



**Manitoba Law
Reform Commission**

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FORTY-SECOND ANNUAL REPORT

2012-2013

March 31, 2013

The Manitoba Law Reform Commission was established by *The Law Reform Commission Act* in 1970 and began functioning in 1971.

Commissioners:

Cameron Harvey, Q.C., President
Jacqueline Collins
Michelle Gallant
John C. Irvine
Hon. Mr. Gerald O. Jewers
Myrna Phillips
Hon. Mr. Justice Perry W. Schulman

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The Department of Justice, Government of Manitoba

and



The Manitoba Law Foundation

Copies of the Commission's Reports may be ordered from the Publications Branch, Office of the Queen's Printer, 200 Vaughan Street, Winnipeg, MB R3C 1T5. The Commission's reports are also available electronically at www.manitobalawreform.ca.

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COMMISSION AND THEIR IMPLEMENTATION**

THE COMMISSION'S MANDATE

The Manitoba Law Reform Commission is an independent law reform agency established by *The Law Reform Commission Act*. The Commission's duties are to inquire into and consider any matter relating to law in Manitoba with a view to making recommendations for the improvement, modernization and reform of law, including:

- the removal of provisions of the law that are outdated or inconsistent;
- the maintenance and improvement of the administration of justice;
- the review of judicial and quasi-judicial procedures under any Act;
- the development of new approaches to, and new concepts of, law in keeping with and responsive to the changing needs of society and of individual members of society; and
- any subject referred to it by the Minister.

MANDAT DE LA COMMISSION

La Commission de réforme du droit du Manitoba est un organisme indépendant du gouvernement du Manitoba, établi en vertu de la *Loi sur la Commission de réforme du droit*. La Commission a pour fonctions de faire enquête sur les questions se rapportant au droit manitobain et de les étudier en vue de faire des recommandations pour améliorer, moderniser et réformer le droit, et notamment en vue:

- de supprimer les dispositions du droit qui sont désuètes ou incompatibles;
- de soutenir et d'améliorer l'administration de la justice;
- d'examiner les procédures judiciaires et quasi-judiciaires prévues par une loi quelconque;
- d'élaborer de nouvelles méthodes et de nouveaux concepts de droit correspondant à l'évolution des besoins de la société et des individus qui la composent;
- de traiter tout autre sujet que le ministre lui soumet.

PART I

INTRODUCTION

The Manitoba Law Reform Commission is pleased to present its annual report for 2012-2013. The Commission published two final reports in 2012-2013. The first concerns the law of nuisance and reform of *The Nuisance Act* and *The Farm Practices Protection Act*. The second addresses an inconsistency in Manitoba's commercial tenancy statutes and recommends changes to enhance the clarity of the law. The Commission also published a consultation paper on *The Nuisance Act* and *The Farm Practices Protection Act* in October 2012.

Work is underway on a number of other projects including a review *The Tortfeasors and Contributory Negligence Act*, reform of Manitoba's environmental assessment and licensing legislation, the issue of mandatory reporting by physicians under Section 157 of *The Highway Traffic Act*, the question of standing under *The Animal Care Act*, declarations of parentage under *The Family Maintenance Act*, and reform of *The Presumption of Death Act*.

The Commission has been actively involved in external relations throughout 2012-2013. Commission staff participated in the Manitoba Bar Association's Law Day in April 2012. The Commission also participated in a symposium sponsored by the Federation of Law Reform Agencies of Canada in September 2012. The Hon. Gerald Jewers represents the Commission on the Law Society of Manitoba's Access to Justice Stakeholders Committee.

The Commission is pleased to report the re-appointment of its existing Commissioners and the appointment of three new Commissioners in 2012, bringing it to a full complement of seven Commissioners.

The Commission regrets to report the death on January 9, 2013 of the Hon. Francis Muldoon, first Chairman of the Manitoba Law Reform Commission. Mr. Justice Muldoon enjoyed a distinguished legal career in Winnipeg before becoming the Commission's first chairman in 1970. He was later appointed vice-president and then president of the Law Reform Commission of Canada. In 1983 he was appointed to the Federal Court of Canada and the Court Martial Appeal Court where he served until his retirement in 2001.

The Commission also notes with regret the retirement of Debra Floyd, the Commission's administrator of seven years. Debra has served the Commission with dedication and professionalism, and she will be missed.

PART II

THE YEAR IN REVIEW April 1, 2012 to March 31, 2013

1. REPORTS ISSUED

The full text and executive summaries of all reports can be found on the Commission's website at www.manitobalawreform.ca.

A. *The Nuisance Act and The Farm Practices Protection Act (Report #126)*

On March 28, 2013, the Commission released its report making recommendations for the reform of *The Nuisance Act* and a review of *The Farm Practices Protection Act*. The report provides a background on the common law of nuisance and reviews *The Nuisance Act* and *The Farm Practices Protection Act*, both statutes which restrict the availability of a common law nuisance action in certain circumstances. After reviewing its history and role in the resolution of land-use conflicts in Manitoba, the Commission concluded that *The Nuisance Act* no longer serves a legitimate legislative purpose and ought to be repealed. The Commission also reviewed *The Farm Practices Protection Act* and concluded that the time is right for a comprehensive inter-disciplinary review of the legislation, and its relationship with other environmental and land-use planning instruments in Manitoba.

B. *Commercial Tenancies: Section 17 of The Landlord and Tenant Act and Section 93 of The Real Property Act (Report #127)*

On March 28, 2013, the Commission released its report making recommendations for reform of *The Landlord and Tenant Act* and *The Real Property Act*. The report concerns an inconsistency in the existing legislation with regard to the implied terms allowing a landlord to re-enter a leased property in cases of a tenant's non-payment of rent or breach of covenant. The report makes recommendations to reconcile the existing provisions concerning a landlord's right of re-entry and to improve the legislation's clarity and accessibility.

2. CONSULTATION PAPERS ISSUED

A. *Consultation Paper on The Nuisance Act and The Farm Practices Protection Act*

On October 1, 2012, the Commission released its consultation paper on *The Nuisance Act* and *The Farm Practices Protection Act*. The paper was distributed to 35 potentially interested parties, and

was made available electronically on the Commission's website. The consultation period ended on November 30, 2012, and the Commission was pleased to receive three thoughtful submissions. The Commission issued its final report in March 2013, as stated above.

