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• Rights of Aboriginal peoples in Canada including the constitutional framework; Aboriginal and treaty rights; the duty to consult and accommodate; hunting, fishing and trapping rights; land and land claims; and Métis and Inuit rights
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Corporate Law for Ontario Businesses is the ideal resource for lawyers and law clerks who are new to corporate law, or those who require a practical refresher for a general practice. It has also been written as a textbook that can be used for teaching law clerks. The author's approach has been to provide a balance of legal theory and practical application – so you will find caselaw and statutory references in the book, as well as government forms and checklists. All materials have been written in a simple, direct manner, making it easier for students to understand.

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- R. v. Vander Griendt: Section 48.1 regarding alcohol stops, does not apply to a parking lot.
- R. v. Michaud: Section 68.1 regarding speed regulators, is constitutional.
- Goodwin v. British Columbia; R. v. Wilson: The Province of British Columbia’s automatic pre-criminal charge driving prohibition scheme is constitutional.

Legislative highlights
- Fighting Fraud and Reducing Automobile Insurance Rates Act, 2014, S.O. 2014, c. 9, Sched. 2
- Transportation Statute Law Amendment Act (Making Ontario’s Roads Safer), 2015, S.O. 2015, c. 14
- Strengthening and Improving Government Act, 2015, S.O. 2015, c. 27

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Canadian Citizenship and Immigration Inadmissibility: Criminal Law Edition
Mario D. Bellissimo, C.S.

Canadian Citizenship and Immigration Inadmissibility: Criminal Law Edition provides practical and tactical guidance on how to effectively manage criminal immigration files, for criminal lawyers and paralegals representing different status holders under the Immigration and Refugee Protection Act (IRPA).

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Topics discussed in this publication include:
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- A comprehensive overview of the key legislative thresholds, strategies and factors for criminal lawyers’ consideration, in representing immigration clients facing criminal charges, convictions and/or sentencing hearings
- The new regime of record suspensions and its impacts on citizens, permanent residents and foreign nationals
of exposure and point to procedures may contain the threat of cyberfraud, identification of the elements that increase risk is impossible to predict the introduction of new types of cyberfraud activities. Although it makes sense to keep up with cyberfraud. Access to knowledge and cybersafety education will make a difference in keeping up with cyberfraud. The author has developed a model for unpacking and presenting cyberfraud information coherently and at a high enough level to be useful. This handbook is designed to assist the frontline security officer, security supervisor, loss prevention officer, close protection officer, and the mobile response officers throughout Canada within their jurisdictions. It will act as an accessible resource that is quick and easy to use. Security personnel will be able to enhance their knowledge or refresh their training skills and maintain proficiency throughout their varied duties. This resource is a practical tool that references Canadian best practices and laws to be utilized in the field of private security, it encompasses information useful to security personnel as well as those responsible for security training. This handbook seeks to bring order to the chaos to assist in risk management including the creation and application of best practices to identify cyberfraud activities.

New

The Canadian Cyberfraud Handbook: A Professional Reference
Claudiu Popa

This handbook seeks to bring order to the chaos to assist in the classification of major types of deceptive practices. The author has developed a model for unpacking and presenting cyberfraud information coherently and at a high enough level to be useful. This handbook is designed to assist the frontline security officer, security supervisor, loss prevention officer, close protection officer, and the mobile response officers throughout Canada within their jurisdictions. It will act as an accessible resource that is quick and easy to use. Security personnel will be able to enhance their knowledge or refresh their training skills and maintain proficiency throughout their varied duties.

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• Levkovic: Mens rea for concealing dead child
• Maybin: Intervening causes
• A.D.H.: Presumption of subjective mens rea for crimes
• Mabior: Consent to sexual intercourse with an HIV positive accused, and more

Legislative changes include Parliament's trend to adding mandatory minimum sentences and Charter decisions striking some down, as well as new, simplified Criminal Code defences of self-defence and of defence of property enacted in 2013.

Under the defence of insanity in Chapter 5, consideration is given to the new classification of the American Psychiatric Association (2013), Diagnostic and Statistical Manual of Mental Disorders (DSM-5).

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Major lower court decisions considered include Nur (Ont. C.A.) (striking down mandatory minimum for firearm offence), Hart (Nfld. and Lab. C.A.) (“Mr. Big” strategy violating s. 7), Koivisto (Ont.C.J.) (s. 10(a) violation in sexual assault case leading to ss. 10(b) and 7 violations) and Adamo (Man.Q.B.) (3-year minimum gaol sentence applied to disabled offender violated Charter standards of cruel and unusual punishment, the new s. 7 standard of proportionality (Ipeelee), overbreadth and substantive s.15 equality guarantees.

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Major Supreme Court decisions included in this edition:
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• Khawaja: terrorist provisions read down to avoid overbreadth
• Bedfrod: prostitution laws struck down as overbroad and grossly disproportional
• Levkovic: disposing of dead child offence read down to avoid vagueness
• ADH: presumption of subjective mens rea for crimes, and more

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Henry Waldock, B.Sc., LL.B.

This compilation provides easy, portable access to valuable content from the respected practice manuals Canadian Criminal Code Offences and Criminal Law Evidence, Practice and Procedure used by Crown counsel, defence counsel, judges and police. The selected chapters from these manuals bring together essential information on commonly charged offences designed to assist the beginning practitioner. The procedural aspect of this book is designed to provide step-by-step guidance to evidentiary, procedural and practice topics that arise in criminal law practice.

