A SHORT GUIDE TO
THE CANADIAN ABRIDGMENT
IN PRINT AND ON
WestlawNext® CANADA

OCTOBER 2014
A Short Guide to The Canadian Abridgment in Print and on WestlawNext Canada

<table>
<thead>
<tr>
<th></th>
<th>TO FIND CASE LAW BY LEGAL ISSUE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td><strong>Online:</strong> Canadian Abridgment Digests on WestlawNext Canada ................................ 3</td>
</tr>
<tr>
<td></td>
<td><strong>Print:</strong> The Canadian Abridgment Case Digests ........................................................ 18</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>TO FIND CASE LAW BY CASE NAME OR CITATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td><strong>Online:</strong> How to Find Case Law by Name or Citation ............................................. 25</td>
</tr>
<tr>
<td></td>
<td><strong>Print:</strong> Consolidated Table of Cases ....................................................................... 29</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>TO FIND CASE LAW BY LEGAL ISSUE CONSIDERING A WORD OR PHRASE</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td><strong>Online:</strong> How to Find Case Law by Legal Issue Considering a Word or Phrase ........ 32</td>
</tr>
<tr>
<td></td>
<td><strong>Print:</strong> Words &amp; Phrases Judicially Defined in Canadian Courts and Tribunals ....... 34</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>TO FIND THE HISTORY AND JUDICIAL TREATMENT OF A CASE (“NOTING UP” A CASE)</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td><strong>Online:</strong> KeyCite Canada .......................................................................... 36</td>
</tr>
<tr>
<td></td>
<td><strong>Print:</strong> Canadian Case Citations .................................................................. 44</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>TO FIND THE JUDICIAL TREATMENT OF A STATUTE, REGULATION OR RULE OF PRACTICE (“NOTING UP” A STATUTE, REGULATION OR RULE)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td><strong>Online:</strong> KeyCite Canada .......................................................................... 48</td>
</tr>
<tr>
<td></td>
<td><strong>Print:</strong> Canadian Statute Citations, Regulations Judicially Considered, Rules Judicially Considered ................................ 53</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>TO FIND LEGISLATIVE HISTORY</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td><strong>Print:</strong> Canadian Current Law – Legislation ....................................................... 57</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>TO FIND LEGAL LITERATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td><strong>Online:</strong> Index to Canadian Legal Literature on LawSource ........................... 63</td>
</tr>
<tr>
<td></td>
<td><strong>Print:</strong> Index to Canadian Legal Literature ..................................................... 72</td>
</tr>
</tbody>
</table>
TO FIND CASE LAW BY LEGAL ISSUE

ONLINE:

WestlawNext® CANADA—Canadian Abridgment Digests

The core of The Canadian Abridgment is a comprehensive collection of case digests, or summaries, of issues decided by Canadian courts and administrative tribunals. The digests are classified under 55 subject titles. Each subject title has a detailed classification scheme. This allows researchers to quickly find cases by legal issue.

This collection covers virtually every case reported in Canada since 1803, and every unreported case received from the courts since 1986, with the exception of Quebec civil law cases.

The Canadian Abridgment is available online through WestlawNext Canada. Case digests can be browsed through the Abridgment Key Classification System, searched by Key Word, or a combination of the two methods. Whether you search or browse, all the digests in your result appear in a single result list. The result list sets out the digests in full, ordered by classification allowing you to scan through many digests as easily as in print.

There are four basic methods for using the Abridgment to help find relevant case law:

- **Browsing** the Abridgment Key.
- **Searching** the Abridgment Digests by key word.
- **Linking from other documents** to related Abridgment digests:
  - Linking from case law decisions.
  - Linking from Canadian Encyclopedic Digest documents.
- **Linking directly from a case law search result** list to related Abridgment digests.
How to Do a Case Digest Search:

A. Browsing The Abridgment Key

**TIP:**

This method is recommended when you want to access Canadian cases on a particular legal issue through a table of contents. Because cases are put into their proper classification(s) by lawyers after reading and analysing the issues involved in the case, and because no key word search is required by the user to find cases on point, use of the Abridgment Key is often valuable to online users, either as a supplement or alternative to a key word search to ensure that you have found all relevant cases.

1. Access the Canadian Abridgment Key Classification by going to the WestlawNext Canada home page and clicking on the **Canadian Abridgment Digests** link.

*Canadian Abridgment Digests link on WestlawNext Canada home page*
2. Click on any of the various Abridgment subject titles to view more detailed subclassifications.

The Canadian Abridgment Digest page

Click to reveal expanded Classification
3. To see all digests under a single classification, drill down until you reach a node of the classification with no further subclassifications. At that point the digests under that classification will be displayed.

**Viewing Digests for Family Law I.1 -- Constitutional law -- General principles**

![Image of WestlawNext interface]

4. To view digests falling under multiple classifications. At any point as you drill through the classification, you can view the digests under any or all nodes of the classification appearing on the page.

   a. Select the radio button at the top right of the screen labeled *Select content to search*.

   b. Check off specific nodes to search, or, to view digests under all the classifications on the page, check the box labeled *Select all content*.

   c. Click on the box labeled *View Abridgment Digests*. 
Two aids appear on the Canadian Abridgment Digests page to help you find where your issue is located within the classification scheme: Scope Notes, and Search Abridgment Headings and Subheadings.
1. Scope Notes

Position your cursor immediately to the right of any subject title and an information icon will appear. When you click on the icon, you will see a scope note outlining the topics covered by the subject title and directing you to related classifications under other titles.

**Scope Note**
2. Search Abridgment Headings and Subheadings:

At the right of the Canadian Abridgment Digest page is a search box that enables you to search only the Abridgment classification scheme. When you enter one or more terms, you will be shown every node of the Abridgment classification that contains that term. [Note: This search box performs a Boolean terms and connectors search.]

Result for search of RESULTING & TRUST
2. Searching for Digests by key word

A: Searching the entire Abridgment Digest collection:

[Recommended when you are confident that the terms you are searching are significant enough to always be found within the case digest or classification, and you want to be able to browse through a list of case digests, rather than full text cases.]

1. Access the Canadian Abridgment Digest page.
2. In the search box at the top of the screen, perform either a plain language search or a terms and connectors search.
3. Your results will include all digests that have your terms within them.

[Note: there is a limit of 10,000 digests in your search result list. If you are told your results exceeded 10,000 hits, reformulate a new search with narrower parameters (rather than trying to refine your original search) as the results of you original search will be incomplete.]
B: Combining browsing and searching

[Recommended when you have successfully browsed the classification to locate relevant digests, but you want to restrict your result list to those containing particular terms.]

1. Access the Canadian Abridgment Digest page.
2. Begin browsing through the subject titles and subclassifications.
3. At any point as you browse, you can perform either a plain language or Boolean terms and connectors search restricted to the classifications and subclassification on the page.

_Abridgment digest page partially drilled down, with search entered_
3. Linking from other Document Types to the Abridgment Digests

A. Linking from a relevant case on point to digests of other cases with the same classification

[Recommended when you are viewing a case on point and want to find other cases dealing with the same issue(s). Even if you have found the case via a key word search, viewing digests of all cases that lawyer editors have given the same classification(s) helps ensure that you don’t miss any relevant cases.]

