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DEBATES and PROCEEDINGS

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Bill No. 162 – *The Enforcement of Money Judgments Amendment Act*

Mr. Forbes: Thank you very much, Mr. Speaker. It is a pleasure to again rise and enter into the debate on the pieces of legislation before us in the House tonight. And it's an important thing that we do. People are at home watching this and have questions about what kind of legislative agenda does the government have, and of course some have been stronger than others. And I appreciate the comments made just prior to me about the pension piece, which is very, very important, and I'm glad that's coming forward. We need to continue to have that discussion.

But this one before us right now, Bill No. 162, *The Enforcement of Money Judgments Amendment Act, 2014*, this is apparently a tweaking of the piece of legislation that we had passed a few years ago that came into effect in 2012 in May. But at that point, because it was a major revision, it was really important that . . . And this happens. We understand. You test out some of the pieces of legislation. Some of it works; some doesn't work. You find that you need certain things in place; other things are problematic.

Drafting legislation is not a perfect science. We wish it was. And this is our role in opposition is to look at some of the inconsistencies that we have. And we saw even if they are things like whether you hyphenate a certain word and they start new standards, but now in *The Residential Tenancies Act* we're going to be seeing the inconsistencies with that.

It's interesting how, you know, it's the Ministry of Justice that looks after the drafting, but you'd think there would be consistencies that would stop these or practices that would stop this. But it is not a precise science, whether that's a good thing or not. But all of this has come through the Ministry of Justice, so this is not one department and another department having problems communicating. It's within the same ministry.

But regardless of that, they talked about lessons learned and some of the ways to address

some of the practical and technical issues that have been identified by the sheriff's office and public. So we'd like to know, when the minister refers to the public, who is he referring to? Is it different groups that may have come forward? Because this is a significant piece to make sure that when we have money judgments that they are actually enforced and the money is going to where they're supposed to be going, and that we're not seeing unintended consequences with people not paying their debts because of a loophole. We want to make sure that there is a system of fairness in place.

So he talks about if the notice of a seizure of employment income can last for now . . . will it last for a 24-month period as opposed to the 12-month period before? So we'll see what kind of impact that has. I know it will include a revised process for the sheriff by clear timely title to a third party purchaser of land where they've agreed to judgment out of the proceeds of the sale to address the judgment debt of the vendor. So that seems really straightforward. And so many of these pieces seem straightforward and technical in many ways.

When I look back at the original piece of legislation that came forward in the spring of 2012, it's a fairly significant piece of legislation. And of course it had impact on many other pieces of legislation, whether it be *The Arbitration Act*, *The Assignment of Wages Act*, the builders' lien, *The Cemeteries Act* in fact, *The Cities Act*, *The Condominium Property Act*, and it goes through several, several pieces of legislation. So this is one that reaches out into many other areas. So it's got to be done, it's got to be done well. And we think that it's therefore important to get this right, and then we will have questions in committee about this.

And as I said, when you talked about the public, who was the public? We know for example one of the pieces of legislation is *The Landlord and Tenant Act*. Now I'm not sure . . . This is one Act that I'll have to look up because I'm familiar with *The Residential Tenancies Act*. You know, I thought that's what guided the landlords and tenants. So it would be interesting to take a look at *The Landlord and Tenant Act* — what does that really cover? — and of course *The Limitation of Civil Rights Act*.

And you know, this is what I was saying earlier. It's interesting when we do these second reading speeches because we uncover some interesting things that we weren't completely aware of. It talks about *The Labour Standards Act*, and of course that Act is no longer with us. We have the Saskatchewan employment code, and so if that's been carried over, that's important.

But again these are the challenges when you're trying to coordinate pieces of legislation. A little bit easier now in the age of technology where a lot of this stuff can be searched, and it's much easier to do. I know the folks in the drafting office have a lot of work ahead of them when they try to do their best with this. But it looks relatively straightforward.

We know this is important. It's important for a lot of people, when debts are . . . when people in good faith enter into agreements, whether it be with buying or selling land, renting or paying rent, that type of thing, paying deposits. And every story has two sides, at least two sides if not more. So we need to know more about this, and we will have

questions in committee about that. That is a given for sure. We want to make sure that again we are not going to be back every couple of years.

I understand the challenges here, but I hope that they have done all that they can to make sure that it's as good as it can be and that it essentially will solve the issues that the sheriffs have outlined. That would have been interesting to hear more about that. And also, as I said, the public is a big, big group. Who was it that was raising concerns about this? And what were the issues that were not dealt with, and why not?

Mr. Speaker, I know that again there will be many people who want to get up and speak tonight on other issues and then as well to this bill particularly, so I would move at this point adjournment of *The Enforcement of Money Judgments Amendment Act, 2014*. Thank you very much.