

*The
Interprovincial
Subpoena
Regulations*

being

Chapter I-12.1 Reg 1 (effective July 22, 1982)
as amended by Saskatchewan Regulation 152/82.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER I-12.1 REG 1
The Interprovincial Subpoena Act

Title

- 1** These regulations may be cited as *The Interprovincial Subpoena Regulations*.

Interpretation

- 2** In these regulations:

- (a) “**Act**” means *The Interprovincial Subpoena Act*;
- (b) “**carrier**” means the public commercial carrier that provides the most rapid form of passenger transportation by direct route from the place where the witness resides to the place where he is required to attend court;
- (c) “**witness**” means a person who is served with a subpoena.

30 Jly 82 cI-12.1 Reg 1 s2.

Fees and expenses

- 3** For the purposes of clause 3(1)(b) of the Act, a witness is entitled to:

- (a) the amount of the single-passenger fare charged by the carrier for tourist class or the carrier’s equivalent class to transport the witness, on the day before the day on which he is required to attend court, from the place where he resides to the place where he is required to attend court;
- (b) where railway transportation is necessary for part of the witness’s journey, and sleeping accommodation would normally be obtained for such a journey, the fare for sleeping accommodation;
- (c) the amount of any charges for the transportation of materials that he is required to bring with him for production in court;
- (d) the cost of hotel accomodation for not less than two nights at the place where he is required to attend court, which amount is to be not less than \$60;
- (e) the cost of meals for the total journey and for not less than three days at the place where he is required to attend court, which amount is to be not less than \$48; and
- (f) an allowance of \$20 for each day that he is required to be absent from his ordinary residence, which amount is to be not less than \$60.

30 Jly 82 cI-12.1 Reg 1 s3; 26 Nov 82 SR 152/82 s3.

Certificate

- 4** The certificate referred to in sections 3 and 6 of the Act is to be in Form A as set out in the Appendix.

30 Jly 82 cI-12.1 Reg 1 s4.

Repeal

- 5** Saskatchewan Regulations 47/78 are repealed.

30 Jly 82 cI-12.1 Reg 1 s5.

APPENDIX
FORM A
CERTIFICATE
(Sections 3 and 6)

I, _____, a judge of the _____,
(name of judge) *(name of court)*
 certify that I have heard and examined _____
(name of applicant party or his counsel)
 who seeks to compel the attendance of _____ to
(name of witness)
 produce documents or other articles or to testify, or both, in a proceeding in
 _____ in the _____
(name of issuing province) *(name of court in which witness is to appear)*
 style _____.
(style of cause of proceeding)

I further certify that I am satisfied that the appearance of _____ as
(name of witness)
 a witness in the proceeding is necessary for the due adjudication of the proceeding,
 and, in relation to the nature and importance of the cause or proceeding, is reasonable
 and essential to the due administration of justice in _____.
(name of issuing province)

The _____ Act of _____
(citation of Act) *(name of issuing province)*
 makes the following provision for the immunity of _____:
(name of witness)

A person required to attend before a court in _____
(name of issuing province)
 by subpoena adopted by a court outside _____
(name of issuing province)
 shall be deemed, while within _____ not to have
(name of issuing province)
 submitted to the jurisdiction of the courts of _____
(name of issuing province)

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other than as a witness in the proceeding in which he is subpoenaed and shall be absolutely immune from seizure of goods, service of process, execution of judgment, garnishment, imprisonment or molestation of any kind relating to a legal or judicial right, cause, action, proceeding or process within the jurisdiction of the Legislature of _____ ,
(name of issuing province)

except only those proceedings grounded on events occurring during or after the required attendance of the person in _____ .
(name of issuing province)

Dated this _____ day of _____ , 19 ____ .

(seal of court)

(signature of judge)

30 Jly 82 cI-12.1 Reg 1.