To view digests on topics related to the case you are viewing:

1. Open the Related Abridgment Classifications box near the top of the full text of the decision by clicking on the plus sign.
2. You will see a list of classifications.
3. Click on any blue classification links to view digests of all decisions under that classification.

To view classifications and digests for all levels of the case you are viewing:

1. Click on the link labeled “Abridgment digests and classifications for all levels of this case” found under the Related Resources heading to the right of the decision.
2. You will see a list of all classifications and digests written for every level of the case you are viewing.
3. Click on any blue link classification links to view digests of all decisions under that classification.
Ward v. Vancouver (City)

2009 BCCA 23, 2009 CanLII 115 British Columbia Court of Appeal

British Columbia January 27, 2009 (Approx. 31 pages)

Document History (1) Citing References (9) Legal Memo (0) Court Docs (17)

Ward v. Vancouver (City)


Alan Cameron Ward (Respondent / Plaintiff) and Her Majesty the Queen in Right of The Province of British Columbia (Appellant / Defendant)

Finch C.J.B.C., Saunders, Low J.A.

Heard: March 12-14, 2008
Judgment: January 27, 2009
Docket: Vancouver CA034766, CA034765


Counsel: J.E. Gouge, Q.C., B.A. Mackey for Appellant, Province of British Columbia
B. Samuels for Respondent / Appellant, A.C. Ward
T. Ziolkowski for Respondent, City of Vancouver
K. Roach for Intervenor, B.C. Civil Liberties Association

Subject: Criminal; Constitutional; Torts; Public: Civil Practice and Procedure

Related Abridgment Classifications

For all relevant Canadian Abridgment Classifications refer to highest level of case via History.

Civil practice and procedure

XXII Costs
XXIII.6 Effect of success of proceedings
XXIII.6.a General principles
B. Linking from a Canadian Encyclopedic Digest (CED) entry to digests of all cases dealing with that issue

[Recommended when you have gotten a good overview of your issue and want to proceed to canvass all case law on that issue, including cases that are too recent to have been discussed in the CED.]

At the top of every CED document, you will find one or more links to the Abridgment classifications that cover the same issue as that discussed in your CED document. Clicking on one of these links will take you to the Abridgment digest result list for that classification.

**CED document with links to related Abridgment classifications**
4. Linking directly from a case law search result list to related Abridgment digests

[Recommended when you want to supplement the results of a case law search by canvassing all cases on your issue, whether or not they include your key words. This method can help you identify the broader issues implied by your key word search.]

When you perform a plain language case law search, the search analyzes the decisions that are the most relevant to your search. Along with your search results, you will find the Related Resources section to the right of the results, which is a menu of the Abridgment classifications that appear most frequently in these decisions.

1. Click on any of these classifications to access digests of all cases under that classification.

Case law search result list page (golf ball nuisance private property)
showing Abridgment classifications most frequently occurring in most relevant results
5. Viewing Abridgment Case Law Digests

Whether you have browsed, searched, or linked to access it, the Abridgment digest result list is always arranged and ordered in the same way. The formatting and ordering of the digests is designed to help you browse through large numbers of case digests quickly, while getting a good sense of what the current law is, and helping you identify cases you will want to read in full.

- If a case discusses more than one issue, there is a separate digest written for each issue, so that you can find it when browsing the classification scheme.

- If a case has an appellate history, *The Canadian Abridgment* treats the case as a whole. Within the digest for that case, it explains the appellate history, makes clear how the issues were decided at each level and enables you to link to the full text decision of any level.

- The digests are arranged in the order of the Key Classification system, alphabetically by subject title. Within the subject title the digests are ordered according to the classification scheme, and within each classification, the digests appear in reverse chronological order.

- The digests appear in the list in their entirety, and you can scan through up to 10,000 digests in a single browseable list.

Filtering Abridgment Digest Results

To the left of the Abridgment digest result list are four filters you can use to streamline your search results, by:

- Searching within your results for digests containing specific terms.

- Specifying a date range.

- Limiting to one or more subjects or classifications.

- Limiting to one or more jurisdictions.
Abridgment search result page with filters in left frame
The Canadian Abridgment Case Digests

The core of The Canadian Abridgment is a comprehensive collection of case digests, or summaries, of issues decided by Canadian courts and administrative tribunals. The digests are classified under 55 subject titles set out alphabetically through the main case digest volumes. This collection covers virtually every case reported in Canada since 1803, and every unreported case received from the courts since 1986, with the exception of Quebec civil law cases.

Finding Tools:
The Key & Research Guide contains the subject classification scheme by which the case law is organized. You can find all the cases on your subject by locating your issue within this classification scheme and then looking through the digests falling under the appropriate title, heading and subheadings in the main volume and supplement. Using the Key allows you to see how your specific topic fits into the broader classification scheme.

The General Index contains the subject index to the case law digests. The Index lists alphabetically the legal concepts and issues dealt with or arising out of the case digests. The locations of the digests are given by volume and digest number with each entry.

The Case Law Update provides names, citations and digest numbers for cases digested in Canadian Current Law – Case Digests after the cut-off date of the most recent Case Digests Annual Supplement. The entries are organized by Abridgment classification.

Components:
- Main Work: The multiple hardcover volumes are arranged alphabetically by subject title.
- Annual Supplement: There is a single softcover volume for each main work volume. The Case Digest cumulative Annual Supplement volumes contain all digests from the cut-off date on the spine of the main work to December of each year.
How to Do a Case Digest Search:

A. Using the Key & Research Guide

**STEP 1**

Determine the appropriate subject title for your search by consulting the Key & Research Guide.

The Key is cross-referenced so that you can find your title by looking up a term that describes your issue. For additional help in finding the appropriate title, you may consult the Subject Titles Table or the Abridgment Overview found at the beginning of the Guide. The Subject Titles Table is an alphabetical list of the subject titles in the Case Digest volumes. In the Abridgment Overview, the subject titles are organized under broader areas of the law (e.g. Commercial Law, Criminal Law).

*Illustration 1.1: Cross-References in the Key & Research Guide*

The Key contains a large number of cross-references to guide you to relevant subject titles and their classifications.

<table>
<thead>
<tr>
<th>Subject Title</th>
<th>Cross-References</th>
<th>Classifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>COMPELLABILITY</td>
<td>— see Evidence X.4</td>
<td></td>
</tr>
<tr>
<td>COMPELLING ATTENDANCE OF ACCUSED</td>
<td>— see Criminal law VII.9</td>
<td></td>
</tr>
<tr>
<td>COMPELLING ATTENDANCE OF WITNESS</td>
<td>— see Criminal law IV.18, VII.20; Evidence X.4; Public law VI.7.e</td>
<td></td>
</tr>
<tr>
<td>COMPELLING DISCOVERY</td>
<td>— see Civil practice and procedure X.4.d</td>
<td></td>
</tr>
<tr>
<td>COMPETENCY</td>
<td>— see Evidence X.4</td>
<td></td>
</tr>
<tr>
<td>COMPETITION</td>
<td>— see Commercial law VI.5; Intellectual property III.10</td>
<td></td>
</tr>
<tr>
<td>COMPLETION</td>
<td>— see Real property III.3</td>
<td></td>
</tr>
<tr>
<td>COMPROMISE</td>
<td>— see Business associations VI.3</td>
<td></td>
</tr>
<tr>
<td>COMPULSION</td>
<td>— see Criminal law V.9</td>
<td></td>
</tr>
</tbody>
</table>
Illustration 1.2: Subject Titles Table

The Subject Titles Table provides an alphabetical listing of subject titles and gives you the page in the Key where the classification for each title appears.

