evidence,
- (c) any matters relating to criminal proceedings or the liberty of the subject,
- (d) applications relating to civil contempt or for an injunction or a judgment or order in the nature of certiorari, prohibition, mandamus or quo warranto, or
- (e) anything that by law is required to be done by a judge.

(4) Notwithstanding subsection (3), a master in chambers has the same power and may exercise the same jurisdiction as the Court under sections 17 and 27 to 32 of the *Maintenance Enforcement Act*.

RSA 2000 cC-31 s9;RSA 2000 cT-6 s195;RSA 2000 c17(Supp) s4;
2001 c23 s8;2009 c53 s4;2015 c12 s2

Jurisdiction

10 Notwithstanding section 48 of the *Law of Property Act*, a master in chambers has power and jurisdiction

- (a) to postpone the day fixed for redemption in any order made by the master, and
- (b) to reopen a final order for foreclosure made by the master.

RSA 1980 cC-29 s10

Inability of master in chambers to complete proceedings

10.1 If a proceeding has commenced and the presiding master in chambers is unable for any reason to complete the proceedings, any master in chambers requested by the Chief Justice to act may

- (a) continue the proceedings to completion from where the proceedings were left off, or
- (b) recommence the proceedings if in the opinion of the master in chambers that is required to ensure justice.

2008 c13 s9

Judgment by former master in chambers

10.2 If a master in chambers ceases to hold office without giving a judgment or making an order in any matter that was fully heard by that master in chambers, that person may, within 3 months after ceasing to hold office, give judgment or make an order in that matter as if that person were still a master in chambers, and that judgment or order has the same effect as though given by a master in chambers.

2008 c13 s9

Referee

11 A master in chambers is an official referee for the purposes of a reference by a judge.

RSA 1980 cC-29 s11

Appeal

12 An appeal lies to a judge in chambers from a decision of a master in chambers.

RSA 1980 cC-29 s12

Reference to judge

13 A master in chambers may refer any matter before the master to a judge for decision and the judge may dispose of or refer back the matter in whole or in part.

RSA 1980 cC-29 s13

Protection from action

14(1) No action may be brought against a master in chambers for any act done or omitted to be done in the execution of the master's duty or for any act done in a matter in which the master lacked jurisdiction or exceeded the master's jurisdiction unless it is proved that the master acted maliciously and without reasonable and probable cause.

(2) No action for the recovery of damages lies against any person in respect of an act or thing done or omitted to be done at any time, whether before or after the coming into force of this section, in the execution of an order, warrant or judgment to which subsection (1) relates, or purporting to be done in compliance with or incidental to an order, warrant or judgment.

(3) The Minister of Justice and Solicitor General may make a payment for damages or costs, including lawyer's charges, incurred by the master in respect of an act, omission or matter described in subsection (1).

RSA 2000 cC-31 s14;2008 c32 s2;2009 c53 s4;2013 c10 s34

Confidentiality of selection process

14.1 Records containing information arising from the process for the selection of masters in chambers are confidential and notwithstanding the *Freedom of Information and Protection of Privacy Act* are not subject to that Act.

2008 c13 s10

Complaints

15 A complaint about a master in chambers respecting the master's

- (a) competence,
- (b) conduct or misbehaviour,
- (c) neglect of duty, or
- (d) inability to perform the master's duty

must be dealt with in accordance with Part 6 of the *Judicature Act*.

1996 c28 s11;1998 c18 s1

Restriction on other employment

15.1(1) Unless otherwise authorized by the Lieutenant Governor in Council, a master in chambers who is appointed as a full-time, half-time or part-time master in chambers shall not carry on or practise any other business, profession, trade or occupation.

(2) This section applies only to masters appointed on or after the date this section comes into force.

2011 c20 s4

Regulations

16(1) The Lieutenant Governor in Council shall make regulations

- (a) fixing the salaries to be paid to masters in chambers;
- (b) fixing the amount to be paid to masters in chambers sitting part time and half-time;
- (c) providing for the benefits to which masters in chambers are entitled, including
 - (i) personal expense allowances and services;
 - (ii) travel and moving allowances;
 - (iii) leaves of absence and vacations;
 - (iv) sick leave credits and payments in respect of those credits;
 - (v) benefits under one or more pension plans for masters in chambers and other individuals deriving benefit entitlements through them;
- (d) without limiting anything in clause (c), providing for the continuation or establishment of
 - (i) one or more pension plans, including a supplemental retirement plan that may or may not be registrable under the *Income Tax Act* (Canada), and
 - (ii) one or more pension funds,

including the making of any provisions in respect of those plans or funds that are made, or that are similar to or that correspond to provisions made, by or under, or that could be made under, the *Public Sector Pension Plans Act* with respect to any pension plan or pension fund continued or established by that Act;
- (e) providing for the transfer or other disposition of those benefits to which persons appointed as masters in chambers under this Act were entitled under the *Public Service Act* and the regulations under that Act or the Public Service Pension Plan, the Public Service Management (Closed

Membership) Pension Plan or the Management Employees Pension Plan at the time of their appointment under this Act.

