

**COURT OF QUEEN'S BENCH NOTICE – EXECUTION OF AFFIDAVITS AND DECLARATIONS**  
**March 18, 2020**

The Court of Queen's Bench is making one accommodation in light of the reality of COVID-19, which is that affidavits and declarations that are subject to formal requisites (i.e. they have to be properly sworn/affirmed and signed by the deponent or person declaring and properly witnessed etc.) can be filed without compliance with these formal requisites (such as original signatures or witnessed in the presence of the commissioner or other officer or person administering the oath etc.) so long as they are also filed with an undertaking by the lawyer that an original of the affidavit or declaration that complies with the formal requisites will be filed prior to the hearing date. For this purpose, we are invoking section 66 of **The Manitoba Evidence Act** which provides as follows:

*No informality in the heading or other formal requisites to any affidavit or declaration, made or taken before a commissioner or other person authorized to take affidavits under this or any Act, is an objection to its reception in evidence, if the court or officer before whom it is tendered thinks proper to receive it.*

To be clear, this does not affect in any way the exclusive jurisdiction of a judge or master to ultimately receive any affidavit or declaration in evidence.