

# LAW BOOK NEWS

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# JUST PUBLISHED

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This softcover manual offers up-to-date and affordable access to all the information you need to know on a day-to-day basis.

#### Features:

- Full text of the federal *Trust and Loan Companies Act* and regulations, incorporating all the latest amendments
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- Complete set of OSFI Guidelines, Regulatory and Legislative Advisories, Application and Approval Guides, Filing Instructions, Returns and Penalties, Rulings issued by the Superintendent of Financial Institutions, and other Regulatory Documents
- Comprehensive index and a section-by-section table of contents to ensure instant access to relevant material
- Table of concordance to the *Bank Act*, the *Insurance Companies Act*, the *Cooperative Credit Associations Act*, and the *Canada Business Corporations Act* to facilitate quick comparisons with relevant statutes
- Editorial notes throughout on the effective dates of legislation

#### This year's edition includes:

- Under the *Bank Act*, Principal Protected Notes Regulations
- **NEW** Advisories associated with OSFI guidelines
- Many newly revised and draft guidelines
- And much more!

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## BANKRUPTCY/DEBTOR- CREDITOR/INSOLVENCY

### THE 2010 ANNOTATED BANKRUPTCY AND INSOLVENCY ACT

**The Honourable Mr. Justice Lloyd W. Houlden,  
Mr. Justice Geoffrey B. Morawetz and  
Professor Janis P. Sarra, LL.B., LL.M., S.J.D.**

Completely revised to address the significant amendments as a result of C-36 and C-47, **The 2010 Annotated Bankruptcy and Insolvency Act** has been mapped to coincide with the recently published *Bankruptcy and Insolvency Law of Canada, 4th Edition*. It provides improved cross-references and will cover in detail all of the newest developments. Features include:

- A new and improved Index and Table of Contents
- Reorganized chapter format
- Additional relevant legislation is represented including:
  - The Bankruptcy Rules and Tariffs
  - *Companies' Creditors Arrangement Act*
  - *Farm Debt Mediation Act*
  - *Wage Earner Protection Program Act*
  - *Winding Up and Restructuring Act*
- Judicial decisions from all court levels and provinces
- Policy Statements, Directives, Position Papers and other material issued by the Superintendent of Bankruptcy
- All of the latest case law and legislative amendments that have come into force
  - Friday, September 18, 2009 was established as the coming-into-force date for the remaining unproclaimed amendments to the BIA and CCAA
  - An Act to establish the *Wage Earner Protection Program Act*, to amend the *Bankruptcy and Insolvency Act* and the *Companies' Creditors Arrangement Act* and to make consequential amendments to other Acts, chapter 47 of the Statutes of Canada, 2005; and
  - Act to amend the *Bankruptcy and Insolvency Act*, the *Companies' Creditors Arrangement Act*, the *Wage Earner Protection Program Act* and chapter 47 of the Statutes of Canada, 2005, chapter 36 of the Statutes of Canada, 2007.

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### BAIRD'S PRACTICAL GUIDE TO THE COMPANIES' CREDITORS ARRANGEMENT ACT

David E. Baird, Q.C.

This book has been written for the purpose of providing the reader with a very practical discussion of how to plan and implement a successful restructuring under the *Companies' Creditors Arrangement Act* ("CCAA"). It brings to the reader a lifetime of the author's experience, which is necessary because the court appearances and the relatively few reported decisions on the CCAA do not provide a complete picture of the strategies and tactics which have been used to successfully restructure companies under the CCAA. It will be used by all parties to obtain a much better understanding of how to plan and achieve a successful restructuring under the CCAA.

The author's autobiographical approach, based on 50 years of practising bankruptcy and insolvency law, furnishes the reader with a detailed outline of how a restructuring under the *Companies' Creditors Arrangement Act* (the "CCAA") is planned and implemented. It includes sample precedents and genuine documents from real-life restructurings such as *Air Canada*, *Algoma Steel*, and *Nortel*.

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David M. Sherman

**The Lawyer's Guide to Income Tax and GST 2010** is designed as a user-friendly guide for lawyers who are not tax specialists. Its former title was *Basic Tax and GST Guide for Lawyers*.

Lawyers in general practice, or in specialized areas of practice such as employment law, family law, litigation, real estate or immigration law cannot avoid running into income tax and GST issues, as these issues affect virtually every aspect of the law. Even though the solution to more complex issues may be left to the client's accountant, it is crucial for the lawyer to know what those issues are and how in general they need to be dealt with.