(2) Regulations made under subsection (1) shall, if so provided in the regulation, be effective from a date prior to the making of the regulation.

RSA 2000 cC-31 s16;2011 c20 s4

Case Management Counsel

Appointment of case management counsel

16.1 In accordance with the *Public Service Act*, there may be appointed officers of the Court called case management counsel as the business of the Court requires.

2014 c13 s1

Power and duties of case management counsel

16.2(1) Subject to this section, a case management counsel may perform all duties with respect to the case management of matters before the Court that are

- (a) assigned by the Chief Justice, or
- (b) expressly assigned for performance by a case management counsel in the *Alberta Rules of Court*.

(2) The powers and duties of a case management counsel do not include functions that require judicial independence and those functions shall not be assigned to case management counsel by the Chief Justice.

2014 c13 s1

Officers and Employees Generally

Personnel

17 In accordance with the *Public Service Act*, there may be appointed all officers and employees that the business of the Court requires.

RSA 1980 cC-29 s15

Powers of officers of Court

18(1) An officer of the Court, for the purpose of matters directed by the Court to be taken before the officer, has power to administer oaths, take affidavits and statutory declarations, receive affirmations and question parties and witnesses, as the Court may direct.

(2) An officer of the Court, at the direction of the Court, may assist the Court with respect to the management of matters before the Court and the business of the Court.

RSA 2000 cC-31 s18;RSA 2000 c16(Supp) s72;
2008 c13 s11;2009 c53 s4

Duties of sheriffs, etc.

19 Sheriffs, civil enforcement bailiffs, jailers and peace officers shall give assistance to and comply with the directions of the Court and the judges in the exercise of the jurisdiction of the Court.

RSA 1980 cC-29 s17;1994 cC-10.5 s119

Miscellaneous

20 Repealed 2009 c53 s4.

Costs

21 Subject to an express provision to the contrary in any enactment, the costs of and incidental to any matter authorized to be taken before the Court or a judge are in the discretion of the Court or judge and the Court or judge may make any order relating to costs that is appropriate in the circumstances.

RSA 1980 cC-29 s19

Court sittings

22 The Chief Justice, in consultation with the Associate Chief Justices, may designate the sittings of the Court.

RSA 2000 cC-31 s22;2015 c12 s2

Judicial districts

23 The Lieutenant Governor in Council may by regulation

- (a) establish judicial districts and sub-districts;
- (b) alter the boundaries of any judicial district or sub-district;
- (c) provide for and govern the transfer and the effect of the transfer of documents and judicial processes from one judicial district or sub-district to another judicial district or sub-district;
- (d) make any provision that the Lieutenant Governor in Council considers necessary to protect any interests affected by the operation of a regulation made under this section.

RSA 1980 cC-29 s21;1994 cC-10.5 s119

Council of judges

24(1) A council comprised of the judges shall, at least once in every year on a day fixed by the Chief Justice and of which the Chief Justice shall give notice to the judges, assemble for the purpose of

- (a) considering

(i) the operation of this Act and the rules made under this Act, and

(ii) the working of, and the arrangements governing the performance of duties by, the officers of the Court,

and

(b) inquiring into and examining any defects that appear to exist in the procedure of any court or other authority.

(2) If it considers it necessary and appropriate to do so, the council may form one or more subcommittees to deal with any matter referred to in subsection (1) and each subcommittee so formed shall meet at the times and places necessary to achieve the purpose for which it was formed.

(3) The council shall report its recommendations to the Lieutenant Governor in Council.

RSA 2000 cC-31 s24;2008 c13 s12

25 Repealed 2009 c53 s4.

Transitional and Consequential

References

26 If in any statute, ordinance, regulation, rule, order, bylaw, agreement or other instrument or document reference is made to

- (a) the Supreme Court of the North-West Territories sitting other than en banc, and the reference occurred prior to September 1, 1905,
- (b) The Supreme Court of Alberta without words indicating the Division of that Court,
- (c) The Trial Division of the Supreme Court of Alberta,
- (d) The District Court of Northern Alberta,
- (e) The District Court of Southern Alberta,
- (f) The District Court of Alberta, or
- (g) a judge of any of those courts,

the reference shall be read as a reference to the Court of Queen's Bench of Alberta or a judge of that Court, as the case may be, unless the context otherwise requires.

RSA 1980 cC-29 s24

Transition to new name

27(1) The Lieutenant Governor in Council may amend sections 2(1) and 8(1) so that

- (a) the superior court of civil and criminal jurisdiction is styled as something other than the Court of Queen's Bench of Alberta, and
- (b) officers appointed under section 8(1) are called something other than masters in chambers.

(2) For the purposes of making any necessary changes as a result of amendments made under subsection (1), the Lieutenant Governor in Council may, by regulation,

- (a) amend the title to this Act, and
- (b) amend this Act, the regulations under this Act or any other Act or any regulation.

(3) The regulations authorized by this section may be made notwithstanding that a regulation being amended was made by a member of the Executive Council or some other person or body.

2018 c20 s6



Printed on Recycled Paper 