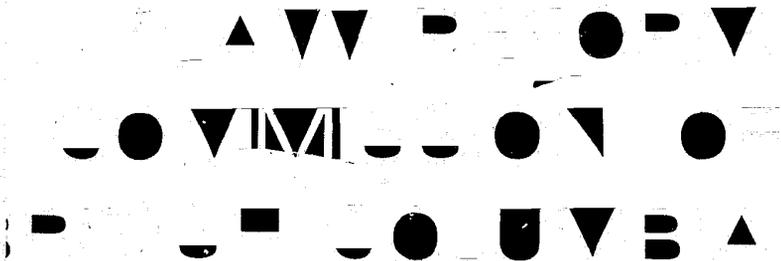




ANNUAL REPORT 1974



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DEPARTMENT OF ATTORNEY-GENERAL

01/11/75

annual report

of the

**LAW REFORM COMMISSION
OF BRITISH COLUMBIA**

1974



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AUTHORITY OF THE LEGISLATIVE ASSEMBLY

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The Law Reform Commission of British Columbia was established by the *Law Reform Commission Act* in 1969 and began functioning in 1970.

The Commissioners are:

LEON GETZ, *Chairman*.
 RONALD C. BRAY.
 PAUL D. K. FRASER.
 PETER FRASER.
 ALLEN A. ZYSBLAT.

Keith B. Farquhar is Director of Research to the Commission.

Arthur L. Close is Counsel to the Commission.

Edward E. Bowes is Legal Research Officer to the Commission.

Patricia Thorpe is Secretary to the Commission.

The Commission offices are located on the 10th Floor,
 1055 West Hastings Street, Vancouver, B.C.

TO THE HONOURABLE ALEX. B. MACDONALD, Q.C.,
ATTORNEY-GENERAL FOR BRITISH COLUMBIA:

The Law Reform Commission of British Columbia has the honour to present its fifth Annual Report, outlining the progress made by the Commission during the calendar year 1974.

I. INTRODUCTION

The Commission was constituted by the *Law Reform Commission Act*, which became law on July 1, 1969. That statute provides that the Commission shall be composed of not less than three members appointed by the Lieutenant-Governor in Council, one of the members to be designated as Chairman.

The Honourable E. D. Fulton was appointed as a member of the Commission and designated as Chairman on August 1, 1969. Ronald C. Bray was appointed on October 1, 1971, and became the Chairman *pro tem.* of the Commission on October 4, 1973, following Mr. Fulton's resignation. On July 1, 1974, Leon Getz was appointed a member of the Commission, and designated Chairman, whereupon Mr. Bray, while continuing as a member of the Commission, ceased to act as Chairman. The three other members of the Commission, Peter Fraser and Paul D. K. Fraser, both of the Vancouver Bar, and Prof. Allen A. Zysblat, of the Faculty of Law, University of British Columbia, were appointed on October 4, 1974. Only the Chairman is full time.

II. THE COMMISSION'S APPROACH TO LAW REFORM

The purposes of the Commission are set out in the *Law Reform Commission Act*. Section 3 of that Act provides:

It is the function of the commission to take and keep under review all the law of the Province, including statute law, common law, and judicial decisions, with a view to its systematic development and reform, including the codification, elimination of anomalies, repeal of obsolete and unnecessary enactments, reduction in the number of separate enactments, and generally the simplification and modernization of the law, and for that purpose

- (a) to receive and consider any proposals for the reform of the law that may be made to the commission;
- (b) to prepare and submit to the Attorney-General from time to time programmes for the examination of different branches of the law with a view to reform, and to recommend an agency, whether the commission, or a committee, or other body, to carry out the examination;
- (c) to undertake, at the request of the Attorney-General, or pursuant to recommendation of the commission approved by the Attorney-General, the examination of particular branches of the law, and the formulation, by means of draft bills or otherwise, of proposals for reform therein; and
- (d) to provide advice and information to Government departments and, at the request of the Attorney-General, to other authorities or bodies concerned with proposals for the reform or amendment of any branch of the law.