In **The Lawyer's Guide to Income Tax and GST**, tax lawyer and noted tax author David Sherman provides all the core information a non-tax lawyer needs to effectively and efficiently deal with the tax aspects of clients' affairs that the lawyer needs to raise and address.

The book also covers the core tax issues the lawyer needs to know relating to his or her fees: When must GST or HST be charged? When are the fees deductible to the client? Finally, it includes a valuable overview of the basics of the Canadian personal and corporate tax systems, the GST and HST systems, and the tax objection and appeal process.

The 2010 edition is updated to reflect the 2009 Federal Budget of January 27, 2009, all legislative developments through July 2009, Canada Revenue Agency administrative announcements, and numerous case law and other developments.

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Editors-in-Chief: Sandra Bussey, C.A. and  
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- Shielding your earnings and property from U.S. income and estate taxes.
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Rédacteur : Joseph Petrie, B.A. (Toronto) (KPMG)

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## MCCARTHY TÉTRAULT'S CANADA TAX SERVICE – ELECTIONS GUIDE 2009

Ryan Keey, MAcc, CA, Carswell Editor  
McCarthy Tétrault LLP, General Editors: Doug S. Ewens, Frédéric Harvey, Nigel Johnston, Gabrielle M.R. Richards, Rosemarie Wertschek

The elections guide provides a summary of tax elections available under the *Income Tax Act*. The guide can assist tax professionals identify opportunities, ensure filing requirements related to tax elections are met and provides valuable references and commentary to consider when utilizing various elections.

The 2009 edition of McCarthy Tétrault's *Canada Tax Service Elections Guide* includes many enhancements. In addition to covering elections available under the *Income Tax Act*, the 2009 Edition also covers elections available under the *Income Tax Regulations* and also covers certain of the core designations available under the *Income Tax Act* (the Guide now covers over 240 elections and designations).

The 2009 Edition has been updated to reflect legislative and administrative developments. Additionally, more value-added commentary, examples, and references have been added and the Topical Index has also been revamped to be more descriptive/intuitive. Additional Interpretation Bulletins and other relevant CRA publications have also been added to the Appendix.

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## CORPORATE/COMMERCIAL

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Edited by Bradley J. Freedman

Canadian legislation, including applicable regulations and enforcement guidelines as well as appropriate international materials of interest to Canadian practitioners. Each section has a detailed Table of Contents and an introduction, including a brief summary of the materials and a discussion of recent and proposed amendments to the materials. A comprehensive index is included.

### Additions and Updated Features in the 2009 Edition:

- Section 42 of *Alberta Fair Trading Act*
- Amendments to *Ontario Consumer Protection Act*, 2002
- Amendments to Ontario CPA Regulation General, O. Reg. 17/05
- Amendments to *British Columbia Business Practices and Consumer Protection Act*
- Amendments to British Columbia Consumer Contracts Regulation
- Amendments to British Columbia Business Practices and Consumer Protection Regulation

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- *Canada-EFTA Trade Agreement Implementation Act* **NEW**
- Amendments to *Customs Act* by 2008, c. 6, s.59 and 2009, c. 6, ss. 23-29
- Amendments to Fees for Records Regulations SOR/86-1028 by SOR/2009-113, ss. 2, 3(f), 4, 5, 6(E.)
- Amendments to Proof of Origin of Imported Goods Regulations SOR/98-52 by SOR/2008-78, ss. 1, 2
- Amendments to Reporting of Imported Goods Regulations SOR/86-873 by SOR/2008-25
- Amendments to Returning Persons Exemption Regulations SOR/98-61 by SOR/2008-271, s. 1
- Amendments to Transportation of Goods Regulations SOR/86-1064 by SOR/2008-26
- Amendments to Verification of Origin, Tariff Classification and Value for Duty of Imported Goods Regulations (Non-Free Trade Partners) SOR/98-45 by SOR/2008-77
- Amendments to Customs Tariff by SOR/2009, c. 2, s. 122 and 2009, c. 6, ss. 30-36
- Amendments to *Excise Tax Act* by 2008, c. 28, ss. 72-84, 85-93 and 2009, c. 2, s. 121

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**Peter German**

The globalization of world economies, the transnational nature of organized crime, the events of September 11, 2001, and the proliferation of international organizations seeking to curb money laundering and terrorist financing, have combined to dramatically affect proceeds of crime.