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Editor-in-Chief: R.P. Saunders, and Rebecca Jaremko Bromwich

The book’s interdisciplinary approach to the study of criminal law combines commentary by the authors with excerpts from cases, government reports and extensive secondary material, including newspaper reports and articles. The book fills a gap between books that adopt standard black letter approaches to criminal law and those that focus exclusively on the social aspects of criminal law. While critically examining the traditional approach to criminal law found in the Criminal Code and the common law, this text explores the historical, theoretical, sociological and political contexts of the criminal law and its administration. The fifth edition contains analysis of important statutory, case law and related developments that have emerged since the last edition.
New in this edition

• New case law and commentary on the topic of prostitution legislation, including Canada (A.G.) v. Bedford (2013 S.C.C.), and Bill C-36
• The Police Record Checks Reform Act 2015, S.O. 2015 c. 30, Ontario's new regulatory policy governing “carding” by police
• The Victims Bill of Rights Act, S.C. 2015, c. 13, which provides rights at the federal level for victims of crimes
• An examination of the issues surrounding the overrepresentation of Aboriginal accuseds in the criminal justice system, including R. v. Ipeelee (2012 S.C.C.)
• Discussion of legislation and case law concerning mandatory minimum sentences, including R. v. Nur (2015 S.C.C.) in which the Supreme Court of Canada struck down certain mandatory minimum sentencing as unconstitutional
• New case excerpts dealing with Criminal Law Liability and Defences have been added
• Discussion of inequalities along racial and gender lines in terms of the experiences people have in the criminal justice system

Additionally, the discussion questions and Further Readings sections in each chapter have been updated.

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Topics addressed include the validity of the approved screening device test, proof of impairment, admissibility of blood and breathalyzer tests results, Charter defences, the concept of “care and control,” and sentencing. The technical aspects of demands, breathalyzer reports, certificates, blood alcohol content reports and alcohol influence reports are also covered.

The 2016 edition has been updated to reflect all the legislative developments since the last edition and incorporates all significant developments in the case law.

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New

Drone Controversies: Ethical and Legal Debates Surrounding Targeted Strikes and Electronic Surveillance
Sara M.Smyth, Ph.D.

This book examines the legal implications of employing drones, which are flown autonomously, or by remote control, without a pilot onboard. For a small fraction of the price of an airplane or helicopter, drones can fly through hazardous areas without risking human lives, provide detailed information about people and things far below, and flutter past traffic jams to deliver packages on time. It is estimated that by the year 2020, as many as 30,000 drones will be occupying national airspace in the United States alone.

This book considers the ethical and legal issues surrounding the use of drones by government, industry, and individuals within the United States. It provides up-to-date information about the current domestic and international regulatory framework governing the private and public use of drones for military, commercial and recreational purposes.

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Earl J. Levy, Q.C.

An indispensable resource that expertly combines substantive law and trial advocacy, the seventh edition takes the readers through meaningful scenarios that they will encounter along the trial path – from the first time they meet their client to when the evidence is completed – whilst all this time improving their advocacy skills and knowledge of the criminal law.

Highlights include new and amended chapters:
• New chapter, “The Age of Information and Defence Implications” where counsel may be confronted with issues for the first time in a social media-driven case.
• Expanded chapter, “The Right to Silence and Self-Incrimination”, where the Supreme Court of Canada in R. v. Hart (2014) developed a new common law rule, namely that any confessions by accused persons as a result of their participation in a Mr. Big-Sting operation was presumptively inadmissible unless the Crown is able to establish, on a balance of probabilities, that the probative value of the confession outweighs its prejudicial effect.
• The chapter “Techniques of Cross-Examination” describes a number of ways to control a witness' testimony, and ways in which control can be lost.
• Impeachment of the witnesses by “Prior Inconsistent Statements” is its own chapter.
• Revised chapter “The Identification Witness” describes cross-examination approaches to successfully challenge the kind of evidence that has been referred to as “the overwhelming factor leading to wrongful convictions.”
• The chapter “The Expert Witness” discusses when an expert may be considered impartial by the court.

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Joel E. Pink and David C. Perrier

The 8th edition provides the most comprehensive and up-to-date introduction to criminal law and criminal procedure available in Canada. The authors examine the entire criminal process from the commission of a crime to conviction and sentencing, including an overview of the foundations of our present criminal law system. Originally written for the layperson and those interested or presently working within the legal and criminal justice systems, the present work covers diverse topics such as the basic principles of criminal law to how judges determine the credibility of witnesses in courtroom proceedings.

New in this edition
In the chapter entitled: Do you have a Criminal Record? – The Effect of Discharges and Record Suspensions: The writer views the law because of the controversy that discharges and record suspensions have. As will be seen in the chapter many Courts are confused. The writer tries to answer and clarify the law in this area.

In the chapter entitled: Extradition: The writer of this chapter in layman’s terms explains to the reader what extradition is and why one is extradited. He explains how the requesting country proceeds in having a fugitive return to their territory. The writer in layman’s terms explains this complicated field of law.

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Gender, Sex and the Law in Canada
Johanne Elizabeth O’Hanlon

Contributors: Renee R Cochard, LL.B., LL.M., Ph.D. (Can), Q.C., Ildiko David, B.C.L., Marie Hélène Dubé, Marie L. Gordon Q.C., Professor Berend (Ben) Hovius, Johanna Sarfati, and Steven G. Slimovitch, B.A., LL.B.

Does the law reflect the evolving roles of men and women, or does it help to shape them? Gender, Sex and the Law in Canada brings together a group of prominent legal and social thinkers from across Canada in an attempt to provoke and start a dialogue.

Consisting of articles from leading practitioners and academics in the areas of criminal, family, and alternative dispute resolution law, Gender, Sex and the Law in Canada examines the intersection between the law and gender and explores the effect of gender bias in the application and development of the law in various areas such as family, criminal and immigration law.

Topics examined include: the role gender plays in legal negotiations; the economic and property rights of de facto spouses; child pornography offences; freedom of religion and child custody.

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A Guide to Police Writing, 3rd Edition
Karen Jakob

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**Handling Provincial Offence Cases in Ontario 2016**

John P. Allen and Rick Libman

Part of the Canada Practice Guides Criminal Series

This text provides systematic guidance for defending and prosecuting provincial offence cases in Ontario, ranging from driving offences to complex occupational health and safety violations and environmental protection infractions. Separate chapters cover mens rea offences, strict liability offences and absolute liability offences including the scope of liability and corporate responsibility.