<table>
<thead>
<tr>
<th>Subject Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aboriginal law</td>
<td>2-3</td>
</tr>
<tr>
<td>Administrative law</td>
<td>2-9</td>
</tr>
<tr>
<td>Alternative dispute resolution</td>
<td>2-17</td>
</tr>
<tr>
<td>Bankruptcy and insolvency</td>
<td>2-23</td>
</tr>
<tr>
<td>Bills of exchange and negotiable instruments</td>
<td>2-39</td>
</tr>
</tbody>
</table>

Illustration 1.3: Abridgment Overview

The Abridgment Overview shows how the subject in the case digests fit into broader subject areas of the law.

FAMILY LAW
This division covers the law regarding the rights and obligations arising from marriage or cohabitation, and the status of children.
Family Law

INTERNATIONAL LAW
This division deals with the interaction of nations or their citizens with other nations or citizens of those nations.
Conflict of laws
Immigration and citizenship
International law

PROCEDURE AND COURTS
This division covers the judicial system and administrative tribunals, including practice and procedure.

- Civil Procedure and the Legal System
  Civil practice and procedure
  Equity
  Evidence
After determining the appropriate subject title, narrow down your search by finding the appropriate classifications for your issue.

Each subject title is followed by an overview of the contents of that subject title and a list of all volumes containing digests under that heading. Narrowing down your search to one or two specific classifications can greatly streamline your search. By noting the relevant classification numbers, you will be able to identify appropriate digests at a glance.

Illustration 1.4: Classification Scheme

Example: You are searching for cases on whether an act of the plaintiff could be a defense to a claim of strict liability.

Scan the Key Classification for the section dealing with strict liability. The classification runs from the general to the specific (strict liability is XVI.6; defences to strict liability is XVI.6.e; the specific defence of the act of plaintiff is XVI.6.e.i). Therefore, cases on this issue are digested in the Torts subject title as classification number XVI.6.e.i.

TORTS

XVI. Negligence

6. Strict liability (rule in Rylands v. Fletcher)

— liability for environmental damage, see ENVIRONMENTAL LAW II; strict liability in nuisance, see XVII.3; vicarious liability, see XVI.7

a. General principles
   i. Non-natural user of land
   ii. Escape

b. Particular dangers
   ***

e. Defences to strict liability
   i. Act of plaintiff
   ii. Act of stranger
   iii. Act of God
   iv. Mutual benefit
   v. Statutory authority
   vi. Due diligence
   vii. Miscellaneous

Cross references help you locate digests on related issues either within the same subject title or in other titles.
Consult the main case digest volume that contains your subject title. Scan the digests falling under the appropriate subject title and classification, noting the names and citations of important cases.

Cases digested under your chosen classification can be identified at a glance by the classification number, which appears in the upper right hand corner of each digest.

**TIP:**

Note that within each classification, the digests appear in reverse chronological order, with the most recent digest appearing first.

Illustration 1.5: Case Digest

(NOTE: A full digest is pictured here. Some digests will consist only of captions and others published from 1998 onward may consist of only Key Classification phrases.)

<table>
<thead>
<tr>
<th>Digest number (Case digests are numbered consecutively with the volume)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Case name and citation (Note: the first citation listed is the decision to which the digest applies)</td>
</tr>
<tr>
<td>352.</td>
</tr>
<tr>
<td><strong>Strict liability (Rule in Rylands v. Fletcher) - Defences to strict liability - Act of plaintiff - Search for gas leak with lighted match - Deceased author of his own misfortune.</strong> A gas meter was installed in the deceased’s house. Appellant, the deceased’s wife, alleged that the gas had been leaking all afternoon and continued to do so in the evening. The deceased went to the cellar to discover the case and lit a match in the cellar, whereupon an explosion took place. Held, appeal dismissed. To search with a lit match for the cause of escaping gas is a thing so obviously dangerous that no reasonable person could say that the deceased was not the author of his own misfortune.</td>
</tr>
</tbody>
</table>

**Hawley v. Ottawa Gas Co.** (1919), 16 O.W.N. 106 (C.A.), affirming (1919), 15 O.W.N. 454 (H.C.)
Consult the softcover Annual Supplement corresponding to the main work volume.

The Annual Supplement covers digests from the cut-off date of the main work volume to the end of the previous year. The Supplement is consolidated and replaced annually, so there is never more than one Supplement to consult for each main volume.

To update your research past the end of the last year, consult the monthly softcover issues of Canadian Current Law – Case Digests.

To update your search after the Annual Supplement volume, begin with the January (Issue #1) Canadian Current Law – Case Digests. Within each monthly issue, the subject titles are set out in alphabetical order.
B. Using the General Index

STEP 1
To find digests in the main case digest volumes, look up your issues in the General Index, noting the volume and digest numbers of the relevant digests.

The General Index differs from the Key in that the Key gives you a classification number that you can follow through the main work and supplement, while the Index provides the volume and digest numbers of relevant digests. Like the Key, the Index contains a large number of cross-references to help you find appropriate entries.

Illustration 1.6: General Index Entry
Example: You are searching for cases involving the formation of franchising contracts.

The General Index is arranged alphabetically using Key words and phrases

Franchises
- franchising contracts
- construction and interpretation
- Escape
- formation, CON 28.2260-2267, CON 28Supp. 430-431

The General Index tells you the volumes in which the relevant digests appear and the numbers of the digests covering that issue (digests involving the formation of franchising contracts can be found in volumes CON 28, digest numbers 2260-2267 and CON 28 Supplement, digest numbers 430-431)

STEP 2
To find digests in the monthly issues of Canadian Current Law – Case Digests, look up your issues in the index found at the back of these monthly issues.

TIP:
The March, June, September and December issues contain a cumulative index of all digests that have appeared to that date during the year. Therefore, when consulting the indexes of these monthly issues you should begin with the most recent volume that has a cumulative index and move forward.
2 TO FIND CASE LAW BY CASE NAME OR CITATION

ONLINE:

WestlawNext® CANADA

How To Find Case Law by Name or Citation:

A. To Find Canadian Case Law by Name

1. Select the Find and KeyCite by Name tab located on the WestlawNext Canada home page. Click on Find and KeyCite a Case by Name.
2. Enter all or part of the case name into the Name field provided (e.g. *Jones v. Tsige*).
3. Choose an appropriate jurisdiction, if known.
4. Click **Search**.

**TIP:**

When there are multiple documents that match the information that you entered into the case name field, use the filters on the left hand side of the result list to help you narrow your list.
B. To Find Canadian Case Law by Citation

1. To retrieve a document by citation, enter the citation into the search box at the top of the WestlawNext Canada homepage (e.g. 299 DLR 4th 614) and click Search.