**Proceeds of Crime and Money Laundering: Includes Analysis of Civil Forfeiture and Terrorist Financing Legislation**, comprehensively and clearly describes the

law and legislative framework relating to the forfeiture of the proceeds of crime. Money laundering, terrorist financing, special search warrants, restraint orders, forfeitures after conviction and without conviction, tracing, the review and expiry of warrants and orders, the use of income tax information, the requirement to keep records and international co-operation are some of the important topics addressed.

Appendices include extracts of relevant legislation.

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**The Honourable Mr. Justice Todd L. Archibald and Mr. Justice Randall Scott Echlin**

The **Annual Review of Civil Litigation 2009** is the ninth publication in this national series. The Review consists of timely, cutting edge articles on important topics in civil litigation.

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- Bondholders and Barbarians: BCE and the Supreme Court's View on Directors' Duties
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- A User-Friendly Guide to the Law of Causation in Personal Injury Actions
- Quebec Authorities in International Commercial Arbitration: Are they Relevant Throughout Canada?
- Easement Law for Litigators
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- Nobody Expects the Spanish Inquisition: A Primer on the Use (And Abuse) of Ex Parte Proceedings in Civil Cases
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## EMPLOYMENT/LABOUR

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T. Stephen Lavender, LL.B.

This completely revised new edition is your exclusive source for immediate understanding of the practical impact of the technical and substantive changes to the legislation, making this a fully integrated and instantly accessible reference guide.

Features include:

- Legislation – A fully up-to-date consolidation of the *Employment Insurance Act* and its related regulations give you current access to the primary law
- CUBs – Canadian Umpire Benefits decisions represent the front lines of unemployment insurance law, and this valuable handbook reviews and digests these numerous and hard-to-find decisions in an organized and coherent manner
- Case Law – Federal Court of Appeal decisions – look no further than this work for annotations of all relevant Federal Court decisions that interpret and shape employment insurance legislation
- Commentary – Knowledgeable commentary provides you with the practical analysis that you need to understand a complicated regime
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#### What's New in the 2009 Edition

- National Policy on False or Misleading Statements Made Knowingly
- Tax Court of Canada Practice Notes

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## CONSOLIDATED BRITISH COLUMBIA PENSION STATUTES AND REGULATIONS 2010

Consulting Editor: Murray T. A. Campbell

This work is a new pension legislation consolidation for the British Columbia market. It includes all provincial and federal statutes and regulations of relevance to pension and benefits lawyers, employment lawyers and HR professionals. The work also includes useful references to online websites with relevant policy guidelines and bulletins for such professionals.

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## EVIDENCE

### ELECTRONIC EVIDENCE IN CANADA

Jonathan Penner and Graham Underwood

**Electronic Evidence in Canada** contains a broad examination of electronically-stored information ("ESI") from its creation to its admission into evidence in civil and criminal proceedings. The book discusses the nature and characteristics of ESI and how these influence admissibility at trial. It then covers the retention and destruction of electronic records, the obligations to preserve and produce ESI for litigation, spoliation, and the admissibility of ESI at trial. The last part of the work considers specific modalities of admissibility of ESI, whether as real, documentary, or demonstrative evidence, and includes a discussion of the admissibility of metadata, ESI from the Internet, computer-generated re-creations, and other issues unique to ESI.

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## FAMILY

### THE 2010 ANNOTATED DIVORCE ACT

James C. MacDonald, Q.C. and  
Ann C. Wilton B.A., M.A. (Oxon), LL.B.

A current, portable consolidation of the *Divorce Act*, **The 2010 Annotated Divorce Act** includes:

- Authoritative section-by-section commentary and analysis of the background and practical application of each section of the Act
- Clear and concise digests of all the relevant case law you need to understand the judicial application of the Act

Highlights of important legislative amendments, case law and commentary featured in this edition include:

- Amendments to the *Income Tax Act* under S.C. 2009, c. 2
- Amendments to Regulations Establishing Federal Child Support Guidelines under: SOR/2009-181
- The final version of the Spousal Support Advisory Guidelines
- Annotations of significant developments in jurisprudence such as *Bemrose v. Fetter* (Ont. C.A.), *Scott v. Scott* (B.C. C.A.), *Smith v. Selig* (N.S. C.A.), and *Chera v. Chera* (B.C. C.A.).

The new edition also contains fully updated legislation current to July 2009.

