



**SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
TRIAL DIVISION**

NOTICE TO THE PROFESSION – UPCOMING RULE AMENDMENTS

The Rules Committee of the Supreme Court of Newfoundland and Labrador, Trial Division, recently approved amendments to rules 7.19 and 58.13(2) of the *Rules of the Supreme Court, 1986*. The regulation was published in the January 20, 2017 edition of the *Newfoundland and Labrador Gazette*. A summary of the amendments is included below:

Summary of Amendments

(a) Rule 7.19 – Fee Waiver

The amendment to rule 7.19 adds sub-rules (10), (11), and (12). Sub-rule (10) permits a party to file a document conditionally, without paying the required fee, where: (a) they have filed an application to have the fee waived or reduced; and (b) where the immediate filing is necessary to enable the person to meet a filing deadline set out in legislation or the rules.

A filing made pursuant to sub-rule (10) will be voided by the Court unless a judge subsequently grants the order waiving the applicable fee or, if the judge reduces the amount payable or refuses the fee waiver application altogether, the party pays the applicable fee within 10 days (rule 7.19(11)).

Rule 7.19(12) provides that the time limits in the rules that begin to run from the date a document is filed do not start when a document is conditionally filed until either the date on which the order waiving the applicable fee is filed or any required filing fee is paid.

(b) Rule 58.13(2) – Setting a case management meeting on an appeal

The amendment to rule 58.13(2) clarifies how a case management meeting is set in an appeal in the General Division. A consequential amendment was also made to Form 58.13A.

If you have any questions with respect to the above, please contact the Court's Legal Officer at 709-729-4743.

RAYMOND P. WHALEN
Chief Justice of the Supreme Court of
Newfoundland and Labrador, Trial Division