3. IMPLEMENTATION

The Franchises Act came into force on October 1, 2012. The Act implements many of the recommendations set out in the Commission's *Franchise Law* report (Report #116, December 2008). The Commission continues to urge the Minister of Justice to implement the outstanding recommendations of the Commission. In addition to the Commission's most recent reports, areas of particular concern to the Commission are the recommendations found in: *Limitations* (Report #123, 2010); *Limitations of Actions in Conversion and Detinue* (Report #125, 2011), *Enduring Powers of Attorney, Areas of Reform* (Western Canada Law Reform Agencies Report, 2008); *Enduring Powers of Attorney: Supplementary Report* (Report #117, 2008), *Wills and Succession Legislation* (Report #108, 2003), *Compensation for Vaccine-Damaged Children* (Report #104, 2000) and *Informal Assessment of Competence* (Report #102, 1999).

4. CURRENT PROJECTS

A. Manitoba's Environmental Assessment and Licensing Legislation

The Commission is currently reviewing Manitoba's environmental legislation with a view to making recommendations for change to Manitoba's environmental assessment and licensing regime. The Commission has assembled a project committee of experts in the field of environmental law to assist with this project. The committee members are: Jacqueline Collins, Manitoba Law Reform Commission; Aimee Craft, Public Interest Law Centre; Peter Miller, Green Action Centre; Sheryl Rosenberg, Thompson, Dorfman, Sweatman; Siobhan Burland Ross, Manitoba Conservation and Water Stewardship; Dr. Mary Shariff, University of Manitoba; and, Dr. John Sinclair, University of Manitoba. The project committee will examine the environmental assessment and licensing regime in Manitoba and evaluate it against good practices as found in the legislation of other jurisdictions, academic and stakeholder sources, and various law reform initiatives. This work forms part of a larger joint Manitoba Law Reform Commission- Public Interest Law Centre project, *Engaging Manitoba in Environmental Law*, funded by the Manitoba Law Foundation. The Commission expects to release a report for consultation in late 2013.

B. Contributory Fault: *The Tortfeasors and Contributory Negligence Act*

The Commission has prepared a consultation paper on the topic of contributory fault. The paper reviews the law of joint and concurrent tortfeasors and contributory negligence, and offers several

provisional recommendations for reform of *The Tortfeasors and Contributory Negligence Act*. The Commission has now released its report for consultation and expects to publish a final report in 2013.

C. Reporting Under Section 157 of *The Highway Traffic Act*

The Commission is currently reviewing Section 157 of *The Highway Traffic Act*. This provision requires physicians and optometrists to report to the Registrar of Motor Vehicles if a patient suffers from a condition that may interfere with the safe operation of a motor vehicle. The Commission has become aware of some concerns among health care professionals about the effectiveness of this provision. Working with the medical profession, the Commission will consider the law in Manitoba and other jurisdictions, and determine whether legislative change is required.

D. Standing Under *The Animal Care Act*

Prompted by recent developments in the field of animal welfare law, the Commission will examine the question of standing to seek an order under *The Animal Care Act*, and issues of enforcement. Under the current Act, only designated animal protection officers are authorized to intervene on behalf of animals in distress. Dedicated animal welfare agencies and organizations have little authority to act under the legislation. Enforcement through judicial means is unavailable except in specific limited circumstances. The Commission will consider what, if any, amendments to the Act may be required to ensure that Manitoba's law remains responsive to changing social values in this area.

5. FUTURE PROJECTS

A. *The Family Maintenance Act*

The Commission will examine the provisions of *The Family Maintenance Act* concerning declarations of parentage and consider whether Manitoba's statute ought to be modernized to account for changing social values and developments in human reproductive technology. Areas of particular concern include the availability of parentage declarations to same-sex parents and the often uncertain legal status of gamete donors and other participants in the assisted reproductive process. The Commission will consider whether statutory change is necessary to produce more clarity in this area of the law.

B. *The Presumption of Death Act*

Manitoba's *Presumption of Death Act* came into force in 1968 and has not been materially amended since that time. The Act provides a mechanism to obtain an order declaring that a person is presumed dead after a prolonged absence. The Act has important implications for survivors' rights and

entitlements. The Commission will consider possible reforms to modernize the legislation and to clarify the duties of personal representatives and the status of the deceased's property. The Commission will also consider the relationship between this statute and other relevant provincial legislation including *The Insurance Act*, *The Marriage Act*, *The Pension Benefit Act* and *The Public Trustee Act*.

C. Contiguous Lands: Natural and Other Encroachments

Natural encroachments on contiguous lands comprise mostly trees and weeds. Other encroachments include buildings, driveways and fences. The common law governs natural encroachments, other than noxious weeds for which there is legislation. Other encroachments are governed by common and statute law. Large areas of the law respecting both natural and other encroachments are confusing and uncertain. The Commission will inquire into possible reform in this area.

D. Indefeasible Title and Resulting and Constructive Trusts

The Commission will examine the law in Manitoba concerning the relationship between the indefeasibility of title sections in *The Real Property Act* and proprietary interests in land established by resulting and constructive trusts. The Commission will consider whether reform of Sections 58 and 59 of *The Real Property Act* is required to fairly account for equitable interests in land.

The Commission welcomes comments and suggestions with respect to these subject areas and any other potential law reform projects.

PART III

ADMINISTRATION

1. THE COMMISSIONERS

The Manitoba Law Reform Commission is composed of five to seven members appointed by the Lieutenant Governor in Council. Section 3 of *The Law Reform Commission Act* requires that the Commission's membership include a judge of the Court of Queen's Bench; a full-time member of the Faculty of Law, University of Manitoba; a lawyer entitled to practise in Manitoba and not in the employ of the government; and a non-lawyer. The current members of the Commission and their terms of office are as follows:

Commissioner	Affiliation	Term expires
Cameron Harvey, Q.C.	Professor Emeritus, Faculty of Law University of Manitoba	August 1, 2015
Jacqueline Collins	Practising Lawyer	August 1, 2015
Michelle Gallant	Professor, Faculty of Law University of Manitoba	August 1, 2015
John C. Irvine	Professor, Faculty of Law University of Manitoba	August 1, 2015
Gerald O. Jewers	Justice, Court of Queen's Bench (retired)	August 1, 2015
Myrna Phillips	Lay Member	August 1, 2015
Perry W. Schulman	Justice, Court of Queen's Bench	August 1, 2015

Please see the Commission's website at www.manitobalawreform.ca for more information about the Commissioners.

