



# **STANDING COMMITTEE ON INTERGOVERNMENTAL AFFAIRS AND JUSTICE**

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## **STANDING COMMITTEE ON INTERGOVERNMENTAL AFFAIRS AND JUSTICE**

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Regina Northeast



[The committee met at 16:42.]

**Chair B. McLeod:** — Welcome to the Standing Committee on Intergovernmental Affairs and Justice. My name is Blaine McLeod; I'll chair today's meeting. And we'll introduce our MLAs [Member of the Legislative Assembly] in attendance today. We have Chris Beaudry sitting in. We have MLA Patterson and MLA Jamie Martens. Thank you. And His Majesty's Loyal Opposition: we have sitting in today Erika Ritchie, Aleana Young, and Don McBean. And I got it right today, Don. Thank you. Those are substitutions for today. And in fact almost all of them are substitutions today. But it's great to have everyone here.

**Bill No. 7 — *The Court of Appeal (Residency) Amendment Act, 2024/Loi modificative de 2024 sur la Cour d'appel (résidence)***

**Clause 1**

**Chair B. McLeod:** — We're considering today Bill No. 7, *The Court of Appeal (Residency) Amendment Act, 2024*, a bilingual bill, with the Ministry of Justice and Attorney General. And we will begin with clause 1, short title.

Minister McLeod is here with officials, and I would ask that officials please introduce themselves before they speak for the first time, which will only be once. And please do not touch the microphones. The Hansard operator will turn them on for you when you speak. Minister, please introduce those with you today and make your opening comments, please.

**Hon. Tim McLeod:** — Thank you very much, Mr. Chair. Joining me at the table today is Maria Markatos, senior Crown counsel, legislative services branch in the Ministry of Justice and Attorney General. And seated behind us is my chief of staff, Max Waldman.

Mr. Chair, I am pleased to offer opening remarks concerning Bill 7, *The Court of Appeal (Residency) Amendment Act, 2024*. Bill 7 will add a new section 3.1, which will permit a certain number of Court of Appeal judges to reside in Saskatoon. The Court of Appeal is indeed located in Regina, and there is no intention to move the home of the court. However the proposed amendments recognize that Saskatoon is the other major centre in Saskatchewan and that some of the Court of Appeal matters are heard in Saskatoon from time to time.

This is also in line with other Canadian jurisdictions that recognize some judges may reside outside the seat of government in another major centre. The maximum number of judges who may have a residence in Saskatoon will be set out in the regulations.

Mr. Chair, three House amendments will be presented. The first to clause 5 will ensure that the new residence clause is worded in a way that recognizes the Court of Appeal judges may not necessarily reside within Regina or Saskatoon's city limits. The proposed House amendment will deem the residence of a judge to be either in Saskatoon or Regina for the purposes of travel, regardless of where their actual residence may be.

[16:45]

The second House amendment adds new clause 7 to the bill to add the provision respecting reimbursement of reasonable meeting, conference, or seminar expenses. Saskatchewan is one of only two provinces that currently does not have such a provision.

The third and final House amendment will amend clause 8 of the bill to revise the regulation-making powers.

All three of these amendments have the support of the Chief Justice of the Court of Appeal.

Mr. Chair, the bill also makes several housekeeping amendments, such as removing Humboldt from the list of judicial centres as it ceased to be a judicial centre in 2008.

Mr. Chair, with those opening remarks, I welcome any questions respecting Bill 7, *The Court of Appeal (Residency) Amendment Act, 2024*.

**Chair B. McLeod:** — Thank you, Minister McLeod. I will now open the floor to questions. MLA Young.

**Aleana Young:** — Thank you, Mr. Chair. Thank you, Minister, to yourself, your staff, and your officials, as well as the team behind the changes being contemplated today.

Can you explain to the committee who you consulted with in the drafting of this legislation, what did they say, and whether or not they were supportive of the changes being presented here?

**Hon. Tim McLeod:** — Certainly. So the changes obviously impact the court themselves and came with consultation with the Chief Justice himself at the request of the court, and consultation really didn't extend beyond that.

**Aleana Young:** — Thank you, Mr. Chair. No further questions.

**Chair B. McLeod:** — Seeing no more questions we will proceed to vote on the clauses. Clause 1, short title, is that agreed?

**Some Hon. Members:** — Agreed.

**Chair B. McLeod:** — Carried.

[Clause 1 agreed to.]

[Clauses 2 to 4 inclusive agreed to.]

[Clause 5 not agreed to.]

[Clauses 6 and 7 agreed to.]

[Clause 8 not agreed to.]

[Clause 9 agreed to.]

