



COURT OF APPEAL

**British Columbia Court of Appeal
Practice Directive (Civil & Criminal)
Title: Declarations in Court Orders**

Issued: 5 March 2020

Effective: Immediately

Cite as: *Declarations in Court Orders* (Civil & Criminal Practice Directive, 5 March 2020)

When Court of Appeal pronounces a judgment issuing a declaration, whether it is a judgment upholding a declaration made by the court below, a judgment setting aside a declaration made by the court below, or a judgment overturning the decision below and declaring a provision unconstitutional, the party drafting the Court of Appeal's order must include the declaration. The declaration may be styled in a form analogous to the examples below.

THIS COURT DECLARES that section X of *Y Act* is unconstitutional pursuant to s. 7 of the *Canadian Charter of Rights and Freedoms*.

THIS COURT DECLARES that the declaration that section X of *Y Act* is unconstitutional pursuant to s. 7 of the *Canadian Charter of Rights and Freedoms* is set aside.

Chief Justice R.J. Bauman
for the Court of Appeal of British Columbia

History:

Replaces: *Declarations in Court Orders* (Civil Practice Directive, 11 October 2019)