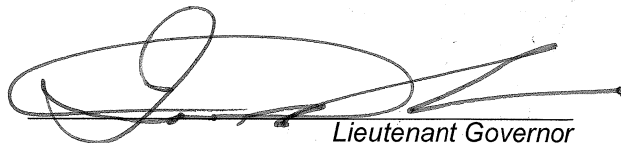


ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. **205**

, Approved and Ordered **MAR 17 2005**




Lieutenant Governor

**Executive Council Chambers, Victoria**

On the recommendation of the undersigned, made after consultation with the Chief Judge of the Provincial Court, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective July 1, 2005, the Small Claims Rules, B.C. Reg. 261/93, are amended as set out in the attached Schedule.

  
\_\_\_\_\_  
*Attorney General and Minister Responsible  
for Treaty Negotiations*

  
\_\_\_\_\_  
*Presiding Member of the Executive Council*

*(This part is for administrative purposes only and is not part of the Order.)*

**Authority under which Order is made:**

Act and section:- Court Rules Act, R.S.B.C. 1996, c. 80, s. 1

Other (specify):- OIC 1030/93

## SCHEDULE

**1** *Rule 18 (12) of the Small Claims Rules, B.C. Reg. 261/93, is amended by striking out “or” at the end of paragraph (a), by adding “, or” at the end of paragraph (b) and by adding the following paragraph:*

- (c) in accordance with Rule 69 (17) to (20) of the Supreme Court Rules as that rule applies under section 22 of these rules.

**2** *The following Rule is added:*

### **RULE 22 – ELECTRONIC FILING PILOT PROJECT RULE**

#### **Application of Supreme Court Rules**

- (1) Rule 69 (1) to (3), (4) (a), (6) to (10), (12) to (14) and (16) to (20) of the Supreme Court Rules applies to a claim under these rules.

#### **Qualifications**

- (2) For the purposes of subrule (1) of this rule,
  - (a) a reference to Form 141 in Rule 69 (6) of the Supreme Court Rules, as that rule applies under subrule (1) of this rule, is deemed to be a reference to Form 28 of these rules,
  - (b) a reference to affidavits in Rule 69 (10) of the Supreme Court Rules, as that rule applies under subrule (1) of this rule, is deemed to exclude reference to affidavits of service under these rules, and
  - (c) a reference to address for delivery or delivered in Rule 69 (17) to (20) of the Supreme Court Rules, as that rule applies under subrule (1) of this rule, is deemed to be a reference to address for service and served respectively.

#### **Original documents**

- (3) A document that has been transmitted for filing electronically under subrule (1) may be treated by the registry for all purposes as an original document.

#### **Duration of rule**

- (4) This rule is repealed on July 2, 2007.

**3** *The following form is added:*



# Electronic Filing Statement

In the Provincial Court of British Columbia  
(Small Claims Court)

REGISTRY FILE NUMBER
REGISTRY LOCATION

Electronic Filing Statement

Copy the name(s) of the claimant from the Notice of Claim.

### IN THE CASE BETWEEN

CLAIMANT(S)

Copy the name(s) of the defendant from the Reply.

AND

DEFENDANT(S)

Copy the name(s) of the third party, if any, from the Notice of Third Party.

AND

DEFENDANT / THIRD PARTY

**NOTE: If your address has changed notify the registry in writing as soon as possible.**

Indicate your role in the case by checking the appropriate box and filling out the section.

I, \_\_\_\_\_ am the counsel acting for \_\_\_\_\_, the \_\_\_\_\_  
CLAIMANT / DEFENDANT / THIRD PARTY

OR

I, \_\_\_\_\_, am the \_\_\_\_\_ and I am not represented by counsel.  
CLAIMANT / DEFENDANT / THIRD PARTY

Name the type of document being submitted and on whose behalf it is being submitted.

I advise as follows:

1. That a \_\_\_\_\_ is being submitted for filing electronically on behalf of the \_\_\_\_\_. A copy of the the document being submitted for filing electronically is attached.  
TYPE OF DOCUMENT CLAIMANT / DEFENDANT / THIRD PARTY
2. Any signature on the document appears to be original and I believe it to be the signature of the person that is stated to have signed the document.
3. I have seen the original document and I believe the attached is a true copy of that document.
4. I agree to keep the original of the document that is being submitted for filing electronically in accordance with Rule 22 of the *Small Claims Rules* and to make it available for inspection in accordance with that *Rule*.

Date and sign your statement.

Dated \_\_\_\_\_  
at \_\_\_\_\_  
CITY / TOWN / MUNICIPALITY  
British Columbia

SIGNATURE OF COUNSEL/PARTY