**Clause 5**

**Chair B. McLeod:** — I recognize Minister Martens.

**Hon. Jamie Martens:** — Thank you. I move that there be a:

**New Clause 5 of the printed Bill**

Add the following Clause after Clause 4 of the printed Bill:

**“New section 3.1**

**5 The following section is added . . . [under] section 3:**

**‘Residence of judges**

**3.1(1)** Subject to subsection (2), the chief justice and the judges are deemed to reside in Regina.

(2) Subject to the maximum number prescribed in the regulations, the chief justice may consent to a judge being deemed to reside in Saskatoon.

(3) A judge, on taking up residence in accordance with subsection (2), shall not be required to make a change of residence unless the judge consents to the change.

(4) For the purposes of this section, the place of residence of a supernumerary judge is the judge’s place of residence immediately before the judge became supernumerary’ ”.

**Chair B. McLeod:** — Minister Martens has moved new clause 5. Do committee members agree with the amendment as read?

**Some Hon. Members:** — Agreed.

**Chair B. McLeod:** — Carried. Is new clause 5 agreed?

**Some Hon. Members:** — Agreed.

**Chair B. McLeod:** — Carried.

[Clause 5 as amended agreed to.]

**Clause 7**

**Chair B. McLeod:** — I recognize Minister Martens.

**Hon. Jamie Martens:** — Thank you. I move that a:

**New Clause 7 of the printed Bill**

Add the following Clause after Clause 6 of the printed Bill:

**“New section 6.1**

**7 The following section is added after section 6:**

**‘Meetings, conferences and seminars**

**6.1** For the purpose of section 41 of the *Judges Act* (Canada), a judge is authorized to attend, with the approval of the chief justice, a meeting, conference or seminar that is held for a purpose relating to the administration of justice’ ”.

**Chair B. McLeod:** — Minister Martens has moved new clause 7. Do committee members agree with the amendment as read?

**Some Hon. Members:** — Agreed.

**Chair B. McLeod:** — Carried. Is new clause 7 agreed?

**Some Hon. Members:** — Agreed.

**Chair B. McLeod:** — Carried.

[Clause 7 as amended agreed to.]

**Clause 8**

**Chair B. McLeod:** — I recognize Minister Martens.

**Hon. Jamie Martens:** — Thank you. I move that a:

**New Clause 8 of the printed Bill**

Add the following Clause after Clause 7 of the printed Bill:

**“New section 23.1**

**8 The following section is added after section 23:**

**‘Regulations**

**23.1** The Lieutenant Governor in Council may make regulations:

(a) for the purposes of subsection 3.1(2), prescribing the maximum number of judges that may be deemed to reside in Saskatoon;

(b) in accordance with subsection 21(3), prescribing the fees and charges payable to the registrar’ ”.

**Chair B. McLeod:** — Minister Martens has moved new clause 8. Do committee members agree with the amendment as read?

**Some Hon. Members:** — Agreed.

**Chair B. McLeod:** — Carried. Is new clause 8 agreed?

**Some Hon. Members:** — Agreed.

**Chair B. McLeod:** — Carried.

[Clause 8 as amended agreed to.]

**Chair B. McLeod:** — His Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: *The Court of Appeal (Residency) Amendment Act, 2024*, a bilingual bill.

I would ask a member to move that we report Bill No. 7, *The Court of Appeal (Residency) Amendment Act, 2024*, a bilingual bill, with amendment. MLA Patterson moves. Is that agreed?

**Some Hon. Members:** — Agreed.

**Chair B. McLeod:** — Carried. Thank you everyone for your attention today and for walking us through that. Minister McLeod, is there any closing comments that you'd like to make?

**Hon. Tim McLeod:** — Mr. Chair, I just would close by thanking Ms. Markatos for her great work and assistance, not only on this matter but all of the work that she does. And my thanks sincerely to the committee for their time and efforts this afternoon. Thank you, Mr. Chair.

**Chair B. McLeod:** — Thank you. MLA Young, any closing comments?

**Aleana Young:** — Thank you, Mr. Chair. I'd add my thanks as well to yourself and all committee members, building staff, and Hansard. And also my colleague, the member for Regina Douglas Park, for trusting me to sit here in her stead and not blow up our relationship with the minister and his officials with the judiciary. Which of course I say in jest, for the record, Mr. Speaker. So thank you so much.

**Chair B. McLeod:** — Thank you for those comments everyone. And it is appreciated that the detail of the business today is looked after in a timely fashion.

So I would ask a member to move a motion of adjournment. MLA Beaudry has moved. All agreed?

**Some Hon. Members:** — Agreed.

**Chair B. McLeod:** — Carried. This committee stands adjourned to the call of the Chair. Thank you, everyone.

[The committee adjourned at 16:58.]