During the 2012-2013 fiscal year, the Commission held five regular meetings. The Commission also hosted two meetings of its *Environment Act* Project Committee during 2012-2013.

2. STAFF

In 2012-2013, the Commission consisted of one full-time legal counsel, Catherine Skinner, and one part-time administrator, Debra Floyd.

3. FINANCE

The Manitoba Law Foundation provides a yearly grant of \$100,000 to the Commission. For the fiscal year 2012-2013, the Commission was again fortunate to receive an additional \$20,000 from the Manitoba Law Foundation, increasing the grant to \$120,000. The Department of Justice continues to provide a total grant of \$100,000 consisting of in-kind services valued at \$15,000 and a monetary grant of \$85,000.

The Commission wishes to thank both the Department of Justice and the Manitoba Law Foundation for their continued support of its work.

4. EXTERNAL RELATIONS AND ACTIVITIES

In 2012-2013, the Commission continued its efforts to improve its accessibility and visibility within the community and to liaise with other law reform agencies.

In April 2012, Commission staff participated in the Manitoba Bar Association's Law Day where they had the opportunity to share the Commission's work with members of the public, and gain insight into possible future areas of law reform.

In September 2012, Commission staff attended a symposium sponsored by the Federation of Law Reform Agencies of Canada. Staff members received valuable training in such areas as effective consultation, working with volunteers, the use of empirical research in law reform and the potential of social media to enhance law reform. They also had the opportunity to meet colleagues from across the country and learn from their experience and insight.

The Hon. Gerald Jewers, Commissioner, represents the Commission on the Access to Justice Committee created by the Manitoba Law Society in 2011. The purpose of the Committee is to share ideas, information and best practices and to coordinate efforts in the area of access to justice. The Committee includes representatives of government, the courts, the practising bar and legal aid bodies.

The Commission is a member of the Federation of Law Reform Agencies of Canada and of the Commonwealth Association of Law Reform Agencies. Commission staff continues to be involved in the work of the Uniform Law Conference of Canada. The Commission is preparing a

Continuing Professional Development seminar to be delivered in 2013-2014.

The Commission makes regular contributions to the Manitoba Bar Association's Legal Research newsletter, *The Law and Library Monthly*.

The Commission's publications have been the subject of commentary in judgments, legal journals and in the print and electronic media. A recent electronic search indicates that the Manitoba Law Reform Commission's publications have been referred to in 121 reported Canadian judgments, and in 72 academic articles.

PART IV

CONCLUSION

The Commission again wishes to express its thanks to the Manitoba Law Foundation and to the Department of Justice for their continued support.

Thanks also to the staff of the Department of Justice, the Faculty of Law, Provincial Archives and Legislative libraries for their continued assistance over the past year.

The Commission is grateful for the assistance of the Deputy Minister, Mr. Jeffrey Schnoor, Q.C. in providing a liaison between the Commission and the Minister. Finally, the Commission thanks the Minister of Justice and Attorney General, the Hon. Andrew Swan, for his support.

This is a report pursuant to Section 15 of *The Law Reform Commission Act*, CCSM L95, dated this 31st day of March 2013.

(original signed by)
Cameron Harvey, President

(original signed by)
Jacqueline Collins, Commissioner

(original signed by)
Michelle Gallant, Commissioner

(original signed by)
John C. Irvine, Commissioner

(original signed by)
Gerald O. Jewers, Commissioner

(original signed by)
Myrna Phillips, Commissioner

(original signed by)
Perry W. Schulman, Commissioner

APPENDIX A

Statement of Receipts and Expenditures 2012-2013 Fiscal Year

(000's)

RECEIPTS

Funds carried forward	\$ 149.3
Grant from Department of Justice.....	85.0 ¹
Last instalment from the Manitoba Law Foundation for 2010-11	30.0
Grant from the Manitoba Law Foundation (first 3 quarterly instalments)	90.0 ²
Total	\$354.3

EXPENDITURES

Commissioners' remuneration and benefits	\$ 47.2
Staff remuneration	136.4
Payroll operating costs.....	8.1
Consultants	15.8
Telephone, postage, courier	3.5
Supplies and service	2
Printing, photocopying.....	3.5
Computer related expenses	8.9
Translation Services.....	2
Meetings, travel and accommodation	2
Subscriptions and other operating expenses	2
Membership fees.....	3.3
Total	\$227.5

Surplus **\$126.8³**

¹ The Province of Manitoba provides the Manitoba Law Reform Commission with an \$85,000 grant coupled with \$15,000 in-kind services provided by the Department of Justice for accounting services and office accommodation, bringing the total grant from the Province to \$100,000.

² As noted in previous reports, the Commission carries forward a balance of at least \$30,000 each year of its grant from the Manitoba Law Foundation as this last instalment is not received until March 31st each year. Again this year, with the core grant increase of \$20,000 from the Manitoba Law Foundation, the quarterly instalment payments remain at \$30,000, totalling a grant of \$120,000 for 2012-2013.

³ A portion of this year's surplus was due to accumulating funds, over the past four years, which had been allocated for remuneration of vacant Commission member positions. In August 2012, three Commissioners were appointed to fill the vacant member positions. In addition, funds have been set aside for printing and distribution costs for current reports.