TIP:

When entering citations, it is not necessary to use exact spacing, capitalization, brackets or punctuation used for abbreviation.

However, when searching case law, do not include the year of the decision when it appears in round brackets in the citation entry. For example: when searching for (1959) 38 C.B.R. 91, enter as: 38 C.B.R. 91 or 38 CBR 91.
To find non-Canadian case law, select the **International** tab located on the WestlawNext Canada home page to access links to international databases available on Westlaw.
Consolidated Table of Cases

The Consolidated Table of Cases helps you locate cases by name. These volumes provide you with all reported citations (judgment date, court docket number, jurisdiction and court where unreported) of each level of case digested in The Canadian Abridgment and tells you where to locate digests of these cases in the Case Digests component of The Canadian Abridgment. It is cross-referenced according to every significant variation in the name of the case as reported by different law report series and according to the name of the defendant. The cases in the Consolidated Table of Cases are arranged alphabetically by case name.

Components:

- Main Work: The multiple hardcover volumes are arranged alphabetically.
- Annual Supplement: There is a single softcover volume for each main work volume. The Consolidated Table of Cases cumulative Annual Supplement volumes contain all cases from the cut-off date of the main work volume to March of the current year.
- Quarterly Supplement: The softcover cumulative updates are replaced every three months.
**How to Find a Particular Case:**

**STEP 1**

Find the main volume of the Consolidated Table of Cases containing your case. Look up the case by name.

If you know that your case was decided after the cut-off date of the main volume, proceed directly to the supplement volume.

Note that each case is cross-referenced according to the name of the defendant in the case and every known case name.

<table>
<thead>
<tr>
<th>Case name</th>
<th>Court level</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Bordignon Construction Ltd. (Trustee of) v. Popular Properties Ltd.</strong></td>
<td><strong>R7A 734</strong></td>
</tr>
<tr>
<td></td>
<td>Year of decision</td>
</tr>
<tr>
<td></td>
<td>Result of higher decision</td>
</tr>
<tr>
<td></td>
<td>Alternate citations</td>
</tr>
<tr>
<td><strong>B.C.L.R. 21 (Co. Ct.), affirmed (1984), 56</strong></td>
<td></td>
</tr>
</tbody>
</table>

**Illustration 2.1:**
Main Entry

<table>
<thead>
<tr>
<th>Case name</th>
<th>Alternate case name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Poplar Properties Ltd., Bordignon Construction Ltd. (Trustee of) v. Poplar Properties Ltd.</td>
<td>See Bordignon Construction Ltd. (trustee of) v. Poplar Properties Ltd.</td>
</tr>
<tr>
<td>Henfrey &amp; Co. v. Poplar Properties Ltd.</td>
<td>See Bordignon Construction Ltd. (Trustee of) v. Poplar Properties Ltd.</td>
</tr>
</tbody>
</table>

**Illustration 2.2:**
Cross-reference by name of defendant

**Illustration 2.3:**
Cross-reference by alternate case name
**STEP 2**
Look up your case alphabetically by case name in the Annual Supplement volume corresponding to the main volume.

**STEP 3**
Consult the Quarterly Supplement for cases after the cut-off date of the Annual Supplement.

**STEP 4**
Complete your search by consulting each monthly softcover issue of *Canadian Current Law – Case Law Digest* for the period after the cut-off date of the Quarterly Supplement.

**TIP:**
A Table of Cases listing all the cases in that volume appears in each main volume of the Case Digests, each main volume and supplement volume of the *Consolidated Table of Cases* and each issue of the *Canadian Current Law – Case Law Digests*. 
TO FIND CASE LAW BY LEGAL ISSUE CONSIDERING A WORD OR PHRASE

ONLINE:

**WestlawNext CANADA**

*Words & Phrases Judicially Defined* is an editorially compiled list of judicial interpretations. Carswell editors read legal decisions and identify instances where the judge offers an interpretation of what a word or phrase means. Therefore, when looking for judicial interpretations, it can be more efficient to start your search using *Words & Phrases* (rather than conducting a search that locates all instances of a word or phrase in all decisions).

*Words & Phrases* can be searched on WestlawNext Canada using an advanced search template.

1. Click on **Words & Phrases** (listed under the Finding Tools section of the home page).
2. On the search template, enter your search terms in the appropriate boxes (e.g. Word or Phrase: oppression).
3. Click Search.

**TIP:**

For a one word search, if there is an exact match for that word in Words & Phrases, that entry will appear at the top of the search result list. All other entries appear in alphabetical order.

**TIP:**

To get a broader set of results and ensure that you don't miss anything, do not use quotation marks. Simply enter all relevant terms into the Word or Phrase field to get a broad list of Words & Phrases containing all of your terms. For example, a search for reasonable cause is broader and will produce more search hits than searching for the exact phrase “reasonable cause”.
Words & Phrases Judicially Defined in Canadian Courts and Tribunals

Words & Phrases Judicially Defined in Canadian Courts and Tribunals is a comprehensive research tool containing over 60,000 judicial considerations of words and phrases in Canadian cases. Each entry includes an extract from the judgment in which the word or phrase was considered, as well as the citation, jurisdiction, area of law, adjudicator and court level. This work contains both statutory and common law terms.

Components:

- Main Work: The multiple hardcover volumes are organized alphabetically.
- Annual Supplement: There is a single softcover volume for each hardcover main work volume.
How To Do a Words and Phrases Search:

**STEP 1**

Look up the word or phrase alphabetically in the appropriate hardcover main volume.

Each main volume covers judicial interpretations of words and phrases to the end of 1992.

**Illustration 3.1: Word & Phrases Entry**

<table>
<thead>
<tr>
<th>Word judicially considered</th>
<th>Northwest Territories</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>RENT</strong></td>
<td></td>
</tr>
</tbody>
</table>

- The definition of “rent” in the *Residential Tenancies Act* [R.S.N.W.T. 1988, c. R-5, s. 1] is broad enough to include “the amount of any consideration paid or required to be paid” for [operating expenses].

  (Landlord and Tenant)


**STEP 2**

For interpretations recorded after the main volume cut-off date, search for the word or phrase in the Annual Supplement volume corresponding to the main volume.

**STEP 3**

Complete your search by consulting the Words and Phrases section in issues of *Canadian Current Law – Case Digests* issued after the cut-off date of the latest Annual Supplement.
TO FIND THE HISTORY AND JUDICIAL TREATMENT OF A CASE (“NOTING UP” A CASE)

ONLINE:

WestlawNext Canada KeyCite Canada

To note up a case use KeyCite Canada on WestlawNext Canada. KeyCiting a document involves retrieving the appellate history, plus all citing references of a case, including judicial treatments and secondary references. KeyCite Canada includes complete case law citing references, including:

- “Recently added” treatments.
- “Referred to” (less important) case treatments.
- Citing references in commentary on WestlawNext Canada, the Canadian Encyclopedic Digest and the Index to Canadian Legal Literature.
- Judicial treatments in other Commonwealth cases.
- The ability to limit results: by date, jurisdiction, court, document type, citation frequency, depth of treatment, or by any words used in the citing documents.

How to Find the History and Judicial Treatment of a Case:

There are several ways to access the KeyCite information for a case. The simplest way is to access the information directly from the case.

