



**Effective date:** 2011/06/30

**Number:** PD - 29

**Title:**

## **Practice Direction**

### **Model Companies' Creditors Arrangement Act Initial Order**

**Summary:**

This Practice Direction prescribes a standard form of order for initial orders made pursuant to the *Companies' Creditors Arrangement Act (CCAA)*. The court originally adopted the use of a standard form of order in 2006 and is now directing a revised standard form of order which reflects relevant legislative and case law developments since 2006.

**Direction:**

1. PD-15 - *Model Companies' Creditors Arrangement Act Initial Order* dated July 1, 2010 is rescinded.
2. Unless the relief sought differs from that provided in the Model CCAA Initial Order, a party seeking an initial order pursuant to the CCAA must use the standard form of Model CCAA Initial Order available on the court website at the following link:

[http://www.courts.gov.bc.ca/supreme\\_court/practice\\_and\\_procedure/practice\\_directions/civil/PD%20-%2029%20-%20Order.docx](http://www.courts.gov.bc.ca/supreme_court/practice_and_procedure/practice_directions/civil/PD%20-%2029%20-%20Order.docx)

3. The Model CCAA Initial Order includes a number of Explanatory Notes which are designed to assist counsel in using the order and to alert counsel that some provisions of the order may not be appropriate in every case. The Explanatory Notes are available on the court's website at the following link:

[http://www.courts.gov.bc.ca/supreme\\_court/practice\\_and\\_procedure/practice\\_directions/civil/PD%20-%2029%20-%20Explanatory%20Notes%20-%20June%202011.pdf](http://www.courts.gov.bc.ca/supreme_court/practice_and_procedure/practice_directions/civil/PD%20-%2029%20-%20Explanatory%20Notes%20-%20June%202011.pdf)

4. If the applicant seeks relief that is different from that provided for in the Model CCAA Initial Order, the applicant must:
  - a. identify the difference by providing a black line copy of the order sought as compared with the Model CCAA Initial Order
  - b. explain to the court the basis upon which it should grant relief on terms different from those provided for in the Model CCAA Initial Order.
5. The court may revise the standard form of order from time to time to reflect legislative changes and developments in the case law. The current standard form of order will always be available on the court's website.

**Robert J. Bauman**  
**Chief Justice**