**New in this edition**

- R. v. Michaud (2015 Ont. C.A.) – truck speed limiters deprived the defendant of his rights to security of the person in a manner that violated one of the principles of fundamental justice, overbreadth but was justified under s. 1 of the Charter
- R. v. Zhang (2015 Ont. S.C.) – defendant does not face the jeopardy of an increased penalty for a subsequent offence unless he or she has been previously convicted and sentenced for an offence
- R. v. Pisces Fishery Inc. (2016 Ont. S.C.) – the trial judge erred in failing to consider what a proper system of supervision would consist of, in addition to setting the standard of care in relation to the corporate defendant too low.
- R. v. Leung (2015 Ont. C.J.) – power to grant an adjournment is a discretionary one, reviewable on appeal if that discretion was not exercised judicially

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**Hutchison’s Search Warrant Manual 2015**

Scott C. Hutchison

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The 2015 edition is updated with the most recent developments in the law. This includes coverage of Bill C-13 which is pending before parliament.

**New and updated sections include**

- Computer warrants
- Expectations of privacy; New warrant powers
- General warrants

Specific issues are also discussed including the legal developments in computers and search warrants, the expectation of privacy and the proposed Bill protecting Canadians against online crime. Appendices contain the relevant Criminal Code provisions.

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Jurisdiction: Canada (Federal)

**New Edition**

**An International Review of Criminal Evidence (Volume 2)**

The Honourable Justice S. Casey Hill, Louis P. Strezos, B.A., LL.B., and David M. Tanovich, B.A., M.A., LL.B., LL.M.

This publication is the annual review by the General Authors/Editors and the International Advisory Panel for McWilliams’ Canadian Criminal Evidence, 5th Edition, which tracks all of the key developments in evidentiary law from the preceding year.

With contributions by the experts on the International Advisory Panel, this publication identifies numerous cases of significance not only from Canada, but also from England and Wales, Northern Ireland, the United States, Australia, New Zealand, India and South Africa, and summarizes the recent developments in criminal evidence for easy reference as well as providing a global perspective.

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The Second Edition includes eight years worth of case law and legislative updates, as well as a particular focus on the legal aspects of how the growth of online Internet information communication technology is revolutionizing the way cases are investigated, offences are committed, and investigators are able to find and understand the law by themselves.

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Jurisdiction: Canada (National)

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Ian D. Scott
The book contains the collected works of the editor and ten contributors, all leaders in this area, on issues of civilian oversight of policing in Canada. It provides both an overview of police oversight agencies in all provinces, as well as the RCMP and military complaints system, and discussions on specific topics such as the 2010 G20 Summit in Toronto, other legal mechanisms of accountability of police use of force, litigation as a vehicle for police reform, off-duty police misconduct, political regulation of the police, and original research on the criteria for independence in civilian led investigations of the police.

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This comprehensive text provides vital background information and a coherent structure for understanding the law. Focusing on the substantive aspects of the criminal justice system and the trial context, this casebook covers the adversary system, how the elements of crime are proven, defences and sentencing practices.

This 13th edition continues to focus on tools students must acquire to be effective criminal lawyers, including critical skills. The aim is to explore substantive principles and the trial context: the purposes of punishment, the adversary system, how elements of crime are proved, principles of act and fault, legal justifications and excuses and sentencing options. Integrated throughout is a consideration of the impact of the Charter. The focus is on major sources: the Criminal Code itself and key judicial decisions. Comprehension and critical review is facilitated by notes, questions, problems and general review questions.

This edition has been thoroughly updated and re-edited. Legislative changes considered include the new simplified Criminal Code defences of self-defence and defence of property enacted in 2013, the strong trend to add mandatory minimum sentences and Charter decisions striking some down, and Parliament’s new prostitution laws prohibiting the purchase of sex services.

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- *Vu* – search warrant must expressly authorize seizure of cell phones
- *Taylor* – searches at hospitals and exclusion following s.10(b) violation
- *Chehill and MacKenzie* – power to use sniffer dogs on reasonable suspicion
- *MacDonald* – public safety searches
- *Hart and Mack* – new common law standards for Mr. Big confessions
- *Henry v. B.C.* – civil remedy against Crown for intentional non-disclosure
- *Anderson* – more limited stay as abuse of process remedy against Crown
- *St. Cloud* – public confidence ground to deny bail not to be used sparingly
- *Kokopenace* – limits on representative juries for Aboriginal offenders

Many hot button issues are discussed such as conflicting case law on police carding practices, racial profiling, limits to the right to counsel under s. 10(b) and the extent to which duty counsel can substitute for right to counsel of choice, the right to silence having been subsumed into the voluntary confession rule in *R. v. Singh*, the different disclosure rules for sexual offence and those for all other crimes, the scope and future of preliminary inquiries, the use of stays under the right to be tried in a reasonable time under s.11(b), the latest controversies in jury trials and new instances of wrongful convictions.

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Contributing Editor: Andre M. Popadynec, B.A. (Hons.), LL.B.

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New in this edition
Legislation introduced in this edition:
• Highway Traffic Act, Definition of Commercial Motor Vehicle and Tow Truck, O. Reg. 419/15
• Highway Traffic Act, Pedestrian Crossover Signs, O. Reg. 402/15
• Highway Traffic Act, Pilot Project – Automated Vehicles, O. Reg. 306/15
• Highway Traffic Act, Pilot Project – Three-wheeled Vehicles, O. Reg. 28/16
Recent legislative amendments include:
- *Child and Family Services Act*, amended by S.O. 2014, c. 11, Sched. 6
- *Family Law Act*, amended by S.O. 2014, c. 7, Sched. 9; S.O. 2015, c. 9; and S.O. 2015, c. 27, Sched. 1
- *Family Responsibility and Support Arrears Enforcement Act*, amended by S.O. 2014, c. 7, Sched. 10
- *Highway Traffic Act*, amended by S.O. 2014, c. 9, Sched. 2; S.O. 2015, c. 14; and S.O. 2015, c. 27
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**New in this edition**

The 8th edition includes discussions on the following case law: *I. (D.)* (the mentally incompetent witness); *Prokofiew* (commenting on the silence of a co-accused); *Nedeclu* (cross-examination on civil discovery evidence); *Barros* (the identity of an informer); *Ahmad* (s. 38 of the *Canada Evidence Act*), *Cote* (discoverability in s. 24 *Charter* analysis) in the Supreme Court; *Li* (introducing transcript evidence); *Figliola* (adverse vs. the hostile witness); and more.

