

STATUTES OF CANADA — HIGHLIGHTS OF 1956

One of the most significant pieces of legislation passed by the Federal Parliament at its last session was *An Act to Amend the Supreme Court Act and the Criminal Code*.¹

The provisions of the amendment are two-fold: firstly, it restricts appeals as of right to the highest court in the land to those cases only where the amount in controversy is or exceeds ten thousand dollars. Previously, an appeal as of right to the Supreme Court lay where the amount involved was or exceeded two thousand dollars. The present change will thus necessitate obtaining the court's leave to appeal in cases where the sum involved falls below the ten thousand dollar minimum.

The second provision of new law is concerned with leave to appeal and the minimum number of Supreme Court judges who must hear the application for this leave both in civil and criminal cases.

In civil causes, leave to appeal is now applied for to the court with a quorum of three, a change from the previous quorum of five. In criminal cases the rule, formerly, was application for leave to be heard by a single judge, sitting as a judge and not as a court. The change provides that application for leave will now be heard by the regular court and the quorum of justices sitting on the application will be five in capital cases and three in all others.

The amendment as it affects criminal cases was undoubtedly a consequence of the "Coffin Case" and the criminal code is amended by the same legislation to conform to the Supreme Court Act thus changed.

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¹Bill 443, passed Aug. 3, 1956.

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