

# InsolvencySource®

## What's in InsolvencySource®

### CASE LAW

InsolvencySource contains all full text cases dealing with bankruptcy, insolvency, personal property security law and other related corporate and commercial law areas from the Westlaw Canada case law collection. This collection includes:

- Coverage of reported Canadian court decisions from 1977 as well as decisions published in Carswell law reports from their inception.
- Coverage of decisions of the Supreme Court of Canada since its establishment in 1875 as well as Privy Council decisions arising out of Canadian courts.
- Coverage of decisions reported in the Federal Court Reports from 1971 forward (with coverage of reported decisions of the Exchequer Court from 1875 to 1970) and decisions reported in federal Trial Reports from 1977.
- Coverage of unreported decisions received from the courts, from 1986 and continuing forward.

#### The Canadian Abridgment Case Digests

InsolvencySource contains all digests dealing with bankruptcy, insolvency, restructuring and personal property security law back to 1833, drawn from The Canadian Abridgment Case Digests print service. This print service is a comprehensive collection of digests of Canadian case law. With the exception of Quebec civil law cases, this collection covers virtually every reported case in Canada, and every case received from Canadian courts, including unreported cases, since 1986.

#### Full-text decisions from Carswell Law Reports

Coverage of court and tribunal decisions published in Carswell law reports dates back to the inception of these report series. These reporters are listed below along with their abbreviation and start date.

Current Report Series – Regional and Jurisdictional

- Alberta Law Reports (Alta. L.R.) 1977-
- British Columbia Law Reports (B.C.L.R.) 1977-
- Western Weekly Reports (W.W.R.) 1911-

Current Report Series – Topical

- Administrative Law Reports (Admin. L.R.) 1983-
- Business Law Reports (B.L.R.) 1977-
- Canada G.S.T. Cases (G.S.T.C.) 1992-
- Canada Tax Cases (C.T.C.) 1917-
- Canadian Bankruptcy Reports (C.B.R.) 1921-
- Canadian Cases on Employment Law (C.C.E.L.) 1983-
- Canadian Cases on the Law of Insurance (C.C.L.I.) 1983-
- Canadian Cases on the Law of Torts (C.C.L.T.) 1976-
- Canadian Cases on Pensions and Benefits (C.C.P.B.) 1994-
- Canadian Environmental Law Reports (C.E.L.R.) 1987-
- Carswell's Practice Cases (C.P.C.) 1976-
- Construction Law Reports (C.L.R.) 1983-
- Criminal Reports (C.R.) 1946-
- Estates and Trusts Reports (E.T.R.) 1977-
- Immigration Law Reporter (Imm.L.R.) 1987-
- Motor Vehicle Reports (M.V.R.) 1977-
- Municipal and Planning Law Reports (M.P.L.R.) 1976-
- *Personal Property Security Act* Cases (P.P.S.A.C.) 1977-
- Real Property Reports (R.P.R.) 1977-
- Reports of Family Law (R.F.L.) 1971-

#### Historical Report Series

- Alberta Law Reports (Alta. L.R.) 1908-33
- Canadian Cases on the Law of Securities (C.C.L.S.) 1994-1998
- Canadian Intellectual Property Reports (C.I.P.R.) 1984-90
- Canadian Reports, Appeal Cases (C.R.A.C.) 1871-78; 1912-13
- Coutlee's Canada Supreme Court Cases (Cout. S.C.) 1875-1906
- Eastern Law Reporter (E.L.R.) 1906-14
- Fox Patent Cases (Fox Pat. C.) 1940-71
- Maritime Provinces Reports (M.P.R.) 1929-68
- New Brunswick Reports (N.B.R.) 1867-1929
- Northwest Territories Reports (N.W.T.R.) 1983-1998
- Nova Scotia Reports (N.S.R.) 1886-1929
- Ontario Practice Reports (P.R.) 1896-1904

- Ontario Reports (O.R.) 1935-56
- Ontario Weekly Reporter (O.W.R.) 1902-16
- Reports of Family Law, Reprint Series (R.F.L. Rep.) 1824-1970
- Saskatchewan Law Reports (Sask. L.R.) 1916-31
- Tax Appeal Board Cases (Tax A.B.C.) 1949-71
- Western Law Reporter (W.L.R.) 1905-16
- Western Weekly Reports (W.W.R.) 1911-

