



COURT OF APPEAL OF QUEBEC

Date: April 18, 2024

CLERK'S PRACTICE DIRECTION NO. 11

STATUTORY AND REGULATORY PROVISIONS REPRODUCED IN SCHEDULE II TO A BRIEF OR MEMORANDUM

The appellate clerks remind counsel and unrepresented parties of the rule prescribing that, in all matters, the statutory and regulatory provisions relied upon in a brief or memorandum must be reproduced in its schedule II.¹

There are two ways of complying with this rule:

(1) incorporate these statutory and regulatory provisions immediately after the other documents that must be included in schedule II; or

(2) reproduce these statutory and regulatory provisions in a separate volume of the brief or memorandum labelled "Schedule II (Statutory and Regulatory Provisions)". This volume forms an integral part of the brief or memorandum and must therefore be filed at the same time as all the volumes. The page numbers in this volume may use numbers with decimals (for example, 60.1, 60.2, etc.) that correspond to the page numbering in the volume of the brief or memorandum in which these provisions would otherwise have been reproduced.

Any supplemental statutory or regulatory provisions needed in addition to those already reproduced in schedule II may be included in the book of authorities.²

The clerks will pay particular attention to the application of this rule; non-compliance will result in the filing of the brief or memorandum being refused.

¹ *Regulation of the Court of Appeal of Quebec in Civil Matters*, s. 51(b)(iv); *Rules of the Court of Appeal of Quebec in Criminal Matters*, s. 41(b)(iii); *Regulation of the Court of Appeal of Quebec in Penal Matters*, s. 37(2)(c).

² *Regulation of the Court of Appeal of Quebec in Civil Matters*, s. 60 para. 1; *Rules of the Court of Appeal of Quebec in Criminal Matters*, s. 47; *Regulation of the Court of Appeal of Quebec in Penal Matters*, s. 42.

Moreover, in civil matters, in addition to the statutory provisions already excluded under s. 51(b)(iv) of the *Regulation of the Court of Appeal of Quebec in Civil Matters* (namely, those of the *Civil Code of Québec* and the *Code of Civil Procedure*), parties are also exempted from reproducing provisions of the following legislation:

- *Constitution Act, 1982*, being Schedule B to the *Canada Act 1982* (U.K.), 1982, c. 11;
- *Charter of Human Rights and Freedoms*, CQLR, c. C-12; and
- *Divorce Act*, R.S.C. 1985, c. 3 (2nd Supp.).

PIERRE-OLIVIER LACROIX, lawyer
Clerk of Appeals in Quebec City

BERTRAND GERVAIS, lawyer
Clerk of Appeals in Montreal