APPENDIX B

REPORTS OF THE MANITOBA LAW REFORM COMMISSION* AND THEIR IMPLEMENTATION

Report	Title	Date	Implementation of Commission's Recommendations
#1	Jury Services for Registered Indians	April 7, 1971	An Act to Amend <i>The Jury Act</i> , S.M. 1971, c. 32
#2	Summary Disposition of Builders' and Workmen's Liens	April 13, 1971	An Act to Amend <i>The Builders and Workmen Act</i> , S.M. 1976, c. 22
#3	Disposition of Maintenance Judgments in Land Titles Offices	May 25, 1971	An Act to Amend <i>The Judgments Act</i> , S.M. 1972, c. 4
#4	An Act Respecting Billiard and Pool Rooms proposed repeal	October 19, 1971	<i>The Statute Law Amendment Act</i> (1974), S.M. 1974, c. 59 (s. 8)
#5	Recommended Right of Mortgagors to Obtain Annual Statements	October 19, 1971	An Act to Amend <i>The Mortgage Act</i> , S.M. 1971, c. 28
#6	Enactment of a <i>Mineral Declaratory Act</i>	December 20, 1971	<i>The Sand and Gravel Act</i> , S.M. 1972, c. 34 An Act to Amend <i>The Mines Act</i> , S.M. 1972, c. 70 (s. 11) An Act to Amend <i>The Real Property Act</i> , S.M. 1972, c. 70 (ss. 15 and 16)
#7	Powers of Entry, Search and Seizure in <i>The City of Winnipeg Act</i>	January 24, 1972	An Act to Amend <i>The City of Winnipeg Act</i> , S.M. 1972, c. 93 (ss. 26, 37, 68, 69, 89 and in part ss. 38, 39 and 63)
1A	Auto Engine Numbers in Section 11 of <i>The Bills of Sale Act</i> (Informal Report)	May 11, 1971	<i>The Statute Law Amendment Act</i> , S.M. 1972, c. 81 (s. 3)
1B	(a) Prospect of Mortgagor's Relief from Provisions of Section 20(6) of <i>The Mortgage Act</i> (Informal Report) (b) Right to Have Mortgage Discharged Upon Payment in Full After Five Years (Informal Report)	December 29, 1971 December 29, 1971	(change not recommended) An Act to Amend <i>The Real Property Act</i> , S.M. 1972, c. 37 (s. 103(1))
1C	Amending provisions as to costs in Part II of <i>The County Courts Act</i> to avoid inconsistency with intent of this new legislation (Informal Report)	January 12, 1972	An Act to Amend <i>The County Courts Act</i> , S.M. 1972, c. 38

Report	Title	Date	Implementation of Commission's Recommendations
	First Annual Report	March 13, 1972	(not applicable)
#8	Section 45 of the <i>Offenses Against the Person Act</i> , 1861	July 27, 1972	An Act to Amend <i>The Tortfeasors and Contributory Negligence Act</i> , S.M. 1973, c. 13
#9	A Review of <i>The Privacy Act</i> with proposed Amendments to the Criminal Code of Canada	September 11, 1972	(change not recommended)
#10	The Abolition of Interspousal Immunity in Tort	December 19, 1972	An Act to Amend <i>The Married Women's Property Act</i> , S.M. 1973, c. 12; An Act to Amend <i>The Tortfeasors and Contributory Negligence Act</i> , S.M. 1973, c. 13; An Act to Amend <i>The Criminal Injuries Compensation Act</i> , S.M. 1973, c. 23
2A	Comments on draft Bill to Amend <i>The Jury Act</i> (Informal Report)	April 21, 1972	An Act to Amend <i>The Jury Act</i> , S.M. 1972, c. 56
2B	Relaxation of Limit of Number of Trustees under <i>The Trustee Act</i> (Informal Report)	June 22, 1972	An Act to Amend <i>The Trustee Act</i> , S.M. 1972, c. 60
2C	Uniformity of Definition of Age as between The Age of Majority Act (Man.) And the Criminal Code and the Interpretation Act (Can.) (Informal Report)	August 14, 1972	(not applicable for provincial amendment)
2D	Automatic Attachment of Wages for Maintenance Orders (Informal Report)	November 27, 1972	An Act to Amend <i>The Garnishment Act</i> , S.M. 1974, c. 8
	Second Annual Report	March 20, 1973	(not applicable)
#11	The Advisability of a Good Samaritan Law	March 8, 1973	(change not recommended)
#12	Section 110 of <i>The Real Property Act</i> - the immortal Manitoba mortgage	April 11, 1973	An Act to Amend <i>The Real Property Act</i> , S.M. 1974, c. 44
#13	Pre-licensing Education for Real Estate Agents in Manitoba	December 3, 1973	An Act to Amend <i>The Real Estate Brokers Act</i> , S.M. 1975, c. 23
#14	Special Enduring Powers of Attorney	January 8, 1974	<i>The Powers of Attorney Act</i> , S.M. 1980, c. 4

Report	Title	Date	Implementation of Commission's Recommendations
#15	Administration of Justice Part I - Control of Post-arrest/pre-trial detention	February 26, 1974	Administration of the Public Safety Building in Winnipeg assumed by the Province of Manitoba, effective October 1, 1977; now called The Winnipeg Remand Centre
3A	Conferring of matrimonial jurisdiction upon a County Court Judge as a local Judge of The Queen's Bench within the Eastern Judicial District (Informal Report)	March 30, 1973	An Act to Amend <i>The Queen's Bench Act</i> , S.M. 1978, c. 28
3B	Correcting recent error in s. 51 of <i>The Queen's Bench Act</i> (Informal Report)	September 26, 1973	An Act to Amend <i>The Queen's Bench Act</i> , S.M. 1974, c. 15
3C	Conferring jurisdiction to extend time for payment of fines upon provincial judges other than those who imposed such fines (Informal Report)	October 16, 1973	(not applicable for provincial enactment)
3D	Up-dating index to Statutes of Manitoba (Informal Report)	October 23, 1973	Indexing commenced; computer search of statutes available
3E	Repeal of Section 212 of <i>The Liquor Control Act</i> (Informal Report)	December 19, 1973	Substantial acceptance under s. 16 of An Act to Amend <i>The Liquor Control Act</i> , S.M. 1974, c. 63
	Third Annual Report	April 1, 1974	(not applicable)
#16	Definition of Death	May 6, 1974	An Act to Amend <i>The Vital Statistics Act</i> , S.M. 1975, c. 5
#17	An International Form of Wills for Manitobans	May 6, 1974	An Act to Amend <i>The Wills Act</i> , S.M. 1975, c. 6
#18	The Rule in <i>Saunders v. Vautier</i>	January 8, 1975	An Act to Amend <i>The Trustee Act</i> , S.M. 1982-83-84, c. 38 (s. 4)
#19	The Administration of Justice in Manitoba Part II - Review of The Jury System	February 11, 1975	An Act to Amend <i>The Jury Act</i> , S.M. 1977, c. 18
4A	Interprovincial Subpoenas (Informal Report)	January 20, 1975	<i>The Interprovincial Subpoena Act</i> , S.M. 1975, c. 3
4B	Enforcement of Custody Orders (Informal Report)	January 20, 1975	<i>The Extra-Provincial Custody Orders Enforcement Act</i> , S.M. 1975, c. 4
4C	Statutory Sums (Informal Report)	February 11, 1975	Various amendments to Manitoba statutes