A number of other areas have been added dealing with Parliamentary changes to the treatment of child and mentally incompetent witnesses, preliminary inquiry evidence at trial and prohibited cross-examination of the accused. There is expanded discussion in areas such as the rule against collateral facts, the evidence of children and persons who may be mentally incompetent, the derivative confessions rule and the right to remain silent and specific presumptions.

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Jurisdiction: Canada (Federal)

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Jurisdiction: Canada (Federal)
Ian Scott and Joseph Martino

This manual provides police officers with an up-to-date, easily accessible, and accurate recitation of the law in these vital areas of criminal justice – arrest, search & seizure, and interrogating suspects and interviewing witnesses.

New in this edition
• Aucoin (2012 S.C.C.) – common law authority to detain citizens is an extraordinary power and not lawful unless the manner in which the detention power is exercised was reasonably necessary
• Chehil (2013 S.C.C.) – established that the reasonable suspicion standard was about reasonable possibility (not probability) of crime
• Cole (2012 S.C.C.) – a warrantless search of a teacher’s computer contents was unreasonable – the police should have sought a search warrant
• Fearon (2014 S.C.C.) – permitting police to search a cell phone found on a person after a lawful arrest

The eleventh edition is also updated with respect to amendments to the Criminal Code’s citizen arrest powers introduced under the Citizen’s Arrest and Self-defence Act, S.C. 2012, c. 9.

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Jurisdiction: Canada (Federal)

Fred Hunter and Brian Ward

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• Operation of elevating devices during emergency situations
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• Proper handling of crime scenes

Written by the author team of a highly trained and experienced fire fighting professional and a seasoned veteran law enforcement officer, both of whom also have spent a number of years teaching at the community college and career college level, this book is an ideal on-the-job reference, training manual and teaching resource for security professionals, security companies, trainers and course instructors.

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From the Foreword by Paul Pedersen, Chief of Police of the Greater Sudbury Police Service

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Benjamin Perrin

Victim Law is an invaluable peer-reviewed resource for judges, Crown prosecutors, defence counsel, police, victim services professionals, policy-makers and scholars. In this timely book, one of the architects of the new federal Victims Bill of Rights Act examines the growing body of legislation and case law related to victims of crime throughout the criminal justice, corrections and youth criminal justice systems and under provincial and territorial laws. In addition to providing a comprehensive legal account of victim law, legislative and policy recommendations are made to enhance the responsiveness of the justice system to victims.

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Professor Lynda Collins and Professor Heather McLeod-Kilmurray

The Canadian Law of Toxic Torts provides readers with a current and comprehensive analysis of the Canadian law of “toxic torts” – those that involve environmental contamination and/or toxic products. The work addresses the unique challenges of toxic tort litigation for litigants, counsel and judges, including leading precedents, the appropriate treatment of scientific evidence, and policy considerations that will shape the evolution of the Canadian toxic tort law in the future.

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Canadian Tort Law in a Nutshell, Fourth Edition
Margaret Kerr, JoAnn Kurtz, and Laurence M. Olivo

The new edition of this work provides a succinct overview of Canadian tort law, incorporating the latest developments in an easy-to-understand format. It takes you step-by-step through the basic principles and issues in the law of torts in Canada. The authors clearly explain how the various tort law concepts apply in practice, specifically addressing such issues as: levels of guilt mentality; intentional torts; defences to intentional torts; business torts; negligence; proof of negligence; defences to negligence and limitations on the defendant's liability; special categories of negligence; determining duty of care; strict liability; vicarious liability; public authority liability; damages in tort; analysis of causation.

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Jurisdiction: Canada (Federal)


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The ninth edition of Cases and Materials on the Law of Torts retains many features of the previous edition and contains:
- Recent Supreme Court of Canada decisions on negligent misrepresentation, factual causation, nuisance, deceit and unlawful interference with economic relations (the unlawful means tort)
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Raymond E. Brown

Defamation Law: A Primer provides basic and concise coverage of the substantive law of defamation. Raymond E. Brown, the author of Brown on Defamation, Second Edition, articulates both the diversity and similarity of the common law of defamation in Canada, Great Britain, Australia, New Zealand, South Africa and the United States. He has included the leading decisions in each of these countries, and quotes extensively from leading jurists. This book also includes a chapter outlining the impact of the United States constitution on the law of defamation, as well as a chapter devoted to recommending a variety of changes in the law.

New in this edition
- Several new sections have been added with this edition, including discussion on special problems of defamatory meaning with the Internet, Internet publications, reportage privilege, nominal and contemptuous damages and appellate review of damage awards
- Legislative references have been updated with special care being taken to note the changes in Australia with the advent of the Uniform Defamation Act, 2005 as well as the changes in the United Kingdom brought about with the English Defamation Act, 2013
- Case law throughout has been updated for all relevant jurisdictions: United Kingdom, Canada, Australia, New Zealand, United States, and to a limited extent South Africa

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Erika Chamberlain

*Misfeasance in a Public Office* provides a comprehensive study of the tort of misfeasance in a public office in Canada and other Commonwealth jurisdictions. Misfeasance is a unique tort in that it applies only to public officers, and so exists at the intersection of private and public law. Since the House of Lords’ decision in *Three Rivers v. Governor and Company of the Bank of England* (No 3) (2001) and the Supreme Court of Canada’s decision in *Odhavji Estate v. Woodhouse* (2003), misfeasance has been pleaded with increasing frequency and in situations covering a wide range of official misconduct. This book provides an organizational framework for the tort and a thorough catalogue of its application in specific cases. It also provides a theoretical foundation that clarifies the underlying purposes of misfeasance in a public office, its relationship to other areas of law, and its present and future role in the modern administrative state.