#### Other reported bankruptcy, insolvency, restructuring and personal property security law decisions

1. SCC and Privy Council: Coverage includes decisions of the Supreme Court of Canada since its establishment in 1875 as well as Privy Council decisions arising out of Canadian courts.
2. Federal Courts: Coverage includes decisions reported in the Federal Court Reports from 1971 forward (with coverage of reported decisions of the Exchequer Court from 1875 to 1970) and decisions reported in Federal Trial Reports from 1977.
3. Full-text Decisions from non-Carswell Law Report Series: Unless otherwise stated, our case law collection covers court decisions appearing in the following reporters back to 1977 and tribunal decisions appearing in these reporters back to 1997:
  - Alta. L.R.B.R. Alberta Labour Relations Board Reports
  - B.C.A.C. British Columbia Appeal Cases
  - C.C.C. Canadian Criminal Cases
  - C.E.B. & P.G.R. Canadian Employment Benefits and Pension Guide Reports
  - C.H.R.R. Canadian Human Rights Reporter
  - C.I.R.B. Canada Industrial Relations Board
  - C.L.L.C. Canadian Labour Law Cases
  - C.L.R.B.R. Canadian Labour Relations Board Reports
  - C.N.L.R. Canadian Native Law Reporter
  - C.P.R. Canadian Patent Reporter
  - C.R.R. Canadian Rights Reporter
  - D.L.R. Dominion Law Reports
  - D.T.C. Dominion Tax Cases
  - F.T.R. Federal Trial Reports

# What's in InsolvencySource®

- I.L.R. Insurance Law Reporter
- L.A.C. Labour Arbitration Cases
- L.C.R. Land Compensation Reports
- Man. R. Manitoba Reports
- N.B.R. New Brunswick Reports
- N.R. National Reporter
- N.S.R. Nova Scotia Reports
- Nfld. & P.E.I.R. Newfoundland and Prince Edward Island Reports
- O.A.C. Ontario Appeal Cases
- O.L.R.B. Rep. Ontario Labour Relations Board Reports
- O.M.B.R. Ontario Municipal Board Reports
- O.R. Ontario Reports
- O.S.C.B. Ontario Securities Commission Bulletin
- Sask. R. Saskatchewan Reports
- W.S.I.A.T.R. Workplace Safety and Insurance Appeals Tribunal Reporter (formerly W.C.A.T.R.)
- Y.R. Yukon Reports
- Family
- Immigration
- Insolvency
- Insurance
- International
- Labour and Employment
- Natural Resources
- Property
- Public
- Restitution
- Securities
- Tax
- Torts

## Jurisdictional collections

Westlaw Canada has the following jurisdictional case law collections:

## National and Federal

- Supreme Court of Canada and Privy Council
- Canada Federal Case Law
- Federal Court of Canada
- Tax Court of Canada
- Alberta, Northwest Territories and Nunavut
- British Columbia and Yukon
- Manitoba
- New Brunswick
- Newfoundland and Labrador
- Nova Scotia
- Ontario
- Prince Edward Island
- Quebec
- Saskatchewan

## Quebec

Coverage of Quebec cases is as follows:

- Court of Appeal cases reported by Soquij in Jurisprudence Express from 1986 and other selected cases
- Superior Court cases reported by Soquij in Jurisprudence Express from 1986 and other selected cases
- Court of Quebec cases reported by Soquij in Jurisprudence Express since 1986

## LEGISLATION

The InsolvencySource legislation database contains all current federal, provincial and territorial statutes and regulations essential to the practice of bankruptcy, insolvency, restructuring and personal property security law.

## Table of Concordance

InsolvencySource contains a concordance of the Personal Property Security Acts currently in force throughout Canada, providing a quick comparison of related sections.

## InsolvencySource Legislation Collection

The following full-text statutes, rules and regulations are included with your InsolvencySource subscription.

