

Bulletin des clients de WestlawNext Canada pour le mois de septembre 2018

QUOI DE NEUF

Sélection par ordre alphabétique dans la section *Textes et annotations*

La section *Textes et annotations* offre désormais une barre de sélection par ordre alphabétique située juste au-dessus des titres. Il est ainsi encore plus facile et efficace de rechercher les textes qui vous intéressent.



Accueil > Textes et annotations

Textes et annotations (329) ★ Ajouter aux favoris

Toutes les publications

1 - 100 ▶ 0-9 A B C D E F G H I J K L M N O P Q R S T U V W X Y Z 🔔

Sélectionner tous les éléments | aucun élément sélectionné

ABCs of OH&S - Ontario [ProView](#)

Aboriginal & Treaty Rights Practice [ProView](#)

Il vous suffit simplement de cliquer sur une des lettres apparaissant dans la barre et vous accédez ensuite automatiquement aux titres classés sous cette lettre.



Accueil > Textes et annotations

Textes et annotations (329) ★ Ajouter aux favoris

Toutes les publications

1 - 100 ▶ 0-9 A B C D E F G H I J K L M N O P Q R S T U V W X Y Z 🔔

Sélectionner tous les éléments | aucun élément sélectionné

ABCs of OH&S - Ontario [ProView](#)

Aboriginal & Treaty Rights Practice [ProView](#)

Tout le contenu | **Textes et annotations** | 1 | Sujets Juridiques | Dossiers | Historique | Alertes

WestlawNext CANADA | Chercher dans Textes et annotations | Trouver | Rechercher | AVANCÉE

- Canada - U.S. Commercial Law Guide [ProView](#)
- Canada Business Corporations Manual, 2nd Edition (formerly Canada Corporation Manual) [ProView](#)
- Canada/U.S. Relocation Manual: Immigration, Customs, Employment and Taxation [ProView](#)
- Canadian Advertising and Marketing Law [ProView](#)
- Canadian Bar Association Concordances ⓘ
- Canadian Charter of Rights Annotated [ProView](#)
- Canadian Charter of Rights: The Prosecution and Defence of Criminal and Other Statutory Offences [ProView](#)
- Canadian Citizenship and Immigration Inadmissibility Law, 2nd Edition [ProView](#)
- Canadian Commercial Reorganization: Preventing Bankruptcy [ProView](#)
- Canadian Copyright Act - Annotated Robic [ProView](#)
- Canadian Defamation Law and Practice [ProView](#)
- Canadian Emergency Management and Response Manual: A Guide to the Law and Practice [ProView](#)
- Canadian Employment Law (Stacey Ball) ⓘ
- Canadian Employment Law Answers [ProView](#)
- Canadian Environmental Assessment Act: An Annotated Guide [ProView](#)
- Canadian Film & Television Business & Legal Practice [ProView](#)
- Canadian Health and Safety Law (Norman Keith) ⓘ
- Canadian Law of Planning and Zoning, 2nd edition [ProView](#)
- Canadian Patent Act Annotated, Second Edition [ProView](#)
- Canadian Pharmacy Law [ProView](#)
- Canadian Securities Law Precedents ⓘ

Le guide McGill– 9^{ème} édition

La neuvième édition du *Manuel canadien de la référence juridique* (ou “Guide McGill”) a été publié en juillet 2018 et est maintenant disponible sur le site de WestlawNext Canada. Le contenu de la version en ligne est le même que celui de la neuvième édition de la version papier, mais la version disponible sur WestlawNext Canada vous permet de rechercher rapidement et de manière électronique les informations dont vous avez besoin, relier aisément les informations apparaissant dans les chapitres avec les informations correspondantes apparaissant dans les annexes, annoter et souligner votre copie électronique et accéder au guide McGill en ligne chaque fois que vous effectuez une recherche juridique.

La neuvième édition ajoute de nouveaux éléments en matière de référence à ceux qui étaient déjà inclus dans les éditions précédentes, particulièrement en ce qui concerne la manière de citer les ressources disponibles en ligne, y compris des recommandations au sujet des éléments suivants :

- La manière de conserver les sources disponibles sur l’Internet;
- La manière de faire des références parallèles aux ressources disponibles en ligne;
- Les mécanismes d’identification de ressources;
- La manière de citer les documents disponibles dans les banques de données en ligne, y compris CanLII, LexisNexis Quicklaw, WestlawNext Canada, SOQUIJ, La Référence et Jurisprudence Express;

- La manière de citer d'autres types de documents disponibles en ligne, y compris des documents PDF, de la baladodiffusion, des commentaires émis dans les blogues, des vidéos disponibles en ligne, des sites répertoriant des vidéos; et
- La manière de citer des commentaires émis dans des réseaux sociaux tels que Facebook, Twitter, Reddit, entre autres.

