



**Effective Date:** 2010/07/01

**Updated Date:** 2023/10/17

**Number:** PD – 5

**Title:**

## **Practice Direction**

### **Class Proceedings**

#### **Summary:**

This Practice Direction sets out the procedure to be followed by a party to a proceeding commenced under the *Class Proceedings Act*, R.S.B.C. 1996, c. 50, who is seeking to schedule a certification application. It also sets out the requirements for submission of originating process and other documents to the National Class Action Database.

#### **Direction:**

##### **Scheduling certification applications**

1. Certification applications in proceedings commenced under the *Class Proceedings Act* are not to be set for hearing in regular chambers.
2. Where a proceeding under the *Class Proceedings Act* has been assigned to a judge for judicial management under Practice Direction 4, a certification application in that proceeding shall be scheduled before that judge using the process set out in Practice Direction 18.
3. Where a proceeding under the *Class Proceedings Act* has not been assigned to a judge for judicial management under Practice Direction 4, a certification application in that proceeding shall, irrespective of the parties' time estimate(s) for the hearing of that application, be scheduled through the lengthy chambers booking process.
4. A party applying for certification in a proceeding commenced under the *Class Proceedings Act* shall note in the cover page to their application record that the hearing concerns a certification application.

### **Filing with the National Class Action Database**

5. The plaintiff must submit a copy of the following documents to the National Class Action Database of the Canadian Bar Association within 10 days of service or filing, whichever is earlier:
  - a. Notice of Civil Claim or Petition;
  - b. application for certification; and
  - c. any amendment to the foregoing.
6. Documents submitted to the National Class Action Database of the Canadian Bar Association under paragraph 4 of this direction must be submitted electronically along with the registration form attached as Schedule A to this direction.

**Christopher E. Hinkson**  
**Chief Justice**

Schedule A

**NATIONAL CLASS ACTION DATABASE REGISTRATION FORM**

**RÉPERTOIRE NATIONAL DES RECOURS COLLECTIFS**

**FORMULAIRE D'ENREGISTREMENT**

**Jurisdiction / Jurisdiction :**

**File number / N° de dossier :**

**Filing Date / Date de dépôt :**

(a) Originating Process / Demande introductive d'instance :

(b) Certification Application / Requête en autorisation<sup>1</sup> :

**Class Action Style of Cause / Intitulé de la cause<sup>2</sup>:**

**Description of the Proposed Class / Description du groupe proposé :**

**Subject Matter of Class Action / Objet du recours collectif:**

(Check all that apply / Cochez tout ce qui s'applique)

- Negligence / Responsabilité extra-contractuelle
- Product Liability / Responsabilité du fabricant
- Environment / Environnement
- Securities / Valeurs mobilières
- Consumer Protection / Protection du consommateur
- Competition / Concurrence
- Crown Liability / Responsabilité de l'État
- Other / Autre :

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<sup>1</sup> In Quebec, only the date of filing of the motion for authorization need be filed. Au Québec, seule la date de dépôt de la requête en autorisation doit être communiquée.

<sup>2</sup> Include the names of all parties in this description. Inscrire le nom de toutes les parties à la procédure.

**Has the class action been certified? / Le recours collectif a-t-il été autorisé?**

Yes / Oui

No / Non

**Is this an update of a previous submission to the Registry? / La présente demande d'enregistrement est-elle une mise à jour d'une demande précédente?**

Yes / Oui

No / Non

**Class Counsel / Procureur en demande:**

Name / Nom :

Telephone Number / Numéro de téléphone :

Address / Adresse :

Email / Courriel :

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Please send this form to/ S.V.P. Faire parvenir ce formulaire à :

**National Class Action Database/  
Répertoire national des recours collectifs  
Canadian Bar Association  
Association du Barreau canadien  
Email / Courriel : [classaction@cba.org](mailto:classaction@cba.org)**

Please attach original pleadings and certification motion in PDF (preferred) or Word to this Registration Form. Do not send any exhibits attached to these documents. Please verify the accuracy of the information once it has been posted to the CBA website (CBA.ORG). We encourage you to advise us of any changes to information in this form, such as whether the matter has been certified.

Prière de transmettre ce formulaire avec la requête en autorisation et, le cas échéant, la demande introductive d'instance, en format PDF (de préférence) ou Word. Veuillez ne pas envoyer les pièces jointes à ces procédures. Nous vous conseillons de vérifier l'exactitude des informations une fois disponibles sur le site de l'ABC (CBA.ORG). Nous vous prions de nous communiquer tout changement aux informations contenues dans le formulaire d'enregistrement, notamment si le recours est autorisé ou non.