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Number: PD - 31

Title:

Practice Direction

Model Seizure and Safekeeping of Evidence Orders

Summary:

This Practice Direction prescribes a standard form of order for seizure and safekeeping of evidence orders which are commonly referred to as “Anton Piller Orders”.

Direction:

1. A party seeking an order for safekeeping and seizure of evidence must use the *Model Seizure and Safekeeping of Evidence Order* which is available on the court’s website. The *Model Seizure and Safekeeping of Evidence Order* includes a number of Explanatory Notes designed to assist counsel in using the order and to alert counsel that some provisions of the order may not be appropriate in every case. The *Model Seizure and Safekeeping of Evidence Order* including the Explanatory Notes is available on the court’s website at the following link:

[http://www.courts.gov.bc.ca/supreme_court/practice_and_procedure/practice_directions/civil/PD%20-%2031%20Model%20Order%20-%20Seizure%20%20Safekeeping%20of%20Evidence%20\(explanatory%20notes\).pdf](http://www.courts.gov.bc.ca/supreme_court/practice_and_procedure/practice_directions/civil/PD%20-%2031%20Model%20Order%20-%20Seizure%20%20Safekeeping%20of%20Evidence%20(explanatory%20notes).pdf)

2. If the applicant seeks relief that differs from that provided for in the *Model Seizure and Safekeeping of Evidence Order*, the applicant must:
 - a. identify the difference by providing a black line copy of the order sought as compared with the *Model Seizure and Safekeeping of Evidence Order*; and
 - b. explain to the court the basis upon which it should grant relief on terms different from those provided for in the *Model Seizure and Safekeeping of Evidence Order*.

3. The court may revise the *Model Seizure and Safekeeping of Evidence Order* to reflect legislative changes and developments in the case law. The current *Model Seizure and Safekeeping of Evidence Order* will always be available on the court's website.

Robert J. Bauman
Chief Justice