## Federal

- *Bank Act*
  - Can. Reg. 2003-184 - Access to Basic Banking Services Regulations
  - Can. Reg. 2002-262 - Cost of Borrowing (Authorized Foreign Banks) Regulations
  - Can. Reg. 2001-101 - Cost of Borrowing (Banks) Regulations
  - Can. Reg. 2003-60 - Information Technology Activities (Authorized Foreign Banks) Regulations
  - Can. Reg. 2003-61 - Information Technology Activities (Banks) Regulations
  - Can. Reg. 2003-62 - Information Technology Activities (Bank Holding Companies) Regulations
  - Can. Reg. 2003-65 - Information Technology Activities (Foreign Banks) Regulations
  - Can. Reg. 2008-180 - Principal Protected Notes Regulations
- *Bankruptcy and Insolvency Act*
  - Can. Reg. 369 - Orderly Payment of Debts Regulations
  - Can. Reg. 368 - Bankruptcy and Insolvency General Rules
- *Bills of Lading Act*
- *Canada Business Corporations Act*
- *Canada Labour Code*
- *Canada Pension Plan*
- *Canada-United Kingdom Civil and Commercial Judgments Convention Act*
- *Companies' Creditors Arrangement Act*
  - Can. Reg. 2009-219 - Companies' Creditors Arrangement Regulations
- *Criminal Code*
  - Can. Reg. 2002-63 - Regulations Excluding Certain Indictable Offences from the Definition of "Designated Offence"
- *Customs Act*
  - Can. Reg. 2002-336 - Designated Provisions (Customs) Regulations
- *Employment Insurance Act*
- *Excise Act*
- *Excise Tax Act (Non-GST Portions)*
- *Family Orders and Agreements Enforcement Assistance Act*
  - Can. Reg. 86-814 - Farm Debt Secured Creditors Notice Regulations
- *Farm Debt Mediation Act*
  - Can. Reg. 98-168 - Farm Debt Mediation Regulations
- *Garnishment, Attachment and Pension Diversion Act*
  - Can. Reg. 83-212 - Garnishment and Attachment Regulations
  - Can. Reg. 84-48 - Pension Diversion Regulations
- *Income Tax Act*
- *Interest Act*
- *Interpretation Act*
- *Faillite et l'insolvabilité, Loi sur la faillite et formulaires*
  - Règ. Can. 368 - Règles régissant la faillite et formulaires

## Note:

i) *Decisions from non-Carswell law report series have either been published in Carswell's own law reports, collected from our own archives, or gathered directly from the courts by Carswell before they are entered into Westlaw Canada.*

ii) *Carswell's editorial staff classifies these cases, and adds our own headnotes and other value-added information to them.*

4. *Historical Archive:* In addition, Carswell is continuing to expand its historical archive of reported decisions. This archive includes extensive, but not complete coverage of reported decisions from the Provinces and Territories, as follows:

- British Columbia: 1960-
- Alberta: 1977-
- Saskatchewan: 1979-
- Manitoba: 1980-
- Ontario: 1956-
- Quebec: (decisions of national interest)
- Nova Scotia: 1969-
- New Brunswick: 1969
- Newfoundland and Labrador: 1970-
- Prince Edward Island: 1970-

5. *Subject Assignment:* Carswell's editorial staff assigns one or more of the following broad subject areas to each decision as soon as it is loaded onto Westlaw Canada:

- Churches and Religious Institutions
- Civil Practice and Procedure
- Constitutional
- Contracts
- Corporate and Commercial
- Criminal
- Customs
- Environmental
- Estates and Trusts
- Evidence

- *Pension Benefits Standards Act, 1985*
  - Can. Reg. 2009-182 – Solvency Funding Relief Regulations, 2009
- *Proceeds of Crime (Money Laundering) and Terrorist Financing Act*
  - Can. Reg. 2001-317 – Proceeds of Crime (Money Laundering) and Terrorist Financing Suspicious Transaction Reporting Regulations
- *Proceeds of Crime (Money Laundering) Act [Repealed]*
- *Wages Earner Protection Program Act*
  - Can Reg. 2008-222 – Wage Earner Protection Program Regulations
  - Can Reg. 2008-54 – Order Designating the Minister of Labour as Minister for Purposes of the Act
- *Wages Liability Act*
- *Winding-up and Restructuring Act*