Report	Title	Date	Implementation of Commission's Recommendations
	Fourth Annual Report	April 9, 1975	(not applicable)
#20	<i>The Highway Traffic Act</i>	June 16, 1975	An Act to Amend <i>The Highway Traffic Act</i> , S.M. 1977, c. 34 An Act to Amend <i>The Highway Traffic Act</i> and <i>The Tortfeasors and Contributory Negligence Act</i> , S.M. 1980, c. 19
#21	The Administration of Justice in Manitoba Part III - Consolidation of Extra-Provincial Judgment Enforcement	January 28, 1976	-
#22	Some Aspects of Fire Insurance Legislation in Manitoba	February 9, 1976	An Act to Amend <i>The Insurance Act</i> , S.M. 1982, c. 11 (s. 1)
#23	Family Law - Part I The Support Obligation	February 27, 1976	<i>The Family Maintenance Act</i> , S.M. 1978, c. 25
#24	Family Law - Part II Property Disposition	February 27, 1976	An Act to Amend <i>The Gift Tax Act</i> (Manitoba) and <i>The Succession Duty Act</i> (Manitoba), S.M. 1977 (2nd Session), c. 2 <i>The Marital Property Act</i> , S.M. 1978, c. 24 An Act to Amend various Acts relating to Marital Property, S.M. 1978, c. 27 An Act to Amend <i>The Wills Act</i> , S.M. 1980, c. 7
5A	Limitation of Actions for the taking away, conversion or detention of chattels (Informal Report)	May 26, 1975	An Act to Amend <i>The Fatal Accidents Act</i> and <i>Limitation of Actions Act</i> , S.M. 1976, c. 41 (ss. 2-4)
	Fifth Annual Report	March 29, 1976	(not applicable)
#25	The Case for a Provincial Bill of Rights	May 19, 1976	-
#26	Revision of Birth Certificates of Trans-sexual Persons	September 13, 1976	<i>The Vital Statistics Act</i> , S.M. 1982-83-84, c. 58
	Sixth Annual Report	March 14, 1977	(not applicable)

Report	Title	Date	Implementation of Commission's Recommendations
7A	<i>The Local Authorities Election Act</i> (Informal Report)	May 31, 1977	An Act to Amend <i>The Local Authorities Election Act</i> , S.M. 1980, c. 48
	Seventh Annual Report	March 1, 1978	(not applicable)
#27	Limitation of Actions: Time Extensions for Children, Disabled Persons and Others	January 8, 1979	An Act to Amend <i>The Limitation of Actions Act</i> , S.M. 1980, c. 28
#28	Enforcement of Judgments Part I: Exemptions under <i>The Garnishment Act</i>	January 8, 1979	An Act to Amend <i>The Garnishment Act</i> , S.M. 1979, c. 8
#29	Emergency Apprehension, Admissions and Rights of Patients under <i>The Mental Health Act</i>	February 12, 1979	An Act to Amend <i>The Mental Health Act</i> , S.M. 1980, c. 62
#30	Confidentiality of Adoption Records	February 12, 1979	An Act to Amend <i>The Child Welfare Act</i> , S.M. 1979, c. 22 (s. 60) An Act to Amend <i>The Child Welfare Act</i> , S.M. 1980, c. 41 Establishment of a Post-adoption Registry
8A	Section 5(1) of <i>The Social Allowances Act</i> (Informal Report)	March 30, 1978	<i>The Statute Law Amendment Act</i> (1984), S.M. 1984, c. 17
	Eighth Annual Report	February 12, 1979	(not applicable)
#31	Political Financing and Election Expenses	August 13, 1979	<i>The Elections Finances Act</i> , S.M. 1980, c. 68
#32	Mechanics' Liens Legislation	August 13, 1979	<i>The Builders' Liens Act</i> , S.M. 1980-81, c. 7
#33	Enforcement of Revenue Statutes	August 13, 1979	<i>The Charter Compliance Statute Amendment Act</i> , S.M. 1985, c. 50
#34	Enforcement of Judgments Part III: Exemptions under <i>The Executions Act</i>	October 22, 1979	An Act to Amend <i>The Executions Act</i> , S.M. 1980, c. 55
#35	Estate Claims for Loss of Expectation of Life	October 22, 1979	An Act to Amend <i>The Fatal Accidents Act</i> and <i>The Trustee Act</i> , S.M. 1980, c. 5

Report	Title	Date	Implementation of Commission's Recommendations
#36	Improved Methods of Enforcing Support Orders Against Real Property	November 19, 1979	<i>The Family Law Amendment Act</i> , S.M. 1980, c. 54
#37	Systems of Voter Registration	November 26, 1979	<i>The Elections Act</i> , S.M. 1980, c. 67
#38	The One Year Rule for Enforcement of Arrears in Maintenance	January 21, 1980	An Act to Amend <i>The Family Maintenance Act</i> and <i>The Queen's Bench Act</i> , S.M. 1980, c. 21
9A	<i>The Fire Departments Arbitration Act</i> (Informal Report)	April 17, 1979	An Act to Amend <i>The Fire Departments Arbitration Act</i> , S.M. 1980, c. 27
9B	Section 7 of <i>The Payment of Wages Act</i> (Informal Report)	August 15, 1979	An Act to Amend <i>The Payment of Wages Act</i> , S.M. 1980, c. 57
9C	<i>The Seduction Act</i> (Informal Report)	October 22, 1979	<i>The Equality of Status Act</i> , S.M. 1982, c. 10
9D	Section 9 of <i>The Manitoba Evidence Act</i> (Informal Report)	November 6, 1979	An Act to Amend <i>The Manitoba Evidence Act</i> , S.M. 1980, c. 26
9E	<i>The Wills Act</i> and Ademption (Informal Report)	November 20, 1979	An Act to Amend <i>The Wills Act</i> , S.M. 1980, c. 7
9F	The term "illegitimate" (Informal Report)	December 4, 1979	(change not recommended)
	Ninth Annual Report	February 25, 1980	(not applicable)
#39	Controverted Elections	April 21, 1980	<i>The Elections Reform Act</i> , S.M. 2006, c. 15 repealed <i>The Controverted Elections Act</i> and enacted <i>The Elections Act</i> , C.C.S.M. c. E30
#40	Enforcement of Judgments Part II: Exemptions under <i>The Judgments Act</i>	April 21, 1980	-
#41	The Statute of Frauds	August 11, 1980	An Act to repeal the Statute of Frauds, S.M. 1982-83-84, c. 34
#42	Occupiers' Liability	August 11, 1980	<i>The Occupiers' Liability Act</i> , S.M. 1982-83-84, c. 29; <i>The Statute Law Amendment Act</i> (1984), S.M. 1984, c. 17 (s. 28)
#43	<i>The Wills Act</i> and the Doctrine of Substantial Compliance	September 8, 1980	<i>The Wills Act</i> , S.M. 1982-83-84, c. 31

