

History of the BC Supreme Court Divorce Rules

Rules Relating to Divorce and Matrimonial Causes, 1890 (see Order LXVIII and LXXI)

Effective January 1, 1893 – in force by Order In Council

Enabling Act: *Supreme Court Act*, Consolidated Acts of BC 1888, c. 31, s. 71 (Rep. & Repl. by RSBC 1897, c. 56)
Supreme Court Act, RSBC 1897, c. 56, s. 93 (Rep. & Repl. by SBC 1903-4, c. 15)
Supreme Court Act, SBC 1903-4, c. 15, s. 108

**please note: the 1890 rules can be found in *B.C. Supreme Court Rules* (KN352 A115 S8 1890) at page 129.

Replaced by the Rules Relating to Divorce and Matrimonial Causes, 1906, effective May 1, 1906

Rules Relating to Divorce and Matrimonial Causes, 1906

Effective May 1, 1906 – in force by Order In Council

Enabling Act: *Supreme Court Act*, SBC 1903-4, c. 15, s. 108
Court Rules of Practice Act, SBC 1905, c. 43 (Rep. & Repl. by RSBC 1911, c. 43)
Court Rules of Practice Act, RSBC 1911, c. 52 (Rep. & Repl. by RSBC 1924, c. 224)
Court Rules of Practice Act, RSBC 1924, c. 224

**please note: the 1906 rules can be found in *B.C. Supreme Court Rules* (KN352 A115 S8 1906) at page 361.

Replaced by the Divorce Rules, 1925, effective September 1, 1925

Divorce Rules, 1925 (see also Order LXX.A – Alimony)

Effective September 1, 1925 – in force by Order In Council

Enabling Act: *Court Rules of Practice Act*, RSBC 1924, c. 224 (Rep. & Repl. by RSBC 1936, c. 249)
Court Rules of Practice Act, RSBC 1936, c. 249

**please note: the Divorce Rules, 1925 can be found in *B.C. Supreme Court Rules* (KN352 A115 S8 1925) at page 373.
Order LXX.A can be found on p. 107.

Replaced by Divorce Rules, 1943 (and Order LXXA of the Supreme Court Rules, 1943) – effective July 2, 1943.

Divorce Rules, 1943

Effective July 2, 1943 – in force by Order In Council

Enabling Act: *Court Rules of Practice Act*, RSBC 1936, c. 249 (Rep. & Repl. by RSBC 1948, c. 73, s. 76)
Court Rules of Practice Act, RSBC 1948, c. 73 (Rep. & Repl. by RSBC 1960, c. 82)
Court Rules of Practice Act, RSBC 1960, c. 82

**please note: the Divorce Rules, 1943 can be found in *B.C. Supreme Court Rules* (KN352 A115 S8 1943) at page 309.
Order LXXA can be found on p. 126.

Repealed and Replaced by BC Reg #241/60, effective January 1, 1961.

Supreme Court Rules, 1961 – BC Reg. 241/60 (see Order LX)*

Effective January 1, 1961 – repealing Divorce Rules, 1943.

Enabling Act: *Court Rules of Practice Act*, RSBC 1960, c. 82

*please note: the Supreme Court Rules, 1961 (Order LX) can be found in *B.C. Supreme Court Rules* (KN352 A115 S8 1961). Order LX can be found on p. 139.

Repealed and Replaced by the Divorce Rules, 1968 (Order LXA) – effective July 2, 1968

Divorce Rules, BC Reg 154/68 (see Order LXA)

Effective July 2, 1968 – repealing the Divorce Rules, 1961 (Order LX)

Enabling Act: *Court Rules of Practice Act*, RSBC 1960, c. 82

**please note: the 1968 Divorce Rules can be found in *B.C. Supreme Court Rules* (KN352 A115 S8 1971). Order LXA can be found on p. 148.

Repealed and Replaced by BC Reg #421/75, effective July 2, 1975

Divorce Rules, BC Reg #421/75**

Effective July 2, 1975 – replacing Divorce Rules, 1961

Enabling Act: *Court Rules of Practice Act*, RSBC 1960, c. 82 (Rep. & Repl. by RSBC 1979, c. 77)

Court Rules Act, RSBC 1979, c. 77 (Rep. & Repl. by RSBC 1996, c. 80)

Court Rules Act, RSBC 1996, c. 80

** see also rule 60B of the Supreme Court Rules, 1990

Amendments to:

Rule	Nature	BC Reg #	Effective Date
r.1	Amended by	390/78	Sept. 15, 1978
	Amended by	192/90	July 1, 1990

Since 1990

The Divorce Rules are presumed repealed by Supreme Court Rules, BC Reg #221/90.

As per the Registrar of Regulations, a note from Master Horn, dated May 1999, states that the BC Reg #421/75 was to be removed from the *Index of Current BC Regs* (but not specifically repealed) because the Supreme Court Rules (BC Reg #221/90) seemed to override them.