

# *The Queen's Bench (Civil Mediation) Regulations*

*Repealed*

by Chapter Q-1.01 Reg 1 (effective July 1, 1999).

*Formerly*

Chapter Q-1 Reg 6 (effective December 1, 1994) as amended  
by Saskatchewan Regulations 96/97.

## **NOTE:**

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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## CHAPTER Q-1 REG 6

### *The Queen's Bench Act*

#### **Title**

**1** These regulations may be cited as *The Queen's Bench (Civil Mediation) Regulations*.

#### **Interpretation**

**2** For the purposes of section 54.2 of *The Queen's Bench Act*, “**close of pleadings**” means:

- (a) for a cause or matter commenced by statement of claim, when a statement of defence is filed or, where a counterclaim, cross-claim or third party claim is filed, when a defence to counterclaim, defence to cross-claim or third party defence is filed;
- (b) for a cause or matter commenced by petition, when that document is filed; and
- (c) for a cause or matter commenced by notice of motion or originating notice, the return date of the notice if a final order is not granted on that return date;

but does not mean that a party to the cause or matter is precluded from filing a notice requesting that the action be transferred to another judicial centre pursuant to subsection 53(2) of *The Queen's Bench Act*.

2 Dec 94 cQ-1 Reg 6 s2.

#### **Judicial centres**

**3** Section 54.2 of *The Queen's Bench Act* applies at the following judicial centres:

- (a) Regina;
- (b) Swift Current;
- (c) Saskatoon.

2 Dec 94 cQ-1 Reg 6 s3; 24 Oct 97 SR 96/97 s2.

#### **Exemptions**

**4** The following categories of causes and matters are exempt from the application of section 54.2 of *The Queen's Bench Act*:

- (a) an action pursuant to Part II of *The Saskatchewan Farm Security Act*;
- (b) an appeal to the court from a decision or order of The Traffic Safety Court of Saskatchewan, the Provincial Court of Saskatchewan, or any board, commission, tribunal or other body or person authorized by statute or regulation to make a decision or order;

- (c) an application for judicial review of a decision or order made by a court, board, commission, tribunal or other body or person, whether made pursuant to Part 52 of the Rules of Court or otherwise;
- (d) a cause or matter commenced by a document other than a statement of claim, notice of motion, originating motion or petition;
- (e) an action pursuant to *The Land Contracts (Actions) Act*;
- (f) an application for interlocutory relief;
- (g) a cause or matter pursuant to the *Bankruptcy and Insolvency Act* (Canada);
- (h) an action or application to enforce an order or judgment of the court or an order or judgment filed in the court for enforcement.

2 Dec 94 cQ-1 Reg 6 s4.

**Court-ordered waiver or postponement**

**5(1)** On application by any party to a cause or matter, the court may:

- (a) exempt the parties to that cause or matter from the requirement to attend a mediation session; or
  - (b) postpone the requirement until a later step in the cause or matter on any terms that the court considers appropriate.
- (2) The application must be accompanied by an acknowledgement in Form C of the Appendix signed by the party requesting the exemption or postponement.

2 Dec 94 cQ-1 Reg 6 s5.

**Forms**

- 6(1)** Form A of the Appendix is prescribed as the form for the certificate of non-attendance.
- (2) Form B of the Appendix is prescribed as the form for the certificate of completion.
- (3) Form C of the Appendix is prescribed as the form for the acknowledgement.

2 Dec 94 cQ-1 Reg 6 s6.

**Appendix**

FORM A  
[Subsection 7(1)]

**Certificate of Non-attendance**

\_\_\_\_\_, a party to this action:

- has attended the mediation session in compliance with section 54.2 of *The Queen's Bench Act*.
- has been exempted from the requirement to attend the mediation session in compliance with section 54.2 of *The Queen's Bench Act*.

\_\_\_\_\_, a party to this action has not attended or been exempted from the requirement to attend the mediation session in compliance with section 54.2 of *The Queen's Bench Act*.

The following attempts were made to provide an opportunity for that party to attend the mediation session:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Mediation Services

FORM B  
[Subsection 7(2)]

**Certificate of Completion**

\_\_\_\_\_, a party to this action:

- has attended the mediation session in compliance with section 54.2 of *The Queen's Bench Act*.
- has been exempted from the requirement to attend the mediation session in compliance with section 54.2 of *The Queen's Bench Act*.

\_\_\_\_\_, a party to this action:

- has attended the mediation session in compliance with section 54.2 of *The Queen's Bench Act*.
- has been exempted from the requirement to attend the mediation session in compliance with section 54.2 of *The Queen's Bench Act*.

\_\_\_\_\_  
Mediation Services

FORM C  
[Subsection 7(3)]

**Acknowledgement**

I, \_\_\_\_\_, a party to this action, request that an order be made:

- exempting me from the requirement that I attend the mediation session in compliance with section 54.2 of *The Queen's Bench Act*.
- postponing the requirement that I attend the mediation session in compliance with section 54.2 of *The Queen's Bench Act*.

I understand that the mediation session is available to me free of charge.

I am of the opinion that:

- I should be exempted from the requirement to attend.
- I should not be required to attend until a later date.

\_\_\_\_\_  
Signature of Party