When viewing a case on WestlawNext Canada, at the top of the document there are tabs with related information. To access the direct appellate history of the case, the citing references, or related content such as legal memos and court documents, simply click on the appropriate tab. Should you wish to return to the full text of the case, simply click on the “document” tab.
If you want to note up a specific case and know it by name or citation, refer to A and B below.

**A. To Note Up a Case by Name**

1. From the WestlawNext Canada home page, click on the “Find and KeyCite by Name” tab.
2. Select “Find and KeyCite a Case by Name”.
3. Enter all or part of a case name in the “Name” field.
4. Select the jurisdiction (optional).
5. Click the “Search” button.
WestlawNext Canada home page, “Find and Keycite by Name” tab

Find and Keycite by Name search template
B. To Note Up a Case by Citation

1. In the main search box on the WestlawNext Canada home page, enter KC: followed by the citation. It is not necessary to use punctuation in the citation.

2. Click the “Search” button.

_Notating up a case from the main search box_

_TIP:_

When entering citations, it is not necessary to use exact spacing, capitalization, brackets or punctuation used for abbreviation. However, when searching case law, do not include the year of the decision when it appears in round brackets in the citation entry. For example: when searching for (1959) 38 C.B.R. 91, enter as: 38 C.B.R. 91 or 38 CBR 91.
KeyCite Canada Display

History Tab: This tab displays the direct appellate history of the case. Both the narrative and graphical views of the history are presented side by side.

Citing References Tab: This tab includes a drop down which allows you to view only the case law citing references, words and phrases entries derived from the case you are noting up, CED entries which cite the case, or other secondary sources.
Citing references tab with drop down

Working with KeyCite Canada Citing References

Leading cases can have large numbers of citing references. To make it easier to find the most relevant citing references, KeyCite Canada on WestlawNext Canada includes a number of easy-to-use tools.

Citing references can be re-sorted and filtered in a number of different ways.

Case law citing references will almost always be the most numerous, so most of this discussion will focus on them.

Sorting and Filtering

The default sort order for case law citing references is treatment type—whether the citing case has referred to the cited case positively or negatively. When citing references are organised by treatment type, the first results shown are “Recently added—treatment not yet designated” cases. Recently added citing references are followed, in order, by:

- Not followed in;
- Distinguished in;
- Followed in;
- Considered in;
- Considered in a minority or dissenting opinion;
- Referred to in; and
- Referred to in a minority or dissenting opinion.
It is possible to sort by date (most recent first), court level, citation frequency (how many times the citing case has been cited by other cases), and depth of treatment (how much discussion of the cited case there is in the citing case).

**Sorting options for case law citing references**

It is also possible to filter the results. This makes it easy to quickly narrow down citing references to only the most relevant results.

It is possible to search the citing references for specific terms, using the “Search within results” box. It is also possible to filter by date, depth of treatment, jurisdiction, court level, treatment type, and citation frequency. These filters can be combined to create highly tailored results.
Sorting and filtering options are tailored to the specific citing reference type that you are viewing. There are almost always significantly fewer non-case law citing references.

KeyCite includes visual indicators (“flags”) to help you understand at a glance the status of a case. These indicators are always displayed, whether you are looking at search results, KeyCite result lists, even documents you have saved in a folder. The flag is always the current status.

A red flag indicates that a case has been reversed, or not followed within the same jurisdiction or by the Supreme Court of Canada. A yellow flag indicates that a case has some negative history, but has not been reversed or overturned. The yellow flag will also be displayed if a case has recently added treatments which have not been editorially analyzed. A blue H indicated that a case has some history. A green C indicates that a case has citing references.

These visual indicators can be clicked to immediately access KeyCite information.
Canadian Case Citations

Canadian Case Citations provides you with the history of Canadian decisions (e.g. whether a decision has been affirmed, reversed, granted or refused leave to appeal, or had additional reasons given), plus the judicial treatment of Canadian and foreign decisions (e.g. whether a decision has been followed, distinguished, considered in a subsequent Canadian case). Canadian Case Citations is drawn from analysis of reported decisions of Canadian courts and tribunals since 1867, and unreported decisions of Canadian courts since 1986.

Components:

- Main Work: The multiple hardcover volumes are arranged alphabetically.
- Annual Supplement: There is a softcover volume (or multiple softcover volumes, if required) for each main work volume. The Canadian Case Citations cumulative Annual Supplement volumes contain all digests from the main work's cut-off date (which appears on the spine) to June of the current (or previous) year.
- Quarterly Supplement: The softcover cumulative updates are replaced every three months.
Begin your research by looking up your case in the appropriate main volume. The cases are arranged alphabetically.

If you know that your case was decided after the cut-off date of the main volume, proceed directly to the supplement volume.

Consult the Annual Supplement corresponding to the main volume.

Consult the Quarterly Supplement for cases after the cut-off date of the Annual Supplement.

A cumulative supplement is published at three-month intervals. The first supplement published covers July to September. This is replaced by one covering July to December. This, in turn, is replaced by one covering July to March. Finally, all the material for the year is consolidated into the next Annual Supplement.
Complete your search by consulting the monthly issues of *Canadian Case Citations*, beginning with the first issue published after the supplement.

**HISTORY OF CASES**

<table>
<thead>
<tr>
<th>Term</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Additional reasons</td>
<td>Additional reasons for decision.</td>
</tr>
<tr>
<td>Affirmed Decision</td>
<td>Affirmed on appeal. Appeal dismissed; lower court affirmed.</td>
</tr>
<tr>
<td>Appeal dismissed as abandoned</td>
<td>Appellate court dismisses an appeal, stating specifically that the appeal is “abandoned”.</td>
</tr>
<tr>
<td>Appeal dismissed as moot</td>
<td>Appellate court dismisses an appeal, stating specifically that the appeal is “moot”.</td>
</tr>
<tr>
<td>Appeal quashed</td>
<td>Appellate court declares that the appeal is a nullity.</td>
</tr>
<tr>
<td>Application for judicial review allowed</td>
<td>Application for judicial review allowed.</td>
</tr>
<tr>
<td>Application for judicial review refused</td>
<td>Application for judicial review refused.</td>
</tr>
<tr>
<td>Leave to appeal allowed</td>
<td>Leave to appeal to appellate court allowed.</td>
</tr>
<tr>
<td>Leave to appeal refused</td>
<td>Leave to appeal to appellate court refused.</td>
</tr>
<tr>
<td>Reasons in full</td>
<td>Full reasons for a decision subsequently released after short judgment indicating reasons to follow.</td>
</tr>
<tr>
<td>Reconsideration / rehearing granted</td>
<td>Application for reconsideration or rehearing of decision by same court granted.</td>
</tr>
<tr>
<td>Reconsideration / rehearing refused</td>
<td>Application for reconsideration or rehearing of decision by same court refused.</td>
</tr>
<tr>
<td>Referred for further consideration</td>
<td>Decision referred back by an appellate court to a lower level court for further consideration or clarification.</td>
</tr>
<tr>
<td>Reversed</td>
<td>Decision reversed on appeal. Appeal allowed; lower court reversed.</td>
</tr>
<tr>
<td>Reversed in part</td>
<td>Decision reversed in part on appeal. Appeal allowed, however, not on all issues.</td>
</tr>
<tr>
<td>Varied</td>
<td>Decision of the lower court was substantially affirmed, but subject to a variation in the judgment.</td>
</tr>
</tbody>
</table>