La nouvelle édition offre également de nouvelles recommandations sur la manière de citer divers documents parlementaires, y compris le feuilleton et des documents relatifs aux sessions parlementaires et sur la manière de citer des documents internationaux, y compris les règlements, directives et décisions de l'Union européenne et le droit talmudique.

LE SAVIEZ-VOUS?

Saviez-vous que vous pouvez restreindre une recherche au résumé d'une décision?

Voici comment utiliser cette fonction:

1. Sur la page d'accueil, sélectionnez Jurisprudence sous Sources primaires.

The screenshot shows the WestlawNext Canada homepage. At the top, there is a search bar with the text "Q- Entrez des termes de recherche, des références, des bases de données, etc." and a "Rechercher" button. Below the search bar, there is a navigation menu with the following options: "Tout le contenu", "Trouver par nom – indicateur KeyCite", "Guide McGill", "International", "Produits", and "Renseignements — produits". The "Jurisprudence" option is highlighted with an orange circle. To the right of the navigation menu, there is a section titled "Parcourir les sujets juridiques" with a list of subscription options: "BestCase Library", "Canadian Business Law Journal", "Centre du droit des affaires", "CriminalSource", "EmploymentSource", "Estates& Trusts Source", "FamilySource", and "InsolvencySource".

2. Dans la section Jurisprudence, sélectionnez la fonction AVANCÉE dans le coin supérieur droit.

The screenshot shows the WestlawNext Canada interface for the Jurisprudence section. At the top, there are navigation tabs for 'Tout le contenu' and 'Jurisprudence'. The search bar contains the text 'Chercher dans Jurisprudence'. To the right of the search bar are buttons for 'Trouver', 'Rechercher', and 'AVANCÉE'. The 'AVANCÉE' button is circled in orange. Below the search bar, there is a link for 'Accueil' and the main heading 'Jurisprudence' with a star icon and the text 'Ajouter aux favoris'. An orange arrow points upwards from the bottom right towards the 'AVANCÉE' button.

3. La fonction de recherche avancée prévoit un champ de recherche pour les sommaires où vous pouvez taper vos mots clés.

The screenshot shows the advanced search interface in the WestlawNext Canada Jurisprudence section. The search bar at the top contains the text 'advanced: SU(corporate & veil)'. Below the search bar, there are several input fields for advanced search criteria: 'Juge/décideur', 'Avocat', 'Sommaire', 'Numéro de dossier', and 'Classe d'abrègement'. The 'Sommaire' field is circled in orange and contains the text 'corporate veil'. Below the 'Classe d'abrègement' field, there is a note in italics: '(entrez l'objet de l'abrègement, le numéro de classe ou le nom de la classe)'. The 'Rechercher' button is orange and the 'AVANCÉE' label is visible to its right.

4. Sélectionnez la boîte de recherche Rechercher. Vos mots clés seront surlignés dans la liste de résultats.

The screenshot shows the WestlawNext Canada interface. At the top, there are navigation tabs for 'Tout le contenu' and 'Jurisprudence'. The search bar contains the query 'advanced: SU(corporate & veil)' and a 'Rechercher' button. On the left, there are filters for 'AFFINER :', 'Date', 'Langue', and 'Territoire/Tribunal'. The main content area displays 'Jurisprudence (680)' and a list of search results. The first result is '1. Delizia Limited v. Nevsun Resources Ltd.', which includes a summary and a detailed description with highlighted terms like 'corporate veil'.

