

M. Emergency Directions

1. These directions affecting the management of matters before the Court and the business of the Court shall be called the “Emergency Directions”. For the purposes of the Emergency Directions, the following definitions apply:
 - (a) “Acting Chief Justice” means the holder of that office by appointment or by designation of the Chief Justice, or, in the absence of such person, the senior justice of the Court as may be then available.
 - (b) “Chief Justice” means the Chief Justice of Alberta and includes the Acting Chief Justice where necessary to give effect to the Emergency Directions.
 - (c) “Court” means the Court of Appeal.
 - (d) “designate of the Chief Justice” means any judge of the Court, or the Registrar, Deputy Registrar, or case management officer as designated by the Chief Justice.
 - (e) “electronic hearing” means the hearing of any matter before the Court conducted, in whole or part, by electronic means in which all participants in the hearing, and the Court, can hear each other, whether or not all or some of the participants and the Court can see each other or are in each other’s presence.
 - (f) “emergency” means any situation that the Chief Justice or designate of the Chief Justice believes exists or may exist that affects the management of matters before the Court or the business of the Court to such a degree that it is found necessary by the Chief Justice or designate of the Chief Justice to put these Emergency Directions into effect. This includes any emergency declared by an official authority.
 - (g) “official authority” means a person having power pursuant to applicable legislation of the Parliament of Canada or the Legislature of Alberta to declare an emergency, or to make authoritative directions in an emergency which may affect the management of matters before the Court or the business of the Court.
 - (h) “officer of the Court” includes any judge, Registrar, Deputy Registrar, case management officer and any other officer and employee of the Court.

2.
 - (a) The Emergency Directions shall come into effect when the Chief Justice or the designate of the Chief Justice so declares.
 - (b) As soon as practicable after making Emergency Directions, the Chief Justice or the designate of the Chief Justice shall cause the details of the Emergency Directions to be published by any means of communication that the Chief Justice or the designate of the Chief Justice considers appropriate in the circumstances.
 - (c) Failure to publish either the Emergency Directions or any details of the Emergency Directions under s. 2(b) shall not affect any declaration made under s. 2(a) nor limit the discretion of the Chief Justice or the designate of the Chief Justice under s. 3.
3.
 - (a) The extent to which the Emergency Directions come into effect or apply is within the discretion of the Chief Justice or the designate of the Chief Justice as the case may be.
 - (b) The designate of the Chief Justice may exercise any discretion under the Emergency Directions in the absence of the Chief Justice if necessary.
4.
 - (a) If the Emergency Directions are in effect or apply to any extent, the Chief Justice or designate of the Chief Justice may in his or her discretion at any time cancel, suspend or alter the functioning or operation of the Court in any manner, including the following:
 - (i) the Court's Registries and any other offices of the Court in any locations may be closed or have reduced hours of operation for any period or periods of time,
 - (ii) the sittings of the Court in any location may be canceled or suspended and any matters listed for hearing may by direction be adjourned either *sine die* or to a later specific date,
 - (iii) the Court may sit in panels of two judges where permitted under law,
 - (iv) the running of any procedural time limitations applicable to appeals or motions before the Court may be suspended for any period or periods of time,
 - (v) the filing or entry of any documents with the Court or any

record control or maintenance by the Court may be suspended or be set to occur at a location other than the ordinary offices of the Court, and

- (vi) any other business, procedures or communications with the Court may be conducted by alternative means or in alternative locations.
- (b) The examples of discretion set out in s. 4(a)(i) to 4(a)(v) are for clarity and not to restrict the generality of the discretion that may be exercised.
5. If the Emergency Directions are in effect or apply to any extent, the Chief Justice or designate of the Chief Justice may at any time arrange for an electronic hearing or a hearing at any alternative place or by alternative means that the Chief Justice or designate of the Chief Justice considers in his or her discretion to be appropriate.
6. (a) Despite any declaration or announcement of an official authority that rescinds or amends any declaration made as defined in s. 2(b), the Emergency Directions shall remain in effect unless otherwise declared by the Chief Justice or the designate of the Chief Justice.
- (b) Any application or effect of the Emergency Directions may be terminated by declaration of the Chief Justice or the designation of the Chief Justice at such time and on such terms and conditions as the Chief Justice or designate of the Chief Justice may in his or her discretion specify.