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Jurisdiction: Canada (Federal)

New

Sports and Recreation Liability Law in Canada
Lorne Folick, Michael Libby, and Paul Dawson

This book covers in depth the bases for potential liability of those involved in the sports and recreation field (including, but not limited to, amateur teams, participants, sports leagues, non-profit organizations, facility owner/operators, for-profit teams and organizations, owner/operators of attractions, employers, risk managers, and event planners/sponsors and hosts). The book also addresses numerous issues that impact directly upon such liability issues. These include issues of insurance coverage for both named and “additional” insureds, defences, waivers, contributory negligence, and voluntary assumption of risk.

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Jurisdiction: Canada

New Edition

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New Edition

**The 2017 Annotated Ontario Education Act**

Markle Schmid Munoz LLP

Editor: Alex Munoz

This invaluable guide is the perfect tool for all professionals who deal in matters touching on education law. The publication also includes commentary on significant case law, links to other sections of the Education Act, links to sections of other education-related statutes and regulations, a table of concordance as well as portions of statutes pertaining to family, municipal and administrative law.

New in this edition

- The Ontario Education Act, R.S.O. 1990, c. E.2 has been amended by S.O. 2015, c. 28, Sched. 1; S.O. 2016, c. 5, Sched. 8 and S.O. 2016, c. 15.
- In the Matter of s. 10 of the Education Act (2016 Ont. S.C)
- In The Matter of an Arbitration Between Bluewater District School Board (the School Board or the Employer), and Association of Bluewater Administrators (the Association) Re: Grievance of KJM (2015)

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Jurisdiction: Canada (Ontario)

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This book provides a complete and comprehensive account of the legal and administrative issues arising from the special education process.

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Jurisdiction: Canada (National)
An Educator’s Guide to the Health and Safety of Students

Robert G. Keel and Nadya Tymochenko
With contributions from: Kate Waters, Nicola Simmons, Kimberley Ishmael and Patricia Harper

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This text is an easy-to-read reference on employment law issues across Canada. It can be read cover to cover to get the full scope of the employment relationship, or it can be referenced by topic so you can quickly find the information you are looking for.

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• Accessibility for Ontarians with Disabilities Act, 2005 and its Regulations
• Public Service of Ontario Act, 2006 – Regulations
• Occupational Health and Safety Act and its Regulations
• Workplace Safety and Insurance Act, 1997 and its Regulations

Updates/Changes
• HRTO Rules of Procedure have been updated
• OLRB Rules of Procedure have been updated
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This second edition includes significant new material and analysis on a variety of important topics including the constitutional division of powers, the Smith v. Inco litigation, recent Fisheries Act and Canadian Environmental Assessment Act reforms, emerging Species At Risk Act caselaw, and developments in climate change and carbon law.

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Joint winner of the Walter Owen Book Prize, 2011

This is the first and only resource to provide an in-depth description and analysis of the complex and ever-expanding array of domestic and international laws and initiatives addressing climate change in Canada.

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• Environmental Protection Act, R.S.O. 1990, c. E.19
• Green Energy Act, S.O. 2009, c. 12, Sch. A
• Clean Water Act, 2006, S.O. 2006, c. 22
• Nutrient Management Act, 2002, S.O. 2002, c. 4
• Ontario Water Resources Act, R.S.O. 1990, c. O.40
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• Safe Drinking Water Act, 2002, S.O. 2002, c. 32
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The following legislation is included in the text:
- Representation Agreement Act and Regulation
- Power of Attorney Act
- Power of Attorney Regulation
- Health Care (Consent) and Care Facility (Admission) Act and Regulation
- Adult Guardianship Act and Regulations
- Public Guardian and Trustees Act and Regulations
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New in this edition
Recent amendments to the following Acts and Regulations:
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- Crown Administration of Estates Act
- Escheats Act
- Family Law Act
- O. Reg. 30/11, under the Funeral, Burial and Cremation Services Act, 2002
- Health Care Consent Act, 1996
- Income Tax Act
- ITA Regulations
- Insurance Act
- Land Titles Act
- Limitations Act, 2002
- Mental Health Act
- Pension Benefits Act
- Residential Tenancies Act, 2006
- Ont. Reg. 26/95, under Substitute Decisions Act, 1992
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A.H. Oosterhoff, Robert Chambers, and Mitchell McInnes

The eighth edition provides students, practitioners and teachers of the subject with a clear structure for understanding the basic law of trusts, while providing insight into the complexities of trust law. The textual material is designed to give students a framework for understanding and analyzing the cases and materials that will enable them to be self-directed in learning.

This edition has been updated to include the many new developments in the law of trusts since the last edition. In addition to updating the material, major changes in the organization of the text have been made:
- Chapter 3, “Trust Duties and Powers” (formerly titled “Trusts and Powers”) addresses the duty to account, the duty of care and fiduciary duty.
- Unjust enrichment has been moved to Chapter 10,
- Introduction to the Constructive Trust and Unjust Enrichment. The balance of Chapter 11 has been split into three separate chapters being Chapter 11, Constructive Trusts and Wrongful Gains; Chapter 12, Constructive Trusts and Perfection of Intentions; and 18. Knowing Assistance and Receipt.
- Former Chapters 13 and 14 have been divided into Chapter 14, Exercising Discretion; Chapter 15, Investment; and Chapter 16, Rights of Trustees. Chapter 16 now also contains material on the rights of trustees inter se that was previously in Chapter 15.
- Chapter 15 has become two new chapters, Chapter 17, Liability of Trustees; and Chapter 19, Tracing and Recovery of Trust Assets.

Extensive use was also made of the Uniform Trustee Act, which was recently promulgated by the Uniform Law Conference of Canada, by contrasting and comparing it to existing provincial trustee statutes.

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A.H. Oosterhoff, C. David Freedman, Mitchell McInnes, and Adam Parachin

More than simply a casebook, the 8th edition of this authoritative work remains the best first step any student or practitioner can take in their research of the theory or practice of succession law. Authored by a team of distinguished academicians, Oosterhoff on Wills provides a complete primer on all aspects of the law, incorporating text and commentary with concisely edited case extracts to elucidate and explore every aspect and phase of wills law. It can readily be used for better understanding of the basic concepts of wills and estates and as authority for legal principles.