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## FINANCIAL PLANNING LIBRARY

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Lynn Biscott, CFP, R.F.P.

The intent is to provide a pocket-sized guide to give financial planners fingertip access to key financial planning information. As a highly portable item, the pocket guide can be taken to client meetings as a ready reference. For financial planning students, the pocket guide can serve as a highly portable study aid, summarizing the key facts and figures they would be expected to know for testing purposes.

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## INTELLECTUAL PROPERTY

### CONSOLIDATED INTELLECTUAL PROPERTY STATUTES AND REGULATIONS WITH RELATED MATERIALS 2010

Kevin L. Laroche, L. Anne Kinsman, Gordon J. Zimmerman, Bradley J. Freedman, and Lise Bertrand

Designed to increase the consolidation's comprehensiveness, utility and convenience, the book has been reorganized to reflect the following five areas of intellectual property: Patents, Copyright, Trade-Marks, Domain Names, and Industrial Designs and Miscellaneous Intellectual Property Materials, each indicated by a labelled thumb tab for ease of navigation.

Each section groups the relevant Canadian legislation, including applicable regulations and enforcement guidelines, as well as appropriate international materials of interest to Canadian practitioners.

#### What's New in the 2010 Edition

- CIRA Domain Name Dispute Resolution Rules **NEW**
- CIRA Domain Name Dispute Resolution Policy **NEW**
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- Amendments to *Competition Act*
- Amendments to Industrial Design Regulations
- Industrial Design Office Practices **UPDATED**
- Manual of Patent Office Practice – Chapter 17 Biotechnology **UPDATED**
- Amendments to Regulations under Patent Cooperation Treaty
- CIRA Policy 1 – Registrant Agreement – Version 1.9 **UPDATED**
- CIRA Policy – General Registration Rules – Version 3.13 **UPDATED**
- Contracting Parties to the Paris Convention for the Protection of Industrial Property **UPDATED**

In addition to the applicable Acts and Regulations governing the five areas of intellectual property, the following guidelines, policies and international conventions have been reproduced in this edition:

- Manual of Patent Office Practice (MOPOP)
- Patent Cooperation Treaty, Patent Cooperation Treaty Rules and the Contracting Parties thereto

- Canada Customs and Revenue Agency Memoranda D9-1-2, titled "Copyrighted Books", and D19-4-3, titled "Copyright and Trade-Marks"
- Berne Convention for the Protection of Literary and Artistic Works, and the Contracting Parties thereto
- Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations, and the Contracting Parties thereto
- Universal Copyright Convention, and the Contracting Parties thereto
- WIPO Copyright Treaty, Agreed Statements and the Contracting Parties thereto
- WIPO Performances and Phonograms Treaty, Agreed Statements, and the Contracting Parties thereto
- Trade-Marks Examination Manual and Amendments
- Madrid Protocol for the International Registration of Marks, 1989, and Contracting Parties thereto
- Uniform Domain Name Dispute Resolution Policy, Rules and Approved Providers therefore
- Canadian Internet Registration Authority Registrant Agreement, Registration Rules and Canadian Presence Requirements
- Canadian Internet Registration Authority Registrant Agreement
- Canadian Internet Registration Authority General Registration Rules
- Industrial Designs Office Practices
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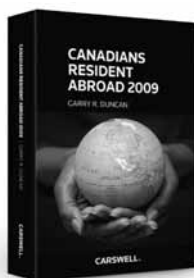
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[http://www.ccla.ottawa.on.ca/Events/Events\\_main.html](http://www.ccla.ottawa.on.ca/Events/Events_main.html)

### TLOMA 21<sup>st</sup> Annual Educational Conference

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### CA Small Practitioners' Forum

The Banff Centre  
Banff AB  
November 20, 2009

### CCLA 29<sup>th</sup> Civil Litigation Updated Conference

(County of Carleton Law Association)  
Fairmont Le Chateau Montebello  
Montebello PQ  
November 20-21, 2009  
[http://www.ccla.ottawa.on.ca/Events/Events\\_main.html](http://www.ccla.ottawa.on.ca/Events/Events_main.html)

### CTF 61st Annual Tax Conference

(Canadian Tax Foundation)  
Toronto Westin Harbor Castle  
Toronto ON  
November 22-24, 2009  
<http://www.ctf.ca/ProfDev/schedule1.asp>

### CLA Fall Conference 2009

(Criminal Lawyers Association)  
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