



BILL NO. 244

Government Bill

*1st Session, 59th General Assembly
Nova Scotia
54 Elizabeth II, 2005*

An Act to Amend Chapter 30 of the Acts of 2001, the Enforcement of Canadian Judgments and Decrees Act

CHAPTER 49
ACTS OF 2005

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
DECEMBER 8, 2005**

The Honourable Michael G. Baker, Q.C.
Minister of Justice

*Halifax, Nova Scotia
Printed by Authority of the Speaker of the House of Assembly*

This page is intentionally blank.

**An Act to Amend Chapter 30
of the Acts of 2001,
the Enforcement of Canadian
Judgments and Decrees Act**

Be it enacted by the Governor and Assembly as follows:

1 Section 2 of Chapter 30 of the Acts of 2001, the *Enforcement of Canadian Judgments and Decrees Act*, is amended by

- (a) relettering clause (a) as (aa);**
- (b) striking out “(A)” in the first line of paragraph (aa)(i)(A);**
- (c) striking out “and” in the last line of paragraph (aa)(i)(A);**
- (d) striking out paragraph (aa)(i)(B);**
- (e) adding “, other than a Canadian civil protection order” immediately after “minor” in the second line of subclause (aa)(vi); and**
- (f) adding immediately before clause (aa) the following clause:**
 - (a) “Canadian civil protection order” means a Canadian judgment or a portion of a Canadian judgment that prohibits a person from
 - (i) being in physical proximity to a specified person or following from place to place a specified person,
 - (ii) contacting or communicating with, either directly or indirectly, a specified person,
 - (iii) attending at or within a certain distance of a specified place or location, or
 - (iv) engaging in molesting, annoying, harassing or threatening conduct directed at a specified person;

2 Section 5 of Chapter 30 is amended by

- (a) striking out “(1)” immediately after the Section number; and**
- (b) striking out subsection (2).**

3 Section 7 of Chapter 30 is amended by adding immediately after subsection (2) the following subsection:

(3) A Canadian judgment against an individual who is resident in the Province made in a proceeding to enforce a contract for the supply of consumer goods or services in the Province must not be registered or enforced under this Act if the judgment debtor did not take part in the proceeding.

4 Chapter 30 is further amended by adding immediately after Section 11 the following Sections:

11A A Canadian civil protection order may be enforced in the same manner as an order of the Supreme Court of Nova Scotia for all purposes.

11B A Canadian civil protection order is enforceable by a law enforcement agency in the same manner as an order of the Supreme Court of Nova Scotia whether or not the order is a registered Canadian judgment.

11C A Canadian civil protection order may be registered and enforced as a Canadian judgment for the purpose of this Act.

11D No action or proceeding lies or may be commenced against a law enforcement agency, including any employee or agent of a law enforcement agency, for anything in good faith done, caused or permitted or authorized to be done, attempted to be done or omitted to be done by that person or by any of those persons pursuant to or in the enforcement or supposed enforcement of a Canadian civil protection order or purported Canadian civil protection order pursuant to Sections 11A to 11E or the regulations made pursuant to this Act.

11E Sections 11A to 11D apply to a Canadian civil protection order that is

- (a) in force at the time those Sections come into force; or
- (b) issued after those Sections come into force.

5 Subsection 12(1) of Chapter 30 is amended by adding immediately after clause (b) the following clause:

- (ba) defining any word or expression used but not defined in this Act;

6 This Act comes into force on such day as the Governor in Council orders and declares by proclamation.