New in this edition
Thoroughly updated, re-written and re-organized, the 8th Edition includes discussions on:
- The Wills and Succession Act (Alberta) and the Wills, Estates and Succession Act (British Columbia), and their impact on the law as mandated by these Acts
- The new British Columbia statutory rules on abatement and encumbered property, as well as the abolition of a number of evidentiary presumptions by Alberta and British Columbia
- Recent developments in such topics as conflict of laws, testamentary guardians and custodians, dependants’ support, and substitute decisions

The 8th edition welcomes Professors C. David Freedman, Mitchell McInnes, and Adam Parachin, to its author team.

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Mary L. MacGregor

This book is an aid for lawyers who engage in an estates planning practice. Lawyers are taken from the opening of a new file through the planning and drafting of wills, powers of attorney, insurance trusts and complementary documents to the reporting, billing and storage of completed documents. This fourth edition addresses concerns over insurance declarations in wills and separate trusts. More precedents have been added for secondary wills. Updates to the RRSP and RIF clauses have been made, as well as commentary regarding Tax Free Savings Accounts. The fourth edition of the book has been thoroughly reviewed and updated. It is accompanied by a CD-ROM.

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Jurisdiction: Canada (National)

Waters’ Law of Trusts in Canada, 4th Student Edition
Donovan W.M. Waters, Mark Gillen, and Lionel Smith

The 4th edition of this classic text is both comprehensive and up to date. The book examines all facets of the law of trusts in every jurisdiction of Canada, including the nature of trusts under common law and civil law, and some international jurisdictions such as the United States, where Canadian trust law is increasingly relevant in estate planning. You will gain insight into the creation and administration of express trusts; the termination of trusts; conflict of laws, including the Hague Convention on the Recognition of Trusts; the variety of uses to which the trust is applied; and the law concerning remedial trusts (for example, resulting and constructive trusts), especially in matrimonial law.

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New Edition

Wealth Planning Strategies for Canadians 2017
Christine Van Cauwenberghe

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As with previous editions, this is a resource you can trust to alert you, step-by-step, to the myriad of considerations which may apply, no matter what your or your client’s life situation.

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Statement of the law of evidence in the Western Provinces, Ontario, the Yukon Territory and the Northwest Territories. This book covers both civil and criminal evidence, includes extensive reference to case authorities and coverage of pertinent statutes and rules of court.

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Jurisdiction: Canada (Federal)

Evidence: Principles and Problems, Eleventh Edition
Ronald J. Delisle, Don Stuart, David Tanovich, and Lisa Dufraimont

This edition is a leading casebook on Canadian evidence law. Combining text and excerpts from leading cases with commentary and thought-provoking problem scenarios, the work continues to be a comprehensive resource on the law of evidence for both students and practitioners.

This edition has been thoroughly re-edited and updated. The following major new Supreme Court rulings are considered:
- Hryniak v. Mauldin (summary judgment motions in civil cases)
- Grant (principled approach to admissibility)
- N.S. (sexual assault complainant seeking to testify wearing niqab face veil)
- Baldree (implied assertions properly considered hearsay)
- White Burgess Langille Inman (admissibility of expert evidence)
- Sekhon (police witness must not exceed area of expert evidence)
- Hart and Mack (Mr. Big evidence obtained by undercover police)

Important new lower court decisions are also considered throughout. We also address the abolition by Parliament by the Victims Bill of Rights Act 2015 of spousal incompetence rules and the retention of the law of spousal privilege.

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The Portable Guide to Witnesses, Third Edition
Peter Sankoff

The third edition takes all the law concerning the treatment of witnesses, adds helpful commentary and cross references, and combines it in one convenient resource that you can use in the courtroom. The softcover format features tabbed chapters and spiral binding that provide fast access to the information you need. This portable guide is also cross-referenced to the classic in the field – Witnesses by Alan Mewett and Peter Sankoff.

Together, The Portable Guide to Witnesses, Third Edition and Witnesses give you the big picture of the law of evidence as it applies to witness evidence in civil and criminal proceedings, administrative tribunals, public inquiries, and legislative committees.

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Jurisdiction: Canada (National)
New Edition

The 2017 Annotated Ontario Family Law Act
James C. MacDonald and Ann C. Wilton

The 2017 Annotated Ontario Family Law Act provides you with a current, portable version of the Ontario Family Law Act, combined with authoritative commentary and case law digests.

This reference guide incorporates all recent amendments to the Family Law Act, provides authoritative commentary on the background and practical application of particular sections of the Act, and contains extensive case summaries for a clear understanding of how the legislation has been interpreted and applied.

To streamline your research efforts, the guide provides expert commentary, analysis, and case law digests on a section-by-section basis, with a generous use of subheadings, and a full table of cases and index.

This new edition features updates to the case law annotations of the provisions of Ontario’s Family Law Act, including substantial revision of the commentary in the following parts:


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Jurisdiction: Canada (Ontario)

Mr. Justice Marvin A. Zuker and Lynn M. Kirwin

The third edition of this desk reference is intended for those who work with children and allows readers to quickly find and identify important legal points, issues and consequences to consider during decision-making. Children’s Law Handbook is organized and written in a style that facilitates ease of reading even for those individuals who have little or no legal background. Significant court cases that address the issues most relevant to effective practice have been carefully selected. The text begins with an in-depth, focused discussion of major legal issues followed by relevant constitutional issues, statutory considerations and case law. Legal citations are used to support and enhance the discussion of these issues. Legal references where indicated, are found on each page supporting the topics under discussion, thus enabling the reader to easily ascertain the legal sources of authority related to those particular topics.

New in this edition

- Review of child protection legislation across Canada dealing with the issue of domestic violence
- New section reviewing mechanisms for enforcing custody/access orders and alternative dispute resolution regarding custody and access

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Jurisdiction: Canada (Ontario)

New Edition

Consolidated Alberta Family Law Statutes 2016
Consulting Editor: Laurie Allen

The 2016 edition contains the text of Alberta and Federal legislation that form the basis of family law in the province. It includes the full text of the provincial family law legislation, updated with complete amending information, together with selected federal legislation.

