

**Practice Direction (COVID-19):****Update #6 (September 8, 2020)**

1. In a series of previous Orders (the “COVID-19 Orders”),<sup>1</sup> the Court established a suspension period (the “Suspension Period”) which ran from March 16, 2020 to (i) the end of the day on June 15, 2020 in the Atlantic and Western provinces, and (ii) the end of the day on June 29, 2020 in Ontario, Quebec and the three Territories. The COVID-19 Orders expressly provide that the Suspension Period applied only to those time limits established by Orders and Directions of the Court issued prior to March 16, 2020 and to those time limits in the following enactments (collectively, hereinafter, the “*Designated Federal Statutes*”):

- the *Federal Courts Rules*;
- the *Federal Courts Citizenship, Immigration and Refugee Protection Rules*;
- subsection 18.1(2) of the *Federal Courts Act*;
- subsection 72(2) of the *Immigration and Refugee Protection Act*; and
- subsection 22.1(2) of the *Citizenship Act*.

2. To provide parties and their legal counsel with an opportunity to prepare for hearings after the expiry of the Suspension Period, the Court provided an additional 14-day period for the filing of documents and the taking of other procedural steps, following the expiry of the applicable Suspension Period.

3. Following the expiry of the Suspension Period and this additional 14-day period, the time limits applicable to suspended proceedings in the Court commenced to run again. As a result, on the day following the expiry of the 14-day period, parties were effectively in the same position they were in before the Suspension Period, as if the intervening period had never existed.

4. On July 27, 2020, [Bill C-20: An Act respecting further COVID-19 measures](#) received Royal Assent. Among other things, this legislation enacted the *Time Limits and Other Periods Act (COVID-19)* (the “*Act*”), which provides temporary measures in relation to time limits provided by or under federal legislation.

5. Notwithstanding the enactment of the *Act*, this Court’s COVID-19 Orders and COVID-19 practice directions, as well as its intervening judgments, orders and directions, remain in full force

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1. On March 17, 2020, the Court issued a [Practice Direction and Order \(COVID-19\)](#). It issued various updates as the situation evolved, namely, on [March 20](#), [April 4](#), [April 29](#), [May 29](#), [June 11](#), [June 25](#) and [July 9, 2020](#).

and effect: see [Reference re Section 6 of Time Limits and Other Periods Act \(COVID-19\) \(CA\), 2020 FCA 137](#). This includes as they relate to the time limits set out in the *Designated Federal Statutes*.

6. Further, notwithstanding the expiry of the Suspension Period, the Court's practice with respect to certain administrative matters adopted during the Suspension Period is being continued. Specifically, the following practices as set out in the Court's [Consolidated COVID-19 Practice Direction \(June 25, 2020\)](#) are being continued until further notice:

- Paragraphs 11A, 11B and 11E, 12, 13, 14, 19, 20, 21, 22, 23, 26, 27, 30, 31 and 32 (although the requirement to file an original version of a scanned affidavit no longer applies, unless ordered or directed by the Court).

7. In addition, parties are encouraged to pay all fees payable on filing or issuance under item 1 of Tariff A of the *Federal Courts Rules* by phone (Find a local phone number: [Telephone List](#)), using a valid VISA, Master Card or American Express credit card. In the alternative, fees will have to be paid in person either by credit card or debit to minimize the handling of cash.

8. The Court will soon be issuing a further Practice Direction to inform the public on the safety protocols that will be implemented for in-person hearings.

“Paul S. Crampton”

Chief Justice