**TREATMENT OF DECISIONS**

<table>
<thead>
<tr>
<th>Letter</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>N</td>
<td>Not Followed/Overruled Cited case is expressly overruled, not applied or judged to be bad law.</td>
</tr>
<tr>
<td>F</td>
<td>Followed Principle of law in cited case is adopted or decider’s reasoning is applied.</td>
</tr>
<tr>
<td>D</td>
<td>Distinguished Cited case is inapplicable because of difference in facts or law.</td>
</tr>
<tr>
<td>C</td>
<td>Considered Some consideration is given to the cited case in a majority, minority or dissenting opinion.</td>
</tr>
</tbody>
</table>
**Illustration 4.3: Complex History Links Entry**

**Canada (Director of Investigation & Research) v. Southam Inc.** (June 2, 1992), Doc. CT-90/1 (1992), 43 C.P.R. (3d) 161 (Competition Trib.)

**additional reasons/motifs supplémentaires** (March 8, 1993), Doc. C.T.-90/1 (1993), 48 C.P.R. (3d) 224 (Competition Trib.)


**which was allowed leave to appeal/ demand d’autorisation d’en appeler accordée** (February 8, 1996), Doc. 24915 (1966), 130 D.L.R. (4th) vi (note), 64 C.P.R. (3d) vi (note), 199 N.R. 158 (note) (S.C.C.)

TO FIND THE JUDICIAL TREATMENT OF A STATUTE, REGULATION OR RULE OF PRACTICE ("NOTING UP" A STATUTE, REGULATION OR RULE)

ONLINE:

WestlawNext® CANADA KeyCite Canada

You can find the judicial treatment of Canadian statutes, regulations and rules using KeyCite Canada. Citing references also include legislative annotations on WestlawNext Canada.

A. To Note Up a Statute Section by Name with KeyCite Canada:

1. From the WestlawNext Canada home page, click on the “Find and KeyCite by Name” tab.
2. Select “Find and KeyCite a Statute or Regulation by Name” or “Find and KeyCite a Rule by Name”.
3. Enter the name of the statute, regulation or rule.
4. Enter the section (or rule) number.
5. Select the jurisdiction (optional).
6. Click “Search”.

48
Accessing the “Find and KeyCite by Name template”

Find and KeyCite a Statute by name
B. To Note Up a Statute, Regulation or Rule by Citation

1. In the main search box on the WestlawNext Canada home page, enter KC: followed by the citation. It is not necessary to use punctuation in the citation.

2. Click the “Search” button.

**TIP:**

When entering citations, it is not necessary to use exact spacing, capitalization or punctuation used for abbreviation. However, when a form of punctuation is an essential part of a citation style, it should be included. For example: rso1990ce.2s310 or rsc1985cc-46s16.

**Working with KeyCite Canada Citing References**

When viewing a list of citing references, the default sort order is first by subsection number and then by treatment type, with the most negative treatments first. The treatments for legislative citing references are:

- Unconstitutional in;
- Pursuant to;
- Considered in; and
- Referred to in.

It is also possible to sort the results by:

- treatment type;
- date;
- court level; and
- citation frequency.
It is possible to use filters to quickly find the most relevant results. Citing references can be filtered by:

- date;
- subsection or clause;
- jurisdiction;
- court level;
- treatment type; and
- citation frequency.
Filters available on left side of screen

It is also possible to search the citing documents for specific terms, using the “Search within results” box.

Note: Sorting and filtering options are tailored to the specific citing reference type that you are viewing.
PRINT:

Canadian Statute Citations, Regulations Judicially Considered, and Rules Judicially Considered

*Canadian Statute Citations* shows the judicial treatment of Canadian and foreign statutes, regulations, rules and foreign treaties. Judicial consideration of regulations and rules appear respectively in the *Regulations Judicially Considered* volumes and the *Rules Judicially Considered* volumes.

Components:

- Main Work: *Canadian Statute Citations*—multiple hardcover volumes; *Regulations Judicially Considered*—multiple hardcover volumes; *Rules Judicially Considered*—multiple hardcover volumes. All organized by jurisdiction.
- Annual Supplement: Single softcover volume for each *Canadian Statute Citations* main work volume; one softcover volume for each of the *Regulations Judicially Considered* and *Rules Judicially Considered*.
- Quarterly Supplement: Softcover cumulative supplements issued three times per year.
- Monthly Supplement: Updates appear in monthly issues of *Canadian Statute Citations*. 
[Note: there are separate main volumes and annual supplement volumes for each of the three components of this service – statutes, regulations and rules. There is, however, only a single set of quarterly and a single set of monthly issues, which update all three components.]

**STEP 1**

Find the main volume for the jurisdiction in which your statute/regulation/rule was enacted. Look up the provision by name and section number.

Within each jurisdiction, statutes/regulations/rules are set out alphabetically. Within each statute/regulation/rule, the section numbers are set out sequentially. Cases considering statutes/regulations/rules as a whole appear at the beginning of the entry under the heading “Generally”.

---

**Illustration 5.1:** Treatment Symbols

Judicial consideration of statutes are indicated by symbols in circles.

- **U** unconstitutional: Where a section of a statute has been found by the court considering it to be unconstitutional or invalid, in whole or in part the symbol (U) is used.
- **C** considered: Where a section of the statute has been analyzed or interpreted in a particular decision, the symbol (C) is used.
- **P** pursuant to: Where a proceeding was undertaken pursuant to a section of a statute, the symbol (P) is used.
- **R** referred to: Where a section of a statute has been mentioned by the court, but not commented upon, the symbol (R) is used.
### Illustration 5.2: Treatment Entry

<table>
<thead>
<tr>
<th>Considerations of an Act as a whole are listed before Parts or sections of the Act</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any part of an Act which is judicially considered is listed before sections of the Act under that part</td>
</tr>
<tr>
<td>Generally, each section/subsection of an Act cited in a decision is listed separately</td>
</tr>
<tr>
<td>Sections/subsections may be consolidated where a consecutive range of sections/subsections is judicially considered in the same way by the same decision</td>
</tr>
<tr>
<td>Sections/subsections may be consolidated where a number of sections/subsections are judicially considered by the same decision(s) and there are no intervening considerations</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Canada Labour Code, R.S.C. 1985, c. L-2</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Generally</strong></td>
</tr>
<tr>
<td><strong>Pt. III</strong></td>
</tr>
<tr>
<td>© Brailsford v. Worldways Canada Ltd. (1992), 87 di 98 (Can. L.R.B.)</td>
</tr>
<tr>
<td>© Finley v. Via Rail Canada Inc. (1992), 18 C.L.R.B.R. (2d) 67, 88 di 173 (Can.)</td>
</tr>
<tr>
<td>© Almedia v. Via Rail Canada Inc. (1990), 82 di 10 (Can. L.R.B.)</td>
</tr>
<tr>
<td>© LeBlanc v. Via Rail Canada Inc. (1990), 80 di 24 (Can. L.R.B.)</td>
</tr>
<tr>
<td><strong>Concurrence (Loi sur la) voir</strong></td>
</tr>
<tr>
<td><strong>Competition Act</strong></td>
</tr>
<tr>
<td><strong>Criminal Code, R.S.C. 1970, c. C-34</strong></td>
</tr>
<tr>
<td><strong>Criminal Code, R.S.C. 1985, c. C-46</strong></td>
</tr>
</tbody>
</table>