These are extremely broad terms of reference, and during its first five years the Commission has to some degree been engaged in searching for an appropriate definition of its role under them. The experience of those five years has helped considerably to sharpen our view on this matter, and this seems an appropriate time to indicate the role that the Commission considers itself best equipped to perform, and the considerations that have informed that view.

All the Commissioners, and the entire professional staff of the Commission, are lawyers, and this in itself imposes certain constraints upon us. While lawyers' skills and values are important in the social process, they are not the whole of it. Lawyers are not specialists in omniscience, and while they do have a considerable and distinctive contribution to make to modernization and improvement of the legal system, theirs is by no means the only contribution.

Lawyers, as lawyers, probably have little more to contribute than other citizens in the resolution of pressing social issues, except perhaps in the sense that they may have a heightened appreciation of the limitations of the law and its processes in the resolution of such issues. We have no special ability to resolve conflicting social values.

The distinctive contribution that the Commission can make to the improvement of the legal system lies in its capacity for careful research and thoughtful analysis, and in our view those are not qualities that are especially relevant to the reconciliation of conflicting social values.

Considerations such as these have led us to what may seem to some to be a rather unglamorous view of law reform. Law reform, at least as we perceive it, is not an especially glamorous business.

Some may see in what we have said a somewhat tortuous attempt to draw an untenable distinction between matters of law and matters of policy. This, however, is a misapprehension of our position. As a careful reading of our Reports will show, we are fully aware of the policy implications of our recommendations, and have attempted to confront them directly. All questions of law to some degree involve policy choices, and we do not seek to make any distinction between law and policy in that sense. It is our view, rather, that there are some kinds of policy matters that are appropriate for examination by us, and some that, in the light of our skills and resources, are not.

It is impossible to lay down with certainty any concrete criteria that can be used to delimit the scope of our usefulness, but perhaps we may illustrate the preceding observations with an example. When the Commission was first established in 1969, it undertook to examine the troubled field of family law. With the decision of the Government to establish the Royal Commission on Family and Children's Law under the chairmanship of the Honourable Mr. Justice T. R. Berger, however, the Law Reform Commission removed the subject from its programme.

That decision was, in our respectful opinion, a wise one. The Royal Commission, including as it does members of the legal, medical, and social work professions, is far better equipped than we are to attack some of the sensitive and controversial social issues involved in the law about the family. The fact that the Law Reform Commission is a permanent body, with a continuing and diverse programme, would have meant that if any of our recommendations on those sensitive and difficult issues were to prove highly controversial (as, on some matters in that field almost any recommendation would be), that controversy would inevitably spill over into the rest of our work. This, we believe, would significantly impair our usefulness in those fields where our recommendations might be thought to be controversial, but where the abilities of lawyers are more widely recognized.

The Law Reform Commission is not an omnibus vehicle for law reform of all kinds. It is but one among a variety of mechanisms available for the purpose. There are matters of law reform that should not be left to lawyers alone, although what those matters are cannot be stated with any precision. The judgment of when the Law Reform Commission is an apt vehicle is a sensitive one that must be made in the light of experience and an informed intuition.

There are those who, alive to these considerations, have suggested that the Commission should be differently constituted than it is, perhaps by the addition of members who are not lawyers. That has been done elsewhere, and, if done here, would radically alter the character of the Commission. In our opinion, however, it would to a significant degree impair the effectiveness of the Commission in doing the sort of unglamorous work of revision of the law that needs to be done, and that we consider ourselves well equipped to do.

The approach to our mandate that we have tried to outline above has emerged slowly over that past five years, and is reflected in decisions that we have taken this year concerning the selection of new projects, and the organization of the work of the Commission in carrying out its programme.

III. THE PROGRAMME

In the past year there have been several significant changes in the Commission's programme. A number of long-term projects have been completed and final Reports made, and numerous new projects and studies have been added to our programme.