## Provincial

### Alberta

- *Builders' Lien Act*
- *Builders' Lien Act [Repealed]*
  - Alta. Reg. 51/2002 – Builders' Lien Forms Regulation
- *Business Corporations Act*
- *Business Corporations Act [Repealed]*
- *Civil Enforcement Act*
- *Civil Enforcement Act [Repealed]*
  - Alta. Reg. 276/95 – Civil Enforcement Regulation
- *Crop Liens Priorities Act*
- *Debtors' Assistance Act*
- *Debtors' Assistance Act [Repealed]*
  - Alta. Reg. 200/2001 – Debtors' Assistance Regulation
- *Employment Standards Code*
- *Employment Standards Code [Repealed]*
- *Environmental Protection and Enhancement Act*
- *Environmental Protection and Enhancement Act [Repealed]*
  - Alta. Reg. 276/2003 – Activities Designating Regulation
- *Fair Trading Act*
- *Fair Trading Act [Repealed]*
- *Fraudulent Preferences Act*
- *Fraudulent Preferences Act [Repealed]*
- *Garage Keepers' Lien Act*
- *Garagemen's Lien Act [Repealed]*
  - Alta. Reg. 259/2002 – Garage Keepers' Form Regulation
- *Innkeepers Act*
- *Innkeepers Act [Repealed]*
- *Personal Property Security Act*
- *Personal Property Security Act [Repealed]*
  - Alta. Reg. 95/2001 – Personal Property Security Regulation
  - Alta. Reg. 234/90 – Personal Property Security Regulation [Repealed]
  - Alta. Reg. 231/2002 – Personal Property Security Forms Regulation
  - Alta. Reg. 295/90 – Personal Property Security Forms Regulation [Repealed]

- *Possessory Liens Act*
- *Possessory Liens Act [Repealed]*
- *Reciprocal Enforcement of Judgments Act*
- *Reciprocal Enforcement of Judgments Act [Repealed]*
- *Unclaimed Personal Property and Vested Property Act*
  - Alta. Reg. 104-2008 – General Regulation under the *Unclaimed Personal Property and Vested Property Act*
- *Warehousemen's Lien Act*
- *Warehousemen's Lien Act [Repealed]*

### British Columbia

- *Builders Lien Act*
  - B.C. Reg. 265/98 – Builders Lien Public Bodies Holdback Account Exemption Regulation
- *Creditor Assistance Act*
- *Debt Collection Act*
- *Debtor Assistance Act*
- *Enforcement of Canadian Judgments Act*
- *Fraudulent Conveyance Act*
- *Fraudulent Preference Act*
- *Hotel Keepers Act*
- *Miscellaneous Registrations Act, 1992*
  - B.C. Reg. 549/95 – Miscellaneous Registrations Regulation
- *Partition of Property Act*
- *Personal Property Security Act*
  - B.C. Reg. 227/2002 – Personal Property Security Regulation
  - B.C. Reg. 279/90 – Personal Property Security Regulation [Repealed]
- *Rent Distress Act*
- *Repairers Lien Act*
- *Sheriff Act*
  - B.C. Reg. 197/2002 – Court Security Regulation
- *Warehouse Lien Act*
- *Warehouse Receipt Act*

### Manitoba

- *The Builders' Liens Act*
- *The Corporations Act*
- *The Court of Queen's Bench Act*
  - Man. Reg. 553/88 – Court of Queen's Bench Rules
- *The Employment Standards Code and Consequential Amendments Act*
- *The Environment Act*
- *The Executions Act*
- *The Fraudulent Conveyances Act*
- *The Judgments Act*
- *The Marital Property Act*
- *The Pension Benefits Act*
- *The Personal Property Security and Consequential Amendments Act*
  - Man. Reg. 80/2000 – Personal Property Registry Regulation
  - Man. Reg. 81/2000 – Personal Property Registry Fees Regulation

