

**Concurrent session: Thursday April 30<sup>th</sup>, 2009 9:30 am**

**6. Streamlined Processes: Can Tribunals Use One Model Code?**

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Administrative tribunals make decisions in a wide range of cases affecting residents and businesses. The Saskatchewan and Alberta Law Reform Institutes are recommending model codes designed to contribute to the fairness and efficiency of tribunals. The codes would (i) provide a basic set of procedural rules to be adopted by most tribunals, or (ii) be used as a starting point for creating a procedural code adapted to specific needs.

The importance of procedure can hardly be over-emphasized. Proper procedural rules help ensure that decisions are unbiased and that all parties have a full opportunity to be heard before a decision is made. It is difficult to ensure that all tribunals uniformly apply high procedural standards. Each tribunal is created by legislation and the legislation varies. Judicial review of tribunal decisions has laid down basic principles, called the “rules of natural justice”, to which all tribunals must adhere. It can be challenging for tribunals to identify procedures that will ensure that these principles are honoured in practice. This session will introduce a model code and discuss the value for risks to tribunals.