The summary below is limited to those projects upon which we have reported in the past year or upon which work is in progress. Details of other reports, and projects which have been discontinued, may be found in earlier Annual Reports. Included as Appendix A is a table setting out all reports which the Commission has made to date, and references to legislation in which our recommendations have been implemented in whole or in part. In Appendix B there is another table setting out those matters which are now under consideration.

1. Debtor-creditor Relationships

(a) *Personal property security legislation*—Work on this study is now in its final stages and we expect to submit a Report early in 1975. The work of the Commission on this topic has been directed toward the development of legislation comparable to *The Personal Property Security Act, 1967* of Ontario and the Uniform Draft Statute adopted by the Commissioners on Uniformity of Legislation in Canada.

(b) *Mechanics' Lien Act*—The Commission submitted a final Report on this topic in 1972. Details may be found in our Annual Report for that year. Early in 1974 we were requested to re-examine the feasibility of repealing the *Mechanics' Lien Act*. As a result, further studies were undertaken and, in particular, Counsel to the Commission visited the State of Queensland in Australia to gather information concerning the effect which the repeal of mechanics' lien legislation had had in that jurisdiction. The Commission also invited, by advertisement, submissions relating to the desirability of repeal.

The studies relating to the possible effects of repeal were inconclusive, as were the submissions which we received. It was clear, however, that there was no groundswell of opinion favouring repeal. That being the case, it was concluded that we had no basis for a recommendation that the *Mechanics' Lien Act* be repealed. The Commission informally advised you of this and that the recommendations made in 1972 retain their force as the views of the Commission.

(c) *Enforcement of judgments*—Details of this project may be found in our 1973 Annual Report. Work continues, although it has been delayed significantly by the loss of the services of our Project Director, Prof. Richard Dunlop, who has accepted a position with the Faculty of Law, University of Alberta. We have,

however, profited considerably from his association with this project and in the past year have received 10 major research documents prepared by, or under the auspices of, Professor Dunlop. In the coming year we hope to circulate a number of shorter working papers containing proposals based on that research.

(d) *Bulk Sales Act*—This topic has recently been added to the Commission's programme. The *Bulk Sales Act* is concerned with protecting the rights of the unsecured creditors of a business upon the sale of that business. It appears to be deficient in a number of respects and an examination of its underlying principles seems called for.

2. Civil Rights

(a) *Procedure before statutory agencies*—A final Report on this topic was submitted in November 1974. The Report consists of an examination by the Commission of the existing law relating to the procedures by which agencies of government apply the policies of the Legislature to individuals and their property. It differs from all previous Reports of the Commission in that no substantive recommendations for reform are made, for reasons which are made clear in the body of the Report. What was attempted, rather, was a careful isolation of the relevant issues, coupled with a recommendation that they be the subject of an evaluation by a specially constituted body of inquiry.

Copies of the Report should be available from the Queen's Printer early in 1975.

(b) *A procedure for judicial review of the actions of statutory bodies*—A final Report on this topic was submitted in December 1974. That Report was preceded by a working paper (No. 10), circulated in April 1974.

The Report examines the existing law relating to the procedures by which the Courts ordinarily review the legality of the actions or omissions of agencies of government and concludes that the present procedural law is unnecessarily complicated. The Report contains recommendations which are designed to clear away some of the complications without altering the main body of substantive law of judicial review.

Copies of the Report should be available from the Queen's Printer early in 1975.

(c) *Costs of accused on acquittal*—This study is also completed, a Report having been submitted in June 1974. The Report addresses itself to the inevitability of the fact that from time to time persons will find themselves before the criminal courts, and then be acquitted.

The Commission, in the Report, concludes that the losses suffered by such persons should be borne by the community generally and recommends a scheme aimed at compensating those individuals who are charged with offences under Provincial law and subsequently acquitted or otherwise discharged. In particular, it is recommended that judges be given a discretion, to be exercised having regard to specific factors, to award costs to acquitted accused, with those costs to be paid out of a special fund created for that purpose.

Copies of the Report should be available from the Queen's Printer early in 1975.