*Sections 2 of the Canadian Labour Code was considered in the decision P.S.A.C. v. Heritage Canada Foundation, reported at (1988), 73 di 202.*

*Section 128(1) of the Canada Labour Code as repealed and substituted by R.S.C. 1985, c. 9 (1st Supp.), s. 4, was considered in the decision Finley v. Via Rail Canada Inc., reported at (1992), 18 C.L.R.B.R. (2d) 67 and at 88 di 173.*

*Cross-reference from the French title of the Act.*

*Different versions of the same statute appear in chronological order.*

*Statutory definitions appear alphabetically under the defining sections/subsections of the act.*

---

© 2023 - [Publisher Name]
STEP 2
Consult the softcover supplement.

STEP 3
Update your research by using the quarterly supplement.

Each cumulative quarterly supplement covers all jurisdictions and is produced on an October to September cycle. The first quarterly covers October to December. This is replaced by a quarterly covering October to March. This quarterly is in turn replaced by an October to June quarterly.

STEP 4
Complete your research by consulting each softcover issue of *Canadian Statute Citations* for the period after the cut-off date of the Quarterly Supplement.
[As of this writing (July 2014), the information contained in this component is available in print only.]

PRINT:

Canadian Current Law – Legislation

*Canadian Current Law – Legislation* is a current awareness service that enables you to track the progress of bills and recent developments in Canadian statutes and regulations.

There are 3 sections in each issue of *Legislation*:

- **Progress of Bills**: follows every federal, provincial and territorial bill from first reading through to Royal Assent and proclamation.

- **Statutes Amended, Repealed or Proclaimed in Force**: notes developments in the legislative history of any Canadian federal, provincial or territorial statute that has been amended, repealed or proclaimed in force, and provides the chapter number and section number of the amending Act.

- **Regulations**: lists, by enabling statute, the making, repeal and amendment of regulations.

Components:

There are eight issues of *Canadian Current Law – Legislation* published each year. A Legislation Annual is produced once per year and replaces the seven regularly issued volumes, summarizing and retaining the permanent information previously published in those issues.
A. How to Track the Progress of a Bill:

**STEP 1**
Consult the Statutes Enacted section of the most recent Legislation Annual to see if your bill has been enacted in the last year. Find your bill first by jurisdiction and then by name.

Statutes Enacted, found at the beginning of every Legislation Annual, lists all the statutes appearing in the Progress of Bills sections in the previous year’s Legislation issues that have since been enacted. Statutes are organized first by jurisdiction: federal statutes come first, followed by the provinces and territories in alphabetical order. Where the statute has a short title, that title is used.

If you are sure that the bill you are tracking has not yet been enacted, omit this step.

If your bill might have been enacted over a year before your search, check the Statutes Enacted section in previous Legislation Annual volumes.

**STEP 2**
Consult the Progress of Bills sections in successive non-annual issues of *Canadian Current Law – Legislation* after the cut-off date of the most recent Legislation Annual. Find your bill first by jurisdiction, and then by name.

Bills are organized as in the Statutes Enacted section. After the title of the bill you will find the chapter number (if available) and the bill number, followed by any developments (e.g. First, Second or Third Reading, Royal Assent date, In Force date) that occurred during the time frame covered by that issue. A list of all Votes & Proceedings and equivalent reports, and Gazettes referred to in compiling each issue’s entries, is provided at the beginning of the issue.

The Session of Parliament or provincial Legislation is provided at the beginning of the entries for each jurisdiction.

Note that the information found the Progress of Bills section is not cumulative. If there have been no developments in the progress of the bill during the time frame covered by a particular issue, there will be no entry made in that issue.
On the inside back cover of each issue of Legislation you will find Updates to the Minute, a list by jurisdiction of telephone numbers that you can call to update the status of a bill pending before Parliament or any provincial or territorial legislature.
B. How to Find Developments in the History of a Statute:

Consult the Statutes Amended, Repealed or Proclaimed in Force section in the earliest relevant Legislation Annual. Find your statute first by jurisdiction and then by name.

Statutes are organized first by jurisdiction. Federal statutes come first, followed by the provinces and territories in alphabetical order. Within each jurisdiction the statutes are arranged alphabetically. Where the statute has a short title, that title is used.

The entries for each statute provide the section affected, the nature of the development, and the provision that brought about the development.

Illustration 6.3: History of Statutes Entry

| Section 12.1 of the Land Transfer Tax Act was added by R.S.O. 1990, c. L.6 |
| This Act was proclaimed in force on July 24, 2014 |

**ONTARIO**

- Land Transfer Tax Act, R.S.O. 1990, c. L.6
  - s. 12.1 [Am] 2014, c. 7, Sched. 16, s. 1

- Legislative Assembly Act, R.S.O. 1990, c. L.10
  - s. 61(1.2) [Rs] 2014, c. 7, Sched. 17, s. 1;
  - s. 61(1.3) [Ad] 2014, c. 7, Sched. 17, s. 1

  - [Pr] July 24, 2014

- Pension Benefits Act, R.S.O. 1990, c. P.8
  - s. 14(4) [Am] 2010, c. 9, s. 14(3) (in force July 1, 2016);
Consult the Statutes Amended, Repealed or Proclaimed in Force sections in successive non-annual issues of Canadian Current Law – Legislation after the cut-off date of the most recent Legislation Annual.

Note that for blanket amendments, where changes are made in terminology affecting every statute in a jurisdiction, the terms affected are entered at the beginning of the entries for that jurisdiction.

TIP:
Amendments are only enacted in this section when they come into force. To determine the previous date on which an amendment came into force, look up the amending act by name in the Statutes Amended section of the same issue that noted the amendment.
C. How to Find Developments in the History of a Regulation:

STEP 1

Consult the Regulations section in the earliest relevant Legislation Annual. Find your regulation first by jurisdiction, then by the name of its enabling statute, and then by the name of the regulation.

Regulations are organized first by jurisdiction. Federal regulations come first, followed by the provinces and territories in alphabetical order. Within each jurisdiction, the regulations are entered under the name of their enabling statutes, which are arranged alphabetically by title.

The entries provide the name or title of each regulation, the regulation number and the issue of the particular Gazette in which the regulation was published.

Where a regulation has been amended, the particular section or sections affected by the amendment appear followed by the regulation number and Gazette issue of the amending provision.

Illustration 6.4: Regulations Entry

The Schedule to the Canada Pension Plan Regulations was amended by SOR/2014-135, which appeared in the June 18, 2014 edition of the Canada Gazette at page 1653.