### New Brunswick

- *Personal Property Security Act*
  - N.B. Reg. 95-97 – General Regulation – *Personal Property Security Act*

### Newfoundland and Labrador

- *Personal Property Security Act*
  - Nfld. Reg. 103/99 – Personal Property Security Regulations

### Northwest Territories

- *Personal Property Security Act*
  - N.W.T. Reg. R-066-2001 – Personal Property Security Regulations

### Nova Scotia

- *Personal Property Security Act*
  - N.S. Reg. 129/97 – *Personal Property Security Act* General Regulations

### Nunavut

- *Personal Property Security Act*
  - Nun. Reg. R-007-2001 – Personal Property Security Regulations

### Ontario

- *Absconding Debtors Act*
- *Assessment Act*
- *Assignments and Preferences Act*
- *Bail Act*
- *Bailiffs Act*
  - O. Reg. 53 – General
- *Bulk Sales Act*
- *Business Corporations Act*
- *Commercial Tenancies Act*
- *Condominium Act, 1998*
- *Construction Lien Act*
- *Consumer Protection Act*
- *Conveyancing and Law of Property Act*
- *Corporations Act*
- *Corporations Tax Act*
- *Costs of Distress Act*
  - O. Reg. 184 – Costs
- *Courts of Justice Act*
- *Creditors' Relief Act*
- *Electronic Registration Act* (Ministry of Consumer and Business Services Statutes), 1991
  - O. Reg. 759/93 – Designation of Acts Regulation
- *Employer Health Tax Act*
- *Employers and Employees Act*
- *Employment Standards Act, 2000*
  - O. Reg. 288/01 – Termination and Severance of Employment
- *Execution Act*
- *Family Responsibility and Support Arrears Enforcement Act, 1996*
- *Financial Administration Act*
  - O. Reg. 26/03 – Non-Cash Expenses
- *Fraudulent Conveyances Act*
- *Income Tax Act*
- *Innkeepers Act*
- *Insurance Act*
- *Interjurisdictional Support Orders Act, 2002*
- *Labour Relations Act, 1995*
- *Land Titles Act*
- *Land Transfer Tax Act*
- *Limited Partnerships Act*
- *Mercantile Law Amendment Act*
- *Ministry of Revenue Act*
- *Mortgages Act*

# What's in InsolvencySource®

- *Municipal Act, 2001*
  - O. Reg. 276/02 – Bank Loans
  - O. Reg. 278/02 – Construction Financing
  - O. Reg. 157/03 – Cross Border Leases Relating to Toronto Transit
  - O. Reg. 403/02 – Debt and Financial Obligation Limits
  - O. Reg. 244/02 – Fees and Charges
  - O. Reg. 119/03 – Local Improvement Charges – Priority Lien Status
  - O. Reg. 168/03 – Municipal Business Corporations
  - O. Reg. 181/03 – Municipal Tax Sales Rules
  - O. Reg. 440/02 – Public Utility Charges – Priority Lien Status
  - O. Reg. 400/02 – Small Business Programs
  - O. Reg. 73/03 – Tax Matters – Special Tax Rates and Limits, 2003 and Later Years
  - O. Reg. 422/02 – Tax Matters – Time Limits for 2003 under Sections 308, 310, 311, 314 and 362 of the Act
- *Municipal Act*
  - O. Reg. 171/01 – Tax Matters – 2001 and 2002 Taxation Years
  - O. Reg. 325/01 – Tax Matters – Eligible Property under section 442.5 of the Act
- *Partition Act*
- *Partnerships Act*
- *Pension Benefits Act*
  - O. Reg. 202/02 – Algoma Steel Inc. Pension Plans
  - O. Reg. 909 – General
- *Personal Property Security Act*
  - O. Reg. 913 – Assurance Fund Regulation
  - O. Reg. 910 – Branch Offices Regulation
  - O. Reg. 345/97 – Fees Regulation
  - O. Reg. 912 – General Regulation
  - O. Reg. 356/03 – Inability to Operate Registration System
  - O. Reg. 150/02 – Inability to Operate Registration System [Revoked]
- *Proceedings Against the Crown Act*
- *Public Utilities Act*
- *Reciprocal Enforcement of Judgments Act*
  - O. Reg. 322/92 – Application of Act
- *Reciprocal Enforcement of Judgments (U.K.) Act*
- *Reciprocal Enforcement of Support Orders Act*
  - O. Reg. 140/94 – Reciprocating States
- *Remedies for Organized Crime and Other Unlawful Activities Act, 2001*
  - O. Reg. 233/03 – Payments Out of Special Purpose Accounts