(d) *Tort liability of public bodies*—The origin of this study was set out in our 1972 Annual Report. In August 1974 a working paper (No. 11) was circulated for comment and criticism. The working paper set out proposals aimed at eliminating the immunity from liability for nonfeasance which highway authorities

enjoy, narrowing the scope of the defence of "statutory authority" which is available to public bodies and clarifying the application of the rule in *Rylands v. Fletcher* to such bodies.

In March 1975 the Commission expects to review its proposals in the light of all submissions received and proceed with the preparation of a final Report.

(e) *Criminal records*—This topic is a recent addition to our programme. It has been included in recognition of the serious social disabilities which may be faced by a person who was once convicted of a criminal offence but who has subsequently rehabilitated himself and conducted himself as a law-abiding citizen. For example, he may be forced to reveal the existence of his conviction to prospective employers, bonding companies, and occupational licensing bodies and possibly be denied the benefit applied for.

The *Criminal Records Act*, S.C. 1969-70, c. 40, was recently enacted by the Federal Government in response to this problem, but for constitutional reasons it is of limited effect. The Commission will examine the need for complementary legislation at the Provincial level, with a view to developing the principles upon which such legislation might be based.

3. Statute Law Revision

(a) *Applicability of English Law*—Details of this study are set out in our 1972 Annual Report. It remains a long-term project, although new materials are constantly being added to our collection. In particular, a significant volume of materials on the reception of English law into Australia was obtained by Counsel to the Commission during a visit this year to Sydney and Melbourne. The Australian experience is highly relevant as it involves many of the same issues as the reception of English law into British Columbia. Of particular value to us are details of a study carried out in the State of Victoria between 1915 and 1922 which culminated in the *Imperial Acts Application Act* of that state.

(b) *Computers and the law*—In the past year a database has been established which consists of the full text of all public statutes in force in British Columbia. In December we were fortunate enough to obtain a computer terminal which now gives us access to that database through "key word" search techniques. Our experience with the terminal is still too limited to assess fully the impact which it will have on our work, but we expect it will add significantly to the thoroughness with which we are able to conduct our research in various areas of the law and effect a considerable saving of time.

4. Limitations

In March of 1974 we submitted our general Report on Limitations, representing the culmination of three years of research and writing. The Report points out that the existing *Statute of Limitations* is both archaic and obscure. The portion of that statute which governs the vast majority of civil actions is based on an English statute which is now 350 years old and is largely unintelligible to lawyer and layman alike. It is recommended that the *Statute of Limitations* be repealed by a statute which is contemporary in both language and substance. The desirable features of such a statute are discussed and recommendations made as to its form and content. This Report also contains recommendations that a number of special limitation periods contained in various Provincial statutes be repealed.

5. Evidence

(a) *Law Reform Commission of Canada Evidence Project*—A description of the process by which consultation with the Law Reform Commission of Canada has been established is set out in our 1972 Annual Report. We continue to take an active interest in the work of that Commission.

(b) *Affidavits of execution*—This study was added to our programme in 1974. It will entail an inquiry into the extent to which Provincial laws such as the *Land Registry Act* require that certain transactions be evidenced by affidavits, and an examination of the principles underlying such requirements.

(c) *The rule in Hollington v. Hewthorn*—The rule in *Hollington v. Hewthorn*, [1943] K.B. 587, is a rule which states that evidence of a criminal conviction is not generally admissible in a civil action arising out of the same facts, even as prima facie evidence. The rule has been extensively criticized and a number of law reform bodies have recommended that it be modified. We have recently added this issue to our evidence project as a matter for further inquiry.

6. Arbitration

Details of this study may be found in our 1973 Annual Report. The study continues although we are unable to predict when a working paper will be circulated.

7. Civil Procedure

This project was added to our programme in 1974. It is not intended that the Commission undertake a comprehensive study on civil procedure as a whole. Instead, a number of smaller problems have been identified as appropriate for an inquiry by a law reform body such as ours, and discrete studies have been formulated on that basis.

