

Legislative Drafting Webinar Series

VAVILOV: IMPACT ON LEGISLATIVE DRAFTING



WEDNESDAY, FEBRUARY 19, 2020 | NOON – 1:30 PM (EASTERN TIME)

This program contains 1.5 CPD hours in all Canadian provinces

REGISTRATION: <https://www.imakeanonlinedonation.org/ciaj-icaj/webld3en/>

PRICE: \$35/person

SPEAKER

PROFESSOR PAUL DALY

Chair in Administrative Law and Governance, [University of Ottawa](#)

Moderator: Professor John Mark Keyes, [University of Ottawa](#)

OVERVIEW

In *Canada (Minister of Citizenship and Immigration) v. Vavilov*, 2019 SCC 65, the Supreme Court of Canada developed a new framework for judicial review of administrative action, focusing on two issues: selecting the standard of review and applying the reasonableness standard. In this webinar, I analyze the implications of *Vavilov* for legislative drafting. Institutional design choice is central to *Vavilov*: where the legislature creates an appeal or legislates a standard of review, courts are required to respect the relevant legislative intent. This is directly relevant to the work of legislative drafters. Other issues raised by *Vavilov* are also relevant to this work, including the downgrading of administrative expertise and the guidance to courts and administrative decision-makers on statutory interpretation.

NOTE

Group viewing is recommended in a room (or rooms) with audio-visual equipment sufficient to accommodate the number of registrants expected at your location. A link to the webinar platform and a password will be sent by email 48 hours prior to the event. It is recommended to test the platform beforehand. Groups should register at the rate of \$35 x the number of participants.

A French session conducted by Paul Daly and moderated by Professor Mistrale Goudreau will take place on Thursday, February 20, 2020 at noon (Eastern Time) which requires a separate registration, available here: <https://www.imakeanonlinedonation.org/ciaj-icaj/webld4fr/>

BROADCAST TIME ACROSS CANADA:

PT	9:00–10:30 am	CT	11:00 am–12:30 pm	AT	1:00–2:30 pm
MT	10:00–11:30 am	ET	Noon–1:30 pm	NT	1:30–3:00 pm