

Consultation Paper on Jurisdiction

The Law Commission of Ontario has released a consultation paper written by Professor Janet Walker (Osgoode Hall Law School, York University). The paper (available [here](#)) proposes that Ontario's current law on the taking and retaining of jurisdiction in civil matters is in need of reform. It offers a proposed statute which would reform the law in this area. The proposals have some common elements with the Uniform Law Conference of Canada's model statute, the Court Jurisdiction and Proceedings Transfer Act (available [here](#)), but also some important differences.

The Law Commission welcomes comments on the paper, and the process for commenting is explained in the paper. Beyond this, those generally interested in how countries resolve issues of jurisdiction in civil matters should find the points raised in the paper of interest.

To date three Canadian provinces have moved away from the traditional approach, which is based on a combination of common law and rules of civil procedure, and have brought into force the Court Jurisdiction and Proceedings Transfer Act (British Columbia, Saskatchewan and Nova Scotia). Some other provinces have enacted the statute but not yet brought it into force, and some other provinces are considering adopting it.