Updated annually, this work consists of a complete and handy desk-top and courtroom resource for all family law practitioners in Alberta. The work includes relevant provisions of the following:

- Family Law Act, and Alberta Child Support Guidelines and other Regulations
- Child Youth and Family Enhancement Act and Regulations
- Canada’s Divorce Act and Federal Child Support Guidelines
- Maintenance Enforcement Act
- Protection against Family Violence Act and Regulation
- Marriage Act
- Marriage (Prohibited Degrees) Act
- Married Women’s Act
- Adult Interdependent Relationships Act and Regulation
- Dower Act
- Employment Pension Plans Act
- Pension Benefits Standards Act, 1985
- Public Sector Pension Plans Act and Regulations
- Extra-Provincial Enforcement of Custody Orders Act
- Interjurisdictional Support Orders Act and Regulation
Family

- International Child Abduction Act
- Matrimonial Property Act
- Law of Property Act
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- Provincial Court Act
- Court Rules and Forms Regulation
- Alberta Evidence Act
- Vital Statistics Act

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Jurisdiction: Canada (Alberta)

New Edition

Consolidated Ontario Family Law Statutes and Regulations 2016-2017
Brahm D. Siegel

This portable softcover gives you fast, convenient access to all family law statutes and regulations commonly used by the family law practitioner and the student of Ontario family law. In one resource, you get complete coverage with the full text of all key statutes and regulations in the Ontario family law field including Children's Law Reform Act, Civil Marriage Act, Divorce Act, Family Law Act, Family Law Rules and more.

Quickly access the exact information you need with a section-by-section table of contents and a comprehensive index. Consolidated Ontario Family Law Statutes and Regulations also includes Tables of Concordance for the Child and Family Services Act, Family Law Act, Marriage Act, and Partition Act.

New in this edition
- Definition of “child’s residence” – 2014, c. 11, Sched. 6, s. 2 amending the Child and Family Services Act to include child care centre (December 31, 2015)
- Children in need of protection – 2014, c. 11, Sched. 6, s. 2 amending the Child and Family Services Act, revising the list of persons with a duty to report (December 31, 2015)
- Missing or incorrect information – SOR/2015-156 amending the Central Registry of Divorce Proceedings Regulations, requires the central registry to determine whether any information is missing or incorrect, and if it is, to request that the registrar provide the central registry with the missing or correct information (June 17, 2015)

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Jurisdiction: Canada (Ontario)

Family Law Arbitration in Canada, 3rd Edition
Ann C. Wilton and Gary S. Joseph

Family Law Arbitration in Canada, 3rd Edition provides the legislation, precedents, jurisprudence and insightful commentary necessary to assist counsel, arbitrators, mediators and the parties themselves in this ever-growing field.

The third edition features expanded commentary and comprehensive coverage of the most significant decisions in the area of family law arbitration, as well as a brand new chapter on Parenting Coordinators.

Order # 987801-66102 $146
02/17 softcover approx. 450 pages 978-0-7798-7801-7
Jurisdiction: Canada (National)

Family Law for Legal Professionals
Laura Masella and Marie E. Ferguson

This publication covers the substantive law and procedure on the core family law subjects which will include the following: marriage; annulment; spousal support under both the Divorce Act and Family Law Act; child support under both acts, including a detailed description of how to calculate child support under the Child Support Guidelines; division of property between married spouses and the various applications to court regarding questions of title and property division; the matrimonial home, including transfer, mortgage, and the power of the court to award exclusive possession to one spouse; custody and access under the Children's Law Reform Act; domestic contracts, including marriage contracts, separation agreements, and cohabitation agreements; children in need of protection under the Child and Family Services Act; and adoption under the Child and Family Services Act.

In addition to an explanation of the substantive law and procedure, the book contains case examples and completed precedents to show step by step how to prepare some important documents such as: calculation of child support under the Child Support Guidelines; preparation of financial statements; preparation of net family property statements; preparation of divorce applications/petitions; steps in conducting an uncontested divorce.

Order # 9243950-66102 $133
08/06 softcover approx. 320 pages 0-459-24395-0
Jurisdiction: Canada (National)
Hovius on Family Law: Cases, Notes and Materials, 8th Edition
Berend Hovius and Mary-Jo Maur

The 8th edition of this work is a comprehensive, well-thought out collection of cases, commentary, digests, notes and questions dealing with the key areas of family law. Though intended as the fundamental text for introductory courses in family law, this text should prove to be a useful initial research source for practitioners.

This book provides up-to-date coverage of the main building blocks of every family law course, including the law of property for both married and unmarried cohabitants, spousal support, child support, custody and access, and domestic agreements. It has coverage of emerging aspects of family law as well, such as evolving concepts of parentage, judicial interviews in custody and access cases, the impact of domestic violence on family law outcomes, and statistical trends that affect major family law areas.

The 8th edition includes:
- An expanded and revised property chapter, that deals in depth with unjust enrichment and constructive trust claims
- Broadened discussion of spousal support, including a detailed analysis of entitlement
- Concise digests at the beginning of each chapter, summarizing the topics covered
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- Definition of “child’s residence” – 2014, c. 11, Sched. 6, s. 2 amending the Child and Family Services Act to include child care centre (December 31, 2015)
- Children in need of protection – 2014, c. 11, Sched. 6, s. 2 amending the Child and Family Services Act, revising the list of persons with a duty to report (December 31, 2015)
- Missing or incorrect information – SOR/2015-156 amending the Central Registry of Divorce Proceedings Regulations, requires the central registry to determine whether any information is missing or incorrect, and if it is, to request that the registrar provide the central registry with the missing or correct information (June 17, 2015)
- Contempt orders – 2014, c. 7, Sched. 9 amending the Family Law Act to prohibit the Ontario Court of Justice from punishing by fine not exceeding $5,000 and/or imprisonment not exceeding 90 days anyone found in contempt of a restraining order (July 24, 2014)

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This edition is current to May 2016 and contains updated legislative text, plus updated interpretive text in summary sections for each Atlantic jurisdiction, including discussion of the transition to WHMIS 2015 to bring the provinces into accordance with the Globally Harmonized System of Classification and Labelling of Chemicals (GHS).