WestlawNext CANADA | 1 | Sujets juridiques | Dossiers | Historique

Tout le contenu | **Jurisprudence** | 1

Q- advanced: SU(corporate & veil) | Trouver | **Rechercher** | AVANCÉE

AFFINER : <<

Choisir plusieurs filtres

Chercher dans les résultats

Date: Toutes les dates

Langue: English (643), Français (37)

Territoire/Tribunal: Supreme Court of Canada/Privy Council (7), Federal (75), Alberta (90), British Columbia (109), Manitoba (24), New Brunswick (21)

Retour à Jurisprudence

Jurisprudence (680)

VOTRE RECHERCHE modifier

Sommaire: corporate & veil

1 - 100 | Trier par: Pertinence

Sélectionner tous les éléments | aucun élément sélectionné

H 1. Delizia Limited v. Nevsun Resources Ltd.

2017 CarswellNat 4420;2017 FCA 187;283 A.C.W.S. (3d) 249 | Federal Court of Appeal | Federal | September 15, 2017 | Docket: A-118-16 | Sujet: Civil Practice and Procedure; Contracts; Corporate and Commercial; Insolvency; International

Business associations — Nature of business associations — Nature of corporation — Distinct existence — From related corporations;
Civil practice and procedure — Practice on appeal — Appeal de novo

(Judicially considered 1 time)

...Q.C., for Respondent / Garnishee Subject: Civil Practice and Procedure ; Contracts ; **Corporate** and Commercial ; Insolvency ; International Business associations | Nature of business...

...Ltd. liable for amounts owing by subsidiary, prothonotary was piercing **corporate veil** — On successful appeal by N Ltd., Federal Court found there was no basis for piercing **corporate veil** — D Ltd. appealed — Appeal dismissed — In conducting de novo hearing...

5. Votre recherche sera ainsi limitée aux sommaires de chaque décision.

The screenshot shows the WestlawNext Canada interface. At the top, there are navigation tabs for 'Tout le contenu' and 'Jurisprudence'. A search bar contains the query 'advanced: SU(corporate & veil)'. The search results display the case 'Elbow River Marketing Limited Partnership v. Canada Clean Fuels Inc.' with details: '2012 ABCA 328, 2012 CarswellAlta 1914 | Alberta Court of Appeal | Alberta | November 6, 2012 (Environ 11 pages)'. Below the case title, there are tabs for 'Document', 'Historique (2)', 'Références citant (29)', 'Avis juridiques (8)', 'Documents de la Cour (6)', and 'Experts (0)'. The interface also shows navigation options like 'Retourner à la liste', '2 de 682 résultats', and 'Termes originaux'. The main content area displays a 'Headnote' with the following text:

Business associations --- Nature of business associations — Nature of corporation — Distinct existence — From owner — Lifting the corporate veil — Miscellaneous

Plaintiff corporation entered into contracts with defendant fuel companies for supply of biodiesel — Biodiesel was not delivered and corporation brought breach of contract action against companies — Corporation brought evidence as to relationship between companies as "sister" companies and that they were led to believe that they were one and same — Company CC claimed to be registered corporation but with no activity — CC applied to be removed from action as they claimed that there was no serious issue to be tried — Corporation claimed that there was agency relationship which required **corporate veil** to be pierced — Agency relationship was not found — **Corporate veil** was not to be pierced — Issue of partnership was issue to be tried — Corporation appealed from findings on agency and **corporate veil** — Companies cross-appealed as to findings on partnership — Appeal allowed — Cross-appeal dismissed — Piercing **corporate veil** was only to be done where it was clear that corporation had been controlled and used for improper conduct — Although there was possibility that this had taken place, it was not clear from evidence at this stage and triable issue was in place.

Business associations --- Creation and organization of business associations — Partnerships — Evidence of partnership — General principles

Plaintiff corporation entered into contracts with defendant fuel companies for supply of biodiesel — Biodiesel was not delivered and corporation brought breach of contract action against companies — Corporation brought evidence as to relationship between companies as "sister" companies and that they were led to believe that they were one and same — Company CC claimed to be registered corporation but with no activity — CC applied to be removed from action as they claimed that there was no serious issue to be tried — Corporation claimed that there was agency relationship which required **corporate veil** to be pierced — Agency relationship was not found — **Corporate veil** was not to be pierced — Issue of partnership was issue to be tried — Corporation appealed from findings on agency and **corporate veil** — Companies cross-appealed as to findings on partnership — Appeal allowed — Cross-appeal dismissed — Standard of review as to application of legal test was correctness — No error was made in applying test for summary judgment on partnership issue — Intention for partnership was found in conduct of parties, defeating denials found in affidavit evidence — There was need for trial to determine extent of relationship, as it could be disposed of by summary judgment.