

THE KING’S BENCH

_____ **Centre**

BETWEEN:

claimant

– and –

defendant

CERTIFICATE OF DECISION AT HEARING — DECISION OF JUDGE

THIS IS TO CERTIFY that this Small Claim was heard by a judge under *The Court of King's Bench Small Claims Practices Act* on _____, in the presence
(month/day/year)
of _____, and the following decision was made:
(state parties who appeared)

(state decision made)

Filing Date: _____

Judge/Deputy Registrar

NOTICE

1. If you wish to appeal this decision, you must first obtain leave of a judge of The Court of Appeal. You may appeal only on a question of law or jurisdiction. The notice of motion for leave to appeal must be
 - (a) filed in The Court of Appeal within 30 days after the filing date shown on this certificate; and
 - (b) served on all other parties in accordance with the *Court of Appeal Rules*.
2. If leave to appeal is granted, the notice of appeal must be filed and served within 30 days after the order granting leave to appeal is pronounced. If you require further information, contact The Court of Appeal office at 204-945-2647.
3. If you are the defendant and you did not appear at the hearing and judgment was given against you, you may apply to a judge to have the decision set aside (Form 76I). You will also be required to pay security for costs. The decision may only be set aside if the judge is satisfied that
 - (a) you did not wilfully or deliberately fail to appear at the hearing;
 - (b) you filed your application to set aside the decision as soon as reasonably possible after learning of the decision on the claim, or you have a satisfactory explanation for any delay in filing your application; and
 - (c) it is fair and just in the circumstances to set aside this decision.
 The decision made at the set aside hearing is final and cannot be appealed.