- *Repair and Storage Liens Act*
  - O. Reg. 346/97 – Fees Regulation
  - O. Reg. 1002 – Forms Regulation
  - O. Reg. 1003 – General Regulation
- *Retail Sales Tax Act*
  - O. Reg. 194 – Rules of Civil Procedure
- *Sale of Goods Act*
- *Securities Act*
- *Wages Act*
- *Workplace Safety and Insurance Act, 1997*

## Prince Edward Island

- *Personal Property Security Act*
  - P.E.I. Reg. EC270/98 – *Personal Property Security Act Regulations*

## Québec

- *Civil Code of Québec*
  - An Act respecting the implementation of the reform of the Civil Code

## Saskatchewan

- *Personal Property Security Act, 1993*
  - R.R.S. c. P-6.2, Reg. 1 – The Personal Property Security Regulations

## Yukon

*Personal Property Security Act*

## COMMENTARY

InsolvencySource contains analysis from leading insolvency, restructuring and commercial law experts, including commentary from the following publications:

- **Houlden and Morawetz Analyses:** This database includes analytical materials from ***Bankruptcy and Insolvency Law of Canada, Fourth Edition***, by the Honourable Mr. Justice Lloyd W. Houlden, Mr. Justice Geoffrey B. Morawetz, and Dr. Janis P. Sarra, a four-volume work on bankruptcy law and practice in Canada. The database includes a detailed annotation of the entire *Bankruptcy and Insolvency Act*. It also includes annotations of the following:
  - *Bankruptcy and Insolvency General Rules*
  - *Companies' Creditors Arrangement Act*
  - *Farm Debt Mediation Act*
  - *Wage Earner Protection Program Act*
  - *Winding Up and Restructuring Act*
- **Houlden and Morawetz Precedents under the Bankruptcy and Insolvency Act:** This database contains the full text of precedents set out in ***Bankruptcy and Insolvency Law of Canada, Fourth Edition***, by the Honourable Mr. Justice Lloyd W. Houlden,

Mr. Justice Geoffrey B. Morawetz, and Dr. Janis P. Sarra, a four-volume work on bankruptcy law and practice in Canada.

- **McLaren, Secured Transactions in Personal Property in Canada:** This database contains the first three volumes of Richard H. McLaren's text, ***Secured Transactions in Personal Property, 3rd Edition***. It includes a detailed analysis of the fine and more complex academic aspects of personal property security law and it sets out the mechanics for registering and searching documents under the various provincial statutes.
- **Boucher et Fortin – Faillite et insolvabilité:** This database contains the analytical commentary from *Faillite et insolvabilité: une perspective québécoise de la jurisprudence canadienne*, by Bernard Boucher and Jean-Yves Fortin. It includes the following topics:
  - *Loi sur la faillite et l'insolvabilité*
  - *Règles sur la faillite et l'insolvabilité*
  - *Circularies sur l'insolvabilité*
  - *Directives antérieures au 30 novembre 1992*
  - *Instructions postérieures au 30 novembre 1992*
  - *Annotations from Canadian Bankruptcy Reports*
  - *Bulletins from the Office of the Superintendent of Bankruptcy, in English and French*
  - *Articles from the Insolvency Institute of Canada*

## COURT DOCUMENTS

InsolvencySource contains a searchable archive of Canadian insolvency court documents, motions, monitor's reports, facta and more, supplied by the Insolvency Institute of Canada.

## POLICY DOCUMENTS

InsolvencySource includes Policy Documents, Directives, Circulars, News Releases, Notices and Programs issued by the Office of the Superintendent of Bankruptcy. To see a complete list of available policy documents, please consult the InsolvencySource Table of Contents.

