

TO THE HONOURABLE THE LEGISLATIVE ASSEMBLY OF MANITOBA:

Your Standing Committee on LAW AMENDMENTS presents the following as its Seventh Report.

Your Committee met on Wednesday, July 26, 2000 at 10:00 a.m. in Room 255 of the Legislative Building to consider Bills referred. At that meeting, your Committee elected Mr. NEVAKSHONOFF as the Chairperson and Mr. SANTOS as the Vice-Chairperson.

Your Committee has considered:

Bill (No. 23) – The Jury Amendment Act/Loi modifiant la Loi sur les jurés

and has agreed to report the same with the following amendments:

MOTION:

THAT section 3 of the Bill be struck out and the following be substituted:

3 Section 23 is repealed and the following is substituted:

Minimum notice

23 Unless the judge in special circumstances orders otherwise, a summons served under section 22

(a) if delivered under clause 22(a), must be delivered at least 12 days before the day the appearance must be made; and

(b) if sent under clause 22(b), must be sent at least 17 days before the day the appearance must be made.

MOTION:

THAT the following be added after section 3 of the Bill:

3.1 Clause 46(a) is amended by adding ", having been personally served with the summons or having acknowledged receipt of it," after "who".

Your Committee considered:

Bill (No. 36) – The Summary Convictions Amendment Act/Loi modifiant la Loi sur les poursuites sommaires

which had previously been considered by the Standing Committee on Law Amendments on July 24, 2000 at 10:00 a.m., and has agreed to report the same with the following amendment:

MOTION:

THAT the following be added after proposed subsection 17.1(2), as set out in section 3 of the Bill:

Reduction or waiver of penalty

17.1(3) Despite subsection (1), a justice may reduce or waive a penalty at a hearing de novo requested under subsection 17(6) if the person satisfies the justice that exceptional circumstances exist.

NOTE: Bill (No. 23) – The Jury Amendment Act/Loi modifiant la Loi sur les jurés was reported in the 6th Report of this Committee as being agreed to, in error. Bill 23 had not been considered clause by clause at the meeting of the Law Amendments Committee of Monday, July 24.

All of which is respectfully submitted,

Mr. NEVAKSHONOFF, Chairperson

Committee Rooms
July 26, 2000