

PROPOSED AMENDMENT TO BILL 9

Honourable David R. P. Eby to move, in Committee of the Whole, on
Bill 9

Evidence Amendment Act, 2020

to amend as follows:

SECTION 1, in the proposed section 12.1 (6), by adding the underlined text as shown:

- (6) The following are the conditions for the purposes of subsection (5):
 - (a) the subject matter of the additional evidence to be tendered is not already addressed by expert evidence of the party making the application as permitted under subsection (2) or (4);
 - (b) without the additional expert evidence, the party making the application would suffer prejudice disproportionate to the benefit of not increasing the complexity and cost of the proceeding.

The Honourable David R. P. Eby