



**British Columbia Court of Appeal
Practice Directive (Civil & Criminal)
Title: Declarations of Invalidity in Court Orders**

Issued: 11 July 2022

Effective: 18 July 2022

Cite as: *Declarations of Invalidity in Court Orders* (Civil & Criminal Practice Directive, 18 July 2022)

When the Court of Appeal pronounces a judgment addressing the validity of an enactment and upholds a declaration of invalidity made by the court below, makes a declaration of invalidity in the first instance, or sets aside a declaration of invalidity made by the court below, the party drafting the Court of Appeal's order must include a term dealing with the declaration. That term may be styled in a form analogous to the examples below.

THIS COURT DECLARES that section X of *Y Act* is of no force or effect.

THIS COURT ORDERS that the declaration made on [set out date] that section X of *Y Act* is of no force and effect is hereby set aside.

Chief Justice R.J. Bauman
Court of Appeal for British Columbia

History:

Replaces the Civil and Criminal Practice Directive titled *Declarations in Court Orders*, dated 5 March 2020, which replaced the Civil and Criminal Practice Directive titled *Declarations in Court Orders*, dated 11 October 2019.