Report	Title	Date	Implementation of Commission's Recommendations
#44	The General Register	September 22, 1980	<i>The Real Property Act</i> and Various Other Acts Amendments Act, S.M. 1987, c. 27
#45	Simplified Mortgage	December 15, 1980	(legislative amendment not required)
10A	Municipal Assessment of Personal Property (Informal Report)	February 26, 1980	(referred to Special Committee)
10B	<i>The Marriage Settlement Act</i> (Informal Report)	October 9, 1980	<i>The Statute Law Amendment Act</i> , S.M. 1980-81, c. 26 (s. 22)
	Tenth Annual Report	February 16, 1981	(not applicable)
#46	Conflict of Interest of Municipal Councillors	April 14, 1981	<i>The Municipal Conflict of Interest Act</i> , S.M. 1982-83-84, c. 44
#47	Prejudgment Compensation on Money Awards: Alternatives to Interest	January 4, 1982	<i>The Judgment Interest and Discount Act</i> , S.M. 1986, c. 39 (implemented in principle) (now contained in Part XIV of <i>The Court of Queen's Bench Act</i>)
#48	Prescriptive Easements and Profits-à-Prendre	January 18, 1982	-
#49	The Rules Against Accumulations and Perpetuities	February 12, 1982	<i>The Perpetuities and Accumulations Act</i> , S.M. 1982-83-84, c. 43
#50	Investment Provisions under <i>The Trustee Act</i>	February 12, 1982	An Act to Amend <i>The Trustee Act</i> , S.M. 1982-83-84, c. 38
11A	Parents' Maintenance Legislation (Informal Report)	March 3, 1981	<i>The Parents' Maintenance Act</i> , S.M. 1985-86, c. 47, s. 34
11B	Provincial Offences Procedures (Informal Report)	June 29, 1981	An Act to Amend <i>The Summary Convictions Act</i> , S.M. 1982, c. 24
11C	<i>The Remembrance Day Act</i> (Informal Report)	January 28, 1982	-
	Eleventh Annual Report	February 14, 1982	(not applicable)
#51	<i>The Survivorship Act</i>	September 7, 1982	<i>The Survivorship Act</i> , S.M. 1982-83-84, c. 28

Report	Title	Date	Implementation of Commission's Recommendations
#52	Structure of the Courts, Part I: Amalgamation of the Court of Queen's Bench and the County Courts of Manitoba	October 25, 1982	An Act to Amend <i>The Queen's Bench Act</i> and to repeal <i>The County Courts Act</i> , <i>The Surrogate Courts Act</i> and <i>The County Court Judges' Criminal Courts Act</i> and to amend <i>The Municipal Boundaries Act</i> , S.M. 1982-83-84, c. 82 <i>The Court of Queen's Bench Small Claims Practices Act</i> , S.M. 1982-83-84, c. 83 <i>The Court of Queen's Bench Surrogate Practice Act</i> , S.M. 1982-83-84, c. 84 An Act to amend Various Acts of the Legislature to facilitate the Reorganization and Expansion of the Court of Queen's Bench, S.M. 1982-83-84, c. 85
#53	The Law of Domicile	December 1, 1982	<i>The Domicile and Habitual Residence Act</i> , S.M. 1982-83-84, c. 80
#54	Certificates of Lis Pendens	February 1, 1983	<i>The Court of Queen's Bench Act</i> , S.M. 1988-89, c. 4 (s. 58)
#55	Structure of the Courts, Part II: The Adjudication of Smaller Claims	March 7, 1983	<i>The Statute Law Amendment Act</i> (1985), S.M. 1985, c. 51
	Twelfth Annual Report	April 11, 1983	(not applicable)
#56	Medical Privilege	October 4, 1983	(privilege not recommended)
#57	<i>Uniform Sale of Goods Act</i>	November 1, 1983	-
	Thirteenth Annual Report	April 2, 1984	(not applicable)
#58	Administrative Law; Part I: Procedures of Provincial Government Agencies	June 29, 1984	(legislative amendment not required); implementation, in part, through governmental policy
#59	Breach of Promise to Marry	October 1, 1984	<i>The Family Law Amendment Act</i> , S.M. 1987, c. 21
14A	Jactitation of Marriage (Informal Report)	October 5, 1984	<i>The Family Law Amendment Act</i> , S.M. 1987, c. 21

