



The Canadian Judgments Act by Doug Paterson, Q.C.

The Enforcement of Canadian Judgments Act is a Manitoba Act which received Royal Assent in December, 2005. It should be welcome by many people and it is one which could easily be seen as another step towards ease of movement in Canada and building a tighter nation.

Generally speaking it makes it much easier and cheaper to obtain a judgment or a civil protection order in one province and then to enforce it in another. So if you sue Joe Jones in Ontario for \$20,000.00 and get a judgment against him there, and if he moves to Manitoba, the Ontario judgment is now much more easily enforceable against his assets and wages in Manitoba.

A very important part of the Act refers to what are now called "civil protection orders". These are court orders which prohibit someone from following you or being near you; or from directly or indirectly communicating with you; or from being near a specified location; or from molesting, annoying, harassing or threatening you.

So if you have a Canadian civil protection order from say Alberta Queen's Bench, this new Act deems it to be an Order of the Manitoba Queen's Bench whether or not it is registered as a judgment in Alberta. This is great!

Furthermore, a Canadian civil protection order is enforceable by law enforcement officers just like a Manitoba Order whether or not it is registered as a judgment in the originating province.

There are certain technical limitations and time issues in the Act which may affect your new ability to enforce judgments or Canadian civil protection orders from other provinces. Therefore, specific legal advice should be obtained.

Hopefully, when used properly, this Act will reduce situations of inter-provincial harassment and stalking and also allow businesses to enforce judgments for money against absconding debtors much quick and cheaper.

Although I have no proof of

this, it is my belief all Canadian provinces will be passing the exact same Act, except perhaps Quebec.