(a) *Class actions*—It has long been recognized there are situations in which it is appropriate to allow a litigant to bring an action on his own behalf and on behalf of numerous other persons who may have similar claims. Marginal Rule 131 of the *British Columbia Supreme Court Rules* permits such actions, but the scope and operation of the rule is often uncertain.

A study on class actions has been initiated, and in 1975 we expect to circulate a working paper setting out proposals for reform aimed at clarifying, and perhaps extending, the availability of class actions in this Province.

(b) *Costs of successful litigants in persons*—In the normal course of events, people who sue or are sued in the superior Courts will engage lawyers to act on their behalf, and at the conclusion of proceedings an order will be made that the losing party pay to the winning party certain "costs" as partial compensation for the expense to which the winning party has been put. Those costs are calculated in accordance with a tariff set out in the rules of court.

However, when a party does not hire a lawyer but instead conducts the litigation himself, he will, if successful, be awarded compensation for certain out-of-pocket expenses only, and not the costs provided by the rules.

In November the Commission circulated a working paper (No. 13) on this topic in which it was concluded that the law unfairly penalizes the litigant in person. It was tentatively proposed that the law be changed to allow an award of costs to such a person as if he had engaged a lawyer to conduct the case. In March 1975 the Commission expects to review its proposal, having regard to the comment and criticism received, and to prepare a final Report.

(c) *Litigants' costs indemnification*—Occasionally the trial of an action will be aborted through no fault of a litigant, or else the decision of a trial Court will be reversed on appeal. In both cases an unfair financial burden may be placed on one or more of the parties. A number of Australian jurisdictions have enacted legislation which creates a fund to indemnify such parties in certain cases. In this study we will examine the experience of those jurisdictions and consider the feasibility of similar reforms in this Province. We hope to circulate a working paper in 1975.

(d) *Civil juries*—In this study we will examine certain aspects of the law and practice surrounding the use of civil juries in British Columbia.

8. Law of Agency

(a) *Powers of attorney and mental incapacity*—Powers of attorney, like other agency relationships, are normally terminated when the principal becomes of unsound mind. Notwithstanding this legal rule, people often wish to create powers of attorney, in circumstances where they foresee that their mental faculties may decline, in order to provide for the management of their affairs.

The Commission has tentatively concluded that the law should be changed to allow the creation of a special power of attorney which will continue in effect, even if the principal subsequently becomes of unsound mind. That conclusion was set out as a proposal in a working paper (No. 12) which was circulated for comment in October 1974. The Commission expects to make a final Report early in 1975.

(b) *The Powers of Attorney Act and the termination of agencies*—When an agency relationship terminates through operation of law, for example, through the principal's death or his insanity, the agent and the third parties with whom he deals may not be aware of that fact. If a loss arises in such circumstances, it is not always clear where it will fall, as the law is in disarray on this question. In some cases, however, the law may cause the loss to be borne by the agent or third party, and these cases may be thought to be inequitable.

If the agency relationship takes the form of a power of attorney, the *Powers of Attorney Act* may apply, and the loss will be distributed in a fairer fashion than would be the case at common law. The Act, however, is badly drafted and its scope is uncertain. In November 1974 we circulated a working paper (No. 14) in which it was proposed that the Act be rationalized and its scope extended to encompass all agency relationships. We expect to make a final Report in 1975.

9. Testamentary Promises

The purpose of this new study is to consider the desirability of enacting legislation whereby a person who has relied to his detriment on a promise of testamentary benefit which has not been fulfilled may, upon proper proof, make a claim against the estate of the promisor. At common law the position of such a person is uncertain and it frequently happens that he has no legally enforceable claim.

10. Minors' Contracts

The Latey Committee on Children and Young Persons (U.K. 1967) stated that "the present law governing the contracts of persons below the age of majority is unsatisfactory and in need of reform. . . . It is uncertain in a number of important respects, and is not easy to apply to concrete fact. It is complex, and

the complexities of the law are not related to the need of persons affected by it." Those remarks apply with equal force to the law in British Columbia.

The Commission, therefore, has added to its programme a study aimed at rationalizing this area of the law.