Report	Title	Date	Implementation of Commission's Recommendations
#60	An Examination of <i>The Dower Act</i>	November 19, 1984	<i>The Homesteads, Marital Property Amendment and Consequential Amendments Act</i> , S.M. 1992, c. 46
#61	Intestate Succession	March 25, 1985	<i>The Intestate Succession and Consequential Amendments Act</i> , S.M. 1989-90, c. 43
	Fourteenth Annual Report	April 2, 1985	(not applicable)
#62	Small Projects 1) Section 6 of <i>The Mercantile Law Amendment Act</i> 2) The Rule in Shelley's Case 3) Permissive and Equitable Waste	October 7, 1985	<i>The Law Reform (Miscellaneous Amendments) Act</i> , S.M. 1992, c. 32
#63	<i>The Testators Family Maintenance Act</i>	December 16, 1985	<i>The Dependants Relief Act</i> , S.M. 1989-90, c. 42
#64	<i>The Married Women's Property Act</i> and Related Matters	December 16, 1985	-
#65	Section 83 of <i>The Queen's Bench Act</i>	March 31, 1986	<i>The Statute Law Amendment Act</i> (1986), S.M. 1986-87, c. 19 (s. 12)
#66	<i>The Human Tissue Act</i>	March 31, 1986	<i>The Human Tissue Act</i> , S.M. 1987, c. 39; <i>The Human Tissue Amendment Act</i> , S.M. 1989-90, c. 28 An Act to Amend <i>The Anatomy Act</i> , S.M. 1987, c. 57
15A	Section 300 of <i>The Liquor Control Act</i> (Informal Report)	June 17, 1985	<i>The Law Reform (Miscellaneous Amendments) Act</i> , S.M. 1992, c. 32
	Fifteenth Annual Report	May 6, 1986	(not applicable)
#67	Sections 33 and 34 of <i>The Wills Act</i>	June 16, 1986	<i>The Statute Law Amendment Act</i> (1987), S.M. 1987-88, c. 66 (s. 25); <i>The Wills Amendment Act</i> , S.M. 1989-90, c. 44
#68	Periodic Payment of Damages	March 31, 1987	<i>The Court of Queen's Bench and Consequential Amendments Act</i> , S.M. 1993, c. 19

Report	Title	Date	Implementation of Commission's Recommendations
#69	Administrative Law, Part II: Judicial Review of Administrative Action	March 31, 1987	-
	Sixteenth Annual Report	April 13, 1987	(not applicable)
17A	<i>The Wages Recovery Act</i> (Informal Report)	September 9, 1987	<i>The Law Reform (Miscellaneous Amendments) Act</i> , S.M. 1992, c. 32
	Seventeenth Annual Report	September 14, 1988	(not applicable)
#70	The Manitoba Law Reform Commission: A Framework for the Future	November 23, 1988	<i>The Law Reform Commission Act</i> , S.M. 1989-90, c. 25
#71	<i>The Bulk Sales Act</i>	December 21, 1988	<i>The Law Reform (Miscellaneous Amendments) Act</i> , S.M. 1992, c. 32
	Eighteenth Annual Report	August 8, 1989	(not applicable)
#72	The Independence of Provincial Judges	June 28, 1989	<i>The Provincial Court Amendment Act</i> , S.M. 1989-90, c. 34; <i>The Provincial Court Amendment Act</i> , S.M. 1994, c. 14
	Nineteenth Annual Report	May 15, 1990	(not applicable)
#73	Statutory Designations and <i>The Retirement Plan Beneficiaries Act</i>	October 23, 1990	<i>The Retirement Plan Beneficiaries Act</i> , S.M. 1992, c. 31
20A	Limitation of Actions Brought by the Crown (Informal Report)	September 27, 1990	-
20B	Replevin and the Need for Prior Possession (Informal Report)	January 28, 1991	(change not recommended)
	Twentieth Annual Report	March 31, 1991	(not applicable)
#74	Self-Determination in Health Care (Living Wills and Health Care Proxies)	June 25, 1991	<i>The Health Care Directives and Consequential Amendments Act</i> , S.M. 1992, c. 33
#75	The Independence of Justices of the Peace and Magistrates	August 15, 1991	<i>The Provincial Court Amendment Act</i> (Justices of the Peace), S.M. 2005, c. 8
#76	Sterilization and Legal Incompetence	January 27, 1992	(change not recommended)
	Twenty-first Annual Report	March 31, 1992	(not applicable)

Report	Title	Date	Implementation of Commission's Recommendations
#77	Non-charitable Purpose Trusts	September 21, 1992	-
#78	Tort Liability for Animals	November 23, 1992	<i>The Animal Liability and Consequential Amendment Act</i> , S.M. 1998, c. 8
#79	Ethical Investments by Trustees	January 25, 1993	<i>The Trustee Amendment Act</i> , S.M. 1995, c. 14
22A	Scope of Apportionment under <i>The Tortfeasors and Contributory Negligence Act</i> (Informal Report)	June 22, 1992	-
22B	Section 23 of <i>The Wills Act</i> Revisited (Informal Report)	December 14, 1992	<i>The Wills Amendment Act</i> , S.M. 1995, c. 12
	Twenty-second Annual Report	March 31, 1993	(not applicable)
#80	Privity of Contract	October 5, 1993	-
#81	Distress for Rent in Commercial Tenancies	January 4, 1994	-
#82	Pre-contractual Misstatements	March 7, 1994	-
#83	Enduring and Springing Powers of Attorney	March 29, 1994	<i>The Powers of Attorney and Mental Health Amendment Act</i> , S.M. 1996, c. 62
	Twenty-third Annual Report	March 31, 1994	(not applicable)
#84	Regulating Professions and Occupations	October 28, 1994	Partly implemented, in principle, by amendments to various Acts of the Legislature; <i>The Regulated Health Professions Act</i> , S.M. 2009, c. 15
#85	Arbitration	November 23, 1994	The Arbitration and Consequential Amendments Act, S.M. 1997, c. 4
#86	Covenants in Commercial Tenancies	March 28, 1995	-
24A	A Small Discrepancy between <i>The Elections Act</i> and <i>The Local Authorities Election Act</i> (Informal Report)	April 26, 1994	Acts repealed and replaced by <i>The Elections Reform Act</i> , S.M. 2006, c. 15 and <i>The Municipal Councils and School Boards Elections Act</i> , S.M. 2005, c. 27.
24B	Lapsed Residual Gifts in Wills (Informal Report)	May 16, 1994	(no longer required due to <i>Re Smith and McKay</i> (1994), 116 D.L.R. (4th) 308 (Man. C.A.))

