

Nova Scotia Civil Procedure Rules
Amendment (Appearance)
January 24, 2020

The following Rules and Forms are amended as follows:

1. The title of **Rule 24 - Appearance Day Motion** is changed to **Rule 24 - Appearance Motion**.
2. Rule 24.01 is replaced by the following:

Scope of Rule 24

24.01 In certain circumstances, the court permits a party, or the prothonotary, to make a motion without an affidavit or a brief and the court acts on representations made in abbreviated documents or during the appearance.

3. Rules 24.02 to 24.05 are renumbered 24.03 to 24.06, they are referred to by their new numbers in the rest of this amendment, and new Rule 24.02 is added as follows:

When appearance motion is heard

24.02(1) Appearance motions may be heard at the Law Courts in Halifax in chambers, referred to as Appearance Day Chambers, at a time provided by the court, usually noon on Fridays.

(2) In the judicial districts outside Halifax, an appearance motion may be heard in regular chambers or as the district judge directs.

4. The word “day” is removed from the titles to Rules 24.03 and 24.05.
5. The phrase “a motion on appearance day” in Rules 24.03(1), (2), and (3) is changed to “an appearance motion”.
6. The phrase “a motion for an order on appearance day” in Rule 24.04(1) is changed to “an appearance motion”.
7. The word “day” is removed from Rules 24.04(2), 24.04(3), 24.05, and 24.06(2).
8. The phrase “presiding in appearance day chambers” in Rule 24.04(2)(c) is changed to “hearing the appearance motion”.
9. Rule 24.04(2)(h) is removed and Rule 24.04(2)(i) is re-lettered (h).

10. The word “Day” or “day” is removed from the entry in the table of contents for Rule 24 and from Rules 4.14(2)(a), 22.13, and 88.04.
11. The words of Rule 22.01(2)(b) are replaced with the following:
 - (b) by appearance motion (Rule 24 - Appearance Motion);
12. The phrase “appearance day chambers” in Rule 22.12(3) is replaced with “by appearance motion”, the word “in” is added after the word “or” in the phrase “or court” in that same Rule, and the phrase “in appearance day chambers” in Rule 88.04 is replaced with “by appearance motion”.
13. The phrase “on appearance day” in Rule 25.05(1) is changed to “hearing an appearance motion”.
14. The title of Form 24.03 is changed from “**Appearance Day Notice**” to “**Notice of Appearance Motion**”.
15. The text under the title “**Time and place**” in Form 24.03 is replaced by the following:

The motion is to be heard by the judge presiding in [*appearance day chambers/other*] on _____, 20____ at [*noon/ a.m./ p.m.*] in the [*courthouse/law courts*], _____ Street, _____, Nova Scotia. The motion can be heard and determined quickly.

Certificate

I, Deborah K. Smith, Chief Justice of the Supreme Court of Nova Scotia, certify that on January 24, 2020 a majority of the judges of the court made the foregoing amendments to the *Nova Scotia Civil Procedure Rules*.

Signed January 24, 2020

**Original Signed by
Deborah K. Smith, C.J.**

Deborah K. Smith
Chief Justice of the Supreme Court
of Nova Scotia