STEP 2

Consult the Regulations sections in successive non-annual issues of Canadian Current Law – Legislation after the cut-off date of the most recent Legislation Annual.
TO FIND LEGAL LITERATURE

ONLINE:

WestlawNext® CANADA

[As of this writing (July 2014), the ICLL content remains on Westlaw Canada. It will be migrated to WestlawNext Canada in 2015.]

The Index to Canadian Legal Literature (ICLL) is a comprehensive bibliography of Canadian legal literature, in English or French, which is of interest to the Canadian legal community, including: books, articles, monographs, government publications, audio-visual material, CD-ROMs, continuing legal education material, case comments and annotations. As of this writing, ICLL contains over 157,000 records and 14,100 book reviews.

Within WestlawNext Canada, in the KeyCite Canada citing references for a case, you can find ICLL entries for commentary on that case. Clicking on an ICLL citing reference will open up that ICLL entry on Westlaw Canada.

To search the ICLL directly, click on Index to Canadian Legal Literature (listed under the Finding Tools section of the home page), which will open Westlaw Canada in a new browser tab or window.
Once in Westlaw Canada, you can search for legal literature from the ICLL custom search template. Accessible from that template is the Table of Subject Headings used to classify ICLL entries, or the Table of Periodicals Indexed, which you can consult for help in formulating your search.
A. Searching for Legal Literature using the ICLL Custom Search template

1. Enter your search terms in the applicable boxes.

2. Limit your search by restricting results to particular fields by using the selection boxes (e.g. document type, timeframe). To select more than one option in a selection box, hold down the Ctrl key while clicking multiple selections with your mouse.

3. Select GO.
B. Finding ICLL Subject Headings by Keyword

1. On the ICLL Custom Search Template, select the Table of Subject Headings link.
2. Browse or search ICLI Subject Headings.
1. From the ICLL Custom Search Template, select the Table of Periodicals Indexed link.
2. Browse the Table of Periodicals Indexed.
D. Finding ICLL Articles Within WestlawNext Canada KeyCite Results

1. From the full-text of a case on WestlawNext Canada, select the **Citing References** tab.
2. ICLL results will appear under the **Secondary Sources** content type listed in the left hand pane.
3. Click the heading for an ICLL entry to be taken to the ICLL entry on Westlaw Canada.
The Index to Canadian Legal Literature (ICLL)

The *Index to Canadian Legal Literature* (ICLL) is a comprehensive bibliography of Canadian legal literature, in English or French, which is of interest to the Canadian legal community, including: books, articles, monographs, government publications, audio-visual material, CD-ROMs, continuing legal education material, case comments and annotations. ICLL is divided into five sections, enabling a search for legal literature by subject, author, case, statute and book review. Within each section, all headings are arranged alphabetically. As of this writing, ICLL contains over 157,000 records and 14,100 book reviews.

**Components:**

- **Main Work:** The multiple hardcover volumes are arranged by subject, author, case, statute or book review.
- **Annual Supplement:** There is a single softcover volume for each main work volume.
- **Monthly Supplement:** Updates are published eight times per year in *Canadian Current Law – Canadian Legal Literature*. 

How To Search for Canadian Legal Literature:

A. Searching for Canadian Legal Literature by Subject

STEP 1
Search for the issue alphabetically in the Subject Index main volumes.

STEP 2
For materials indexed after the main volume, search the Subject Index Annual Supplement volume corresponding to the main volume.

STEP 3
Complete your search by consulting the softcover issues of Canadian Current Law – Canadian Legal Literature, published eight times a year.

Illustration 7.1: Subject Index Entry

Main subject heading ➔ LAWYERS
  ➔ Biography
  Changing channels: confessions of a Canadian communications lawyer.
  ➔ Directories
  various.
  ➔ Discipline
  Lawyer accused of "theft" against Dr. Bernstein restricted from practising real estate law. by Yamri Taddese. (Jan. 2014) 25 L. Times No. 3, 4.
B. Searching for Canadian Legal Literature by Author

**STEP 1**
Search for the author alphabetically in the Author Index main volumes. If an item has more than one author, it is entered under each author’s name.

Illustration 7.2: Author Index Entry

Name of author: MAY, Neill

At what point are we going overboard?: [corporate governance and disclosure of information on women in executive positions]. (Mar. 2014) 38 Can. Lawyer No. 3, 15.

**STEP 2**
For materials indexed after the main volume, search the Author Index Annual Supplement volume corresponding to the main volume.

Illustration 7.3: Author Index entry: Corporate Author

Name of corporate author: LAW Society of Upper Canada. Continuing Professional Development


**STEP 3**
Complete your search by consulting the Author Index in issues of Canadian Current Law – Canadian Legal Literature, published eight times a year.
C. Searching for Canadian Legal Literature by Case

STEP 1
Search for the case alphabetically by name in the Consolidated Table of Cases main volume.

Each case is cross-referenced by the name of the defendant, enabling you to search for a case under the name of either party.

Illustration 7.4: Table of Cases Entry

<table>
<thead>
<tr>
<th>Name of the case analyzed in the article</th>
<th>Citation of the case analyzed</th>
</tr>
</thead>
</table>

STEP 2
For materials indexed after the main volume cut-off date, search the Consolidated Table of Cases Annual Supplement volume.

STEP 3
Complete your search by consulting the Table of Cases in issues of Canadian Current Law – Canadian Legal Literature, published eight times a year.
D. Searching for Canadian Legal Literature by Statute

Note: The Table of Statutes is not a table of references to all the statutes cited in the secondary literature. Only items that provide substantial treatment of one or a few statutes are entered in the table under the name of the statute.

The Table of Statutes has entries for foreign statutes, Canadian federal and provincial statutes and international agreements.

To find an international agreement or Canadian federal statute, search alphabetically by the name of the agreement or statute.

To find a foreign statute or Canadian provincial statute, search alphabetically by jurisdiction.

**STEP 1**

Look in the Subject Index main volumes under the subject heading to which the statute pertains.

---

*Illustration 7.5: Table of Statutes Entry*

<table>
<thead>
<tr>
<th>Name of the statute</th>
<th>LOI SUR LE DROIT D'AUTEUR</th>
<th>= Copyright Act</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Loi sur les duanes</td>
<td>= Customs Act</td>
</tr>
<tr>
<td></td>
<td>Loi sur les Indiens</td>
<td>= Indian Act</td>
</tr>
<tr>
<td></td>
<td>LOI SUR LES SÉJOURS</td>
<td>= Canada Business Corporations Act</td>
</tr>
<tr>
<td></td>
<td>NOVA SCOTIA CHILDREN’S SERVICES ACT</td>
<td></td>
</tr>
</tbody>
</table>
Look for the statute in the Table of Statutes section of the Annual Supplement volume.

Complete your search by consulting the Table of Statutes in issues of *Canadian Current Law – Canadian Legal Literature*, published eight times a year.
E. Searching for Book Reviews

**STEP 1**

Look up the book review in the Book Review Index main volume.

Each review is entered under the title of the work reviewed, under the name of the author, and under the name of the reviewer.

**STEP 2**

For materials indexed after the main volume cut-off date, search the Book Review Index Annual Supplement volume corresponding to the main volume.

**STEP 3**

Complete your search by consulting the Book Review Index in issues of *Canadian Current Law – Canadian Legal Literature*, published eight times a year.