11. Security Interests in Real Property

In British Columbia there are two principal vehicles used for the creation of consensual security interests in real property—the mortgage and the agreement for sale. Although they are functionally identical, the law surrounding them diverges on a number of important points of detail.

In a recent article in *The Advocate*, D. B. Kirkham, of the Vancouver Bar, pointed out that one area of divergence is in the nature and extent of the debtor's rights to redeem the property. On the face of it, this divergence seems difficult to justify and the Commission has therefore added this limited topic to its programme as a matter for further inquiry.

12. Survivorship and Presumption of Death

A study on this topic has recently been added to our programme. Its inclusion was inspired by the work of the Uniform Law Conference of Canada and other law reform bodies in this area, and we have been persuaded that the time is ripe for an examination of the *Survivorship and Presumption of Death Act*, R.S.B.C. 1960, c. 375.

IV. CARRYING OUT THE PROGRAMME

1. Research and Writing

When the Commission was first established, it had a full-time professional staff of two, and had perforce to rely very heavily upon research by part-time consultants. That, as was pointed out in our Annual Report for 1972, created certain difficulties in the operations of the Commission, and an increase in the full-time staff was foreshadowed. That has now happened. The professional staff has now grown to four (including the Chairman), and we expect to add a fifth lawyer in 1975.

This has meant not only that we are able to do a far larger proportion of the research and writing internally, but that we are able to use the services of outside consultants more wisely and productively, by employing them as expert advisers, rather than part-time research workers. This, in our view, has contributed greatly to the quality of the Commission's work, and to our efficiency.

2. Legislative Drafting

In the first Annual Report of the Commission in 1970 it was pointed out that "the drafting of legislation in detail is a time-consuming task, requiring special talents and skills developed over a long period of time," and that, accordingly, it was not the intention of the Commission to include draft legislation with its Reports.

While this remains the basic position of the Commission, we have on occasion included draft legislation when the circumstances seemed to call for it, and no doubt will continue to do so. The Commission's Report on Frustrated Contracts Legislation, for example, did include a draft statute, as does our Report on Limitations. These drafts are not, of course, intended to bind Legislative Counsel in any way, but are included in the hope that they may, on occasion, facilitate the preparation of legislation.

V. GENERAL

1. Personnel

The Commission would here like to record its appreciation of the services of its research and secretarial staff.

Keith B. Farquhar (Director of Research), Arthur L. Close (Counsel), and Edward E. Bowes (Legal Research Officer) have served us well with the care and skill of their research and writing. It is largely owing to their efforts that the Commission has been able to maintain a consistent and high quality of work.

We would like to commend particularly the Secretary to the Commission, Patricia Thorpe. As the scope of Commission activities grows, so do her administrative responsibilities, and we are happy to acknowledge the efficiency with which she discharges them.

Our thanks go as well to Andrea Williams and Doreen Hutchings, our two stenographers, for their help to us over the past year.

2. Other Law Reform Organizations

The Commission has continued to profit from and contribute to the close liaison which exists among other law reform bodies both in and outside of Canada. In particular we were fortunate enough to be visited this year by the Honourable Mr. Justice Andrews, Chairman of the Queensland Law Reform Commission; Dr. Robin Sharwood, Executive Director of the Law Foundation of the State of Victoria; members of the Statute Law Revision Committee of the State of Victoria; and W. H. Huriburt, of the Alberta Institute of Legal Research and Reform. We were happy to welcome them and benefited from our discussions with them.

Our ties with our Australian counterparts were further strengthened this year through the visit of our Counsel to law reform bodies in New South Wales, Victoria, and Queensland. This resulted in a useful exchange of views and information.

In addition the Chairman and the Director of Research attended a one-day August meeting in Winnipeg of representatives of all law reform bodies in Canada, and found it a useful and helpful exercise.

3. Conclusion

The Commission has been much encouraged by the assistance and co-operation which have been extended to us by you and members of your Department. In particular, we would like to mention the Deputy Attorney-General, David H. Vickers, who has been consistently helpful, and Legislative Counsel, G. A. Higenbottam, and members of his staff, whose co-operation in all stages of our work has been much appreciated.