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• Updates to the Workplace Hazardous Materials Information System (WHMIS) and the Globally Harmonized System of Classification and Labelling of Chemicals (GHS), including the implementation of WHMIS 2015
• New information on the regulation respecting the Control of Exposure to Biological or Chemical Agents
• A new Noise regulation, which extends protection against noise exposure to workers in all workplaces covered by the Act
• Updates on the certification of Joint Health and Safety Committee (JHSC) members as a result of new standards established by the Chief Prevention Officer
• Recent amendments to the Act which enhance an employer’s duties with respect to workplace harassment, including sexual harassment
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New in this edition

• Bill 132, the Sexual Violence and Harassment Action Plan Act (Supporting Survivors and Challenging Sexual Violence and Harassment), 2016 – designed to help combat sexual violence and harassment in Ontario workplaces.
• Bill 85, the Strengthening and Improving Government Act, 2015 – amends the Workplace Hazardous Materials Information System (WHMIS) Regulation as a result of the implementation of the Globally Harmonized System of Classification and Labelling of Chemicals (GHS) across Canada (also known as WHMIS 2015).
• The Building Ontario Up for Everyone Act (Budget Measures), 2016 – updates the Occupational Health and
Safety Act by introducing employer health and safety management systems. Such systems are defined as “coordinated systems of procedures, processes and other measures designed to be implemented by employers in order to promote continuous improvement in occupational health and safety.”

- Control of Exposure to Biological or Chemical Agents — O. Reg. 347/15 – extends the application of the regulation to the construction industry and enabling use of “codes of practice,” in force July 1, 2016.
- Updates to fines and penalties under the Occupational Health and Safety Act.
- We have also updated the list of OH&S Resources and the Index and have revised the Table of Contents.


Know how to comply with the Occupational Health and Safety Act (OHSA) and regulations to avoid worker injury, promote safety, and avoid potential costly employer liability or criminal infractions.

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A Canadian HR Reporter Special Report

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A Canadian HR Reporter: Special Report

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Written by Barry Sookman, Steven Mason and Daniel Glover, noted experts in the field, this text presents analysis and commentary on leading and illustrative Canadian intellectual property decisions. Cases are edited to bring out the most salient features of these important decisions.

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Daniel J. Gervais and Elizabeth F. Judge

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John C. Irvine, Philip H. Osborne, and Mary Shariff
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Justice Ellen I. Picard, B.Ed. LL.B., LL.M., LL.D. (Hon.) and Gerald B. Robertson, LL.B., LL.M.

This book is widely viewed as the most authoritative and comprehensive treatment of the law relating to the liability of doctors, health care professionals and hospitals in Canada. Now in its fourth edition after over a decade since the last, every chapter has been significantly updated. Used either as a guide for medical professionals, or as a reference source for legal practitioners, this resource is invaluable.

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The annotations in The 2016-2017 Annotated Ontario Freedom of Information and Protection of Privacy Acts are organized around the various sections of the provincial Acts. Following the text of each section there is a general Commentary, a description of Related Provisions in the provincial Act and, under the heading Municipal Information and Privacy Act, a reference to the equivalent section of MFIPPA and a note of any differences it may exhibit, as well as a description of the related provisions of that Act.

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• Findings from the Privacy Commissioner of Canada regarding its jurisdiction over foreign website developers.
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• An explanation of the changes to consent requirements for business transactions and employment relationships.
• A summary of recent Office of the Privacy Commissioner reports discussing new technological challenges to consent.
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• A summary of the Privacy Commissioner’s recommended best practices for human resource professionals working in federally regulated organizations.

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Federal Access to Information and Privacy Legislation Annotated 2017
Professor Michel W. Drapeau, (Colonel Ret’d), OMM, CD, LL.L, LL.B and Me Marc-Aurèle Racicot, B.Sc., LL.B., LL.M.

Comprehensive in scope, this annual contains everything you need to interpret and apply federal access to information and privacy legislation. In addition to expert analysis, this practical reference contains a compendium of key materials and background information.

New in this edition
• A new “Prefatory Comment” by Michel Drapeau: namely a Brief presented to the House of Commons Standing Committee on Access to Information, Privacy and Ethics, April 12, 2016.
• Numerous updates to Chapter 1 (Annotated Access to Information Act)
• New annotations discussing the Federal Court’s decision in Recall Total Information Management Inc. v. Canada (National Revenue) (2015 F.C.)
• New annotations reviewing the Federal Court’s decision in Sheldon v. Canada (Health) (2015 F.C.)
• Chapter 6 (Privacy Act) has been updated with further commentary on the UUCANU Manufacturing Corp. v. Defence Construction Canada (2015 F.C.)
• Chapter 6 (Privacy Act) includes updates to the audit reports information of the Office of the Privacy Commissioner, new commentary and table under s. 12(2) (a) of the Act
• Updated commentary has been added on complaints under the Act under s. 29
• Commentary has been updated under s. 32 of the Act pertaining to regulation of procedure as well as s. 36 of the Act respecting the review of exempt banks
• The commentary under s. 58 of the Act respecting the Privacy Commissioner’s staff has been updated together with the reference material in Chapter 12 (Reference Material) pertaining to Personal Information and Electronic Documents Act
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Barbara McIsaac, Q.C., Rick Shields, and Kris Klein, LL.B.

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- Privacy Protection in the Civil Context
- Workplace Privacy
- Public Sector Regulation
- Private Sector Regulation
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- Privacy and Telecommunications
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- Analysis of key pieces of legislation, such as the *Personal Information Protection and Electronics Documents Act* (PIPEDA).

This work is the ideal starting point for the study of privacy law for students across Canada, and a valuable addition to any course touching on privacy law issues. It will help students examine the policies and legal frameworks that have evolved over time to deal with privacy problems as they pertain to interactions between individuals and the state and between individuals and the host of organizations that deal with personal information.

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Mavis J. Butkus

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Features include
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Bruce H. Ziff, Jeremy deBeer, Douglas Harris, and Margaret McCallum

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Richard A. Feldman

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