Report	Title	Date	Implementation of Commission's Recommendations
24C	Security for the Administration of Estates (Informal Report)	October 6, 1994	-
	Twenty-fourth Annual Report	March 31, 1995	(not applicable)
#87	Interim Payment of Damages	June 6, 1995	-
#88	Reselling Unused Cemetery Plots	September 21, 1995	-
#89	The Trust Provisions in <i>The Perpetuities and Accumulations Act</i>	September 21, 1995	-
#90	Residential Exemptions from Judgment Execution	October 17, 1995	-
#91	Minors' Consent to Health Care	December 12, 1995	-
#92	Fundamental Breach and Frustration in Commercial Tenancies	January 23, 1996	-
#93	Animal Protection	February 13, 1996	<i>The Animal Care Act</i> , S.M. 1996, c. 69
	Twenty-fifth Annual Report	March 31, 1996	(not applicable)
#94	Confidentiality of Mediation Proceedings	April 23, 1996	-
#95	Commercial Tenancies: Miscellaneous Issues	July 29, 1996	-
#96	Special Constables	November 12, 1996	Implemented, in part, through administrative action of the Department of Justice's Law Enforcement Services
#97	Section 270 of <i>The Highway Traffic Act</i>	March 24, 1997	-
#98	Stalking	May 28, 1997	<i>The Domestic Violence and Stalking Prevention, Protection and Compensation and Consequential Amendment Act</i> , S.M. 1998, c. 41
	Twenty-sixth Annual Report	June 30, 1997	(not applicable)
#99	Review of the Small Claims Court	March 17, 1998	The Court of Queen's Bench Small Claims Practices Amendment and <i>Parental Responsibility Amendment Act</i> , S.M. 1999, c. 22

Report	Title	Date	Implementation of Commission's Recommendations
	Twenty-seventh Annual Report	March 31, 1998	(not applicable)
#100	Class Proceedings	January 12, 1999	<i>The Class Proceedings Act</i> , S.M. 2001-2002, c. 14
	Twenty-eighth Annual Report	March 31, 1999	(not applicable)
#101	Trustee Investments: The Modern Portfolio Theory	June 22, 1999	-
#102	Informal Assessment of Competence	September 8, 1999	-
#103	Adult Protection and Elder Abuse	December 15, 1999	-
	Twenty-ninth Annual Report	March 31, 2000	(not applicable)
#104	Compensation of Vaccine-Damaged Children	June 28, 2000	-
#105	Assessment of Damages under <i>The Fatal Accidents Act</i> for the loss of Guidance, Care and Companionship	October 25, 2000	<i>The Fatal Accidents Amendment Act</i> , S.M. 2001-2002, c. 13
#106	The Legislative Assembly and Conflict of Interest	December 20, 2000	<i>The Legislative Assembly and Executive Council Conflict of Interest Amendment (Conflict of Interest Commissioner) Act</i> , S.M. 2001-2002, c. 49
	Thirtieth Annual Report	March 31, 2001	(not applicable)
#107	Good Faith and the Individual Contract of Employment	December 11, 2001	-
	Thirty-first Annual Report	March 31, 2002	(not applicable)
#108	Wills and Succession Legislation	March 11, 2003	-
	Thirty-second Annual Report	March 31, 2003	(not applicable)
#109	Withholding or Withdrawing Life Sustaining Medical Treatment	December 18, 2003	Implemented, in part, through The College of Physicians and Surgeons of Manitoba's Statement on Withholding and Withdrawing Life-Sustaining Treatment, effective February 1, 2008

Report	Title	Date	Implementation of Commission's Recommendations
	Thirty-third Annual Report	March 31, 2004	(not applicable)
#110	Substitute Consent to Health Care	October 26, 2004	-
	Thirty-fourth Annual Report	March 31, 2005	(not applicable)
#111	Costs Awards in Civil Litigation	September 13, 2005	-
#112	Review of <i>The Garnishment Act</i>	December 31, 2005	-
	Thirty-fifth Annual Report	March 31, 2006	(not applicable)
#113	Development Schemes	June 20, 2006	Implemented, in part, in <i>The Real Property Amendment Act</i> , S.M. 2011, c.33
#114	Private Title Insurance	December 29, 2006	-
	Thirty-sixth Annual Report	March 31, 2007	(not applicable)
	Thirty-seventh Annual Report	March 31, 2008	(not applicable)
#115	Mandatory Arbitration Clauses and Consumer Class Proceedings	April 1, 2008	-
#116	Franchise Law	May 20, 2008	<i>The Franchises Act</i> , S.M. 2010, c. 13
	Enduring Powers of Attorney: Areas for Reform (Western Canada Law Reform Agencies Report)	July, 2008	
#117	Enduring Powers of Attorney – Supplementary Report	September 2, 2008	-
#118	Posthumously Conceived Children: Intestate Succession and Dependents Relief – <i>The Intestate Succession Act</i> : Sections 1(3), 6(1), 4(5), 4(6) and 5	November 28, 2008	-
#119	Private International Law	January 21, 2009	-
	Twenty-eighth Annual Report	March 31, 2009	(not applicable)

Report	Title	Date	Implementation of Commission's Recommendations
#120	Waivers of Liability for Sporting and Recreational Injuries	January 30, 2009	-
#121	Improving Administrative Justice in Manitoba: Starting with the Appointments Process	November 30, 2009	-
	Thirty-ninth Annual Report	March 31, 2010	(not applicable)
25	Review of Compensation of Loss of Homesteads Rights (Informal Report)	May 27, 2010	(change not recommended)
#122	The Parol Evidence Rule	May 31, 2010	-
#123	Limitations	July 30, 2010	-
26	Remedy of Specific Performance and the Uniqueness of Land in Manitoba (Informal Report)	October 26, 2010	-
	Fortieth Annual Report	March 31, 2011	(not applicable)
27	<i>The Animal Care Act</i> (Informal Report)	April 28, 2011	-
28	Limitations of Actions Against Insurers (Informal Report)	September 1, 2011	-
29	The Remedy of Specific Performance and the Uniqueness of Land in Manitoba – Revision to Informal Report No. 26 (Informal Report)	September 1, 2011	-
#124	<i>The Stable Keepers Act</i>	August 5, 2011	-
#125	Limitations of Actions in Conversion and Detinue	November 30, 2011	-
1	Access to Justice (Issue Paper)	March 8, 2012	-
	Forty-first Annual Report	March 31, 2012	(not applicable)
#126	<i>The Nuisance Act</i> and <i>The Farm Practices Protection Act</i>	February 28, 2013	-

Report	Title	Date	Implementation of Commission's Recommendations
#127	Commercial Tenancies: Section 17 of <i>The Landlord and Tenant Act</i> and Section 93 of <i>The Real Property Act</i>	February 28, 2013	-
	Forty-second Annual Report	March 31, 2013	(not applicable)

*Includes Reports, Informal Reports, Issue Papers and Annual Reports.