LEON GETZ, *Chairman*
RONALD C. BRAY
PAUL D. K. FRASER
PETER FRASER
ALLEN A. ZYSBLAT

January 1, 1975.

APPENDICES

APPENDIX A

REPORTS MADE BY THE LAW REFORM COMMISSION
OF BRITISH COLUMBIA

No.	Title	Date	Recommendations Implemented in Whole or in Part by—
1.	Limitations—Abolition of Prescription	Dec. 17, 1970	<i>Land Registry (Amendment) Act, 1971</i> , S.B.C. 1971, c. 30.
2.	Annual Report, 1970	Dec. 31, 1970	Not applicable.
3.	Frustrated Contracts Legislation	Feb. 17, 1971	<i>Frustrated Contracts Act</i> , S.B.C. 1974, c. 37; <i>Landlord and Tenant Act</i> , S.B.C. 1974, c. 45, s. 61 (e).
4.	Debt Collection and Collection Agents	Mar. 19, 1971	<i>Debt Collection Act</i> , S.B.C. 1973, c. 26.
5.	Expropriation	Dec. 20, 1971	
6.	Annual Report, 1971	Dec. 31, 1971	Not applicable.
7.	Mechanics' Lien Act	June 30, 1972	
8.	Deficiency Claims and Repossessions	June 22, 1972	<i>Conditional Sales Act</i> , S.B.C. 1973, c. 19; <i>Bills of Sale Act</i> , S.B.C. 1973, c. 7.
9.	Legal Position of the Crown	Dec. 12, 1972	<i>Crown Proceedings Act</i> , S.B.C. 1974, c. 24; <i>Interpretation Act</i> , S.B.C. 1974, c. 42, s. 13.
10.	Annual Report, 1972	Dec. 31, 1972	Not applicable.
11.	Interim Report on Evidence	Feb. 20, 1973	
12.	Pre-judgment Interest	May 16, 1973	<i>Prejudgment Interest Act</i> , S.B.C. 1974, c. 65.
13.	Landlord and Tenant—Residential Tenancies	Dec. 11, 1973	<i>Landlord and Tenant Act</i> , S.B.C. 1974, c. 45.
14.	Annual Report, 1973	Jan. 1, 1974	Not applicable.
15.	Limitations—General	Mar. 25, 1974	
16.	Costs of Accused on Acquittal	June 24, 1974	
17.	Procedure Before Statutory Bodies	Nov. 18, 1974	
18.	A Procedure for Judicial Review of the Actions of Statutory Agencies	Dec. 12, 1974	

APPENDIX B

MATTERS UNDER CONSIDERATION BY LAW REFORM COMMISSION
OF BRITISH COLUMBIA

1. Debtor-creditor Relationships.
 - (a) Personal Property Security Legislation.
 - (b) Enforcement of Judgments.
 - (c) The *Bulk Sales Act*.
2. Civil Rights.
 - (a) Tort Liability of Public Bodies (Working paper (No. 11) issued in August 1974).
 - (b) Criminal Records.
3. Applicability of English Law.
4. Evidence.
 - (a) Law Reform Commission of Canada Evidence Project.
 - (b) Affidavits of Execution.
 - (c) The Rule in *Hollington v. Hewthorn*.
5. Arbitration.
6. Civil Procedure.
 - (a) Class Actions.
 - (b) Costs of Successful Litigants in Person (Working paper (No. 13) issued in November 1974).
 - (c) Litigants' Costs Indemnification.
 - (d) Civil Juries.
7. Law of Agency.
 - (a) Powers of Attorney and Mental Incapacity (Working paper (No. 12) issued in November 1974).
 - (b) The *Powers of Attorney Act* and the Termination of Agencies (Working paper (No. 14) issued in November 1974).
8. Testamentary Promises.
9. Minors' Contracts.
10. Security Interests in Real Property.
11. Survivorship and Presumption of Death.