

**NOTICE TO THE PARTIES AND THE PROFESSION**

TO: Parties and the Profession

FROM: The Honourable Marc Noël,
Chief Justice of the Federal Court of Appeal

DATE: September 1, 2020

SUBJECT: Resumption of in person hearings and the effect of the *Time Limits and Other Periods Act (COVID-19)*

Hearings

[1] The Court's fall session begins on September 1, 2020. Three types of hearings will be held: hearings where all counsel appear in person, hearings where all counsel appear remotely and hearings where some counsel appear in person while others appear remotely (hybrid hearings). The Court's [Hearing lists](#) reflect which cases are being heard remotely or in person. Hybrid hearings will be identified as remote hearings.

[2] Counsel, parties and members of the public are invited to consult the information document prepared by Courts Administration Service titled [COVID-19: Recommended Preventive Measures – Resuming In-Person Court Operations](#). That document outlines the public health and safety measures in place on court premises and in the courtroom. Physical barriers have been installed in courtrooms. Counsel appearing in person are not required to wear a mask while addressing the Court but are invited to do if they wish.

[3] Physical distancing guidelines have significantly reduced space available in the public gallery for those wanting to attend a hearing. Until further notice, remote access to the hearings of the Federal Court of Appeal will be made available for all hearings, including those proceeding in person. Members of the public and the media are strongly encouraged to make use of the remote access to court proceedings. Additional information on public and media access to proceedings can be found on the [Court's website](#). Courtrooms remain accessible to the public and media. However, those attending court are required to wear non-medical masks and attendance will be greatly limited by the need to ensure physical distancing.

Time Limits and Other Periods Act (COVID-19)

[4] The [Time Limits and Other Periods Act \(COVID-19\)](#) came into force on July 27, 2020. That Act suspends time limits set out in federal legislation, including the *Federal Courts Act* and numerous other acts pursuant to which proceedings can be instituted in the Federal Court of

Appeal. It suspends those time limits for the period that starts on March 13, 2020, and that ends on September 13, 2020. The Act does not, however, suspend the time limits established under the *Federal Courts Rules* or set by the Court in an order. For additional information about the time limits set out in the Rules, parties are invited to consult the Court’s [Notice to Parties and the Profession dated June 11, 2020](#), addressing the gradual phase-out of the Suspension Period.

[5] Parties requiring additional information about the effect of the Time Limits and Other Periods Act (COVID-19) are invited to communicate with the Registry at Information@fca-caf.gc.ca.

“ Marc Noël ”

Chief Justice,
Federal Court of Appeal