



Court of Appeal File No.: CA46892

COURT OF APPEAL

BETWEEN:

Sharon Farrish, Christopher Pettypiece, and James Levin

Respondents
(Petitioners)

AND:

Delta Hospice Society

Appellant
(Respondent)

NOTICE OF CONSTITUTIONAL QUESTION

(Pursuant to section 8(2) of the *Constitutional Question Act*, R.S.B.C. 1996, c. 68)

Name of applicant: Delta Hospice Society, the appellant

TO: Deputy Attorney General; Ministry of Attorney General [registered mail]
PO Box 9290 Stn Prov Govt
Victoria BC V8W 9J7

AND TO: Attorney General of Canada, BC Regional Office [registered mail and e-mail]¹
900-840 Howe Street
Vancouver BC V6V 2S9

TAKE NOTICE, pursuant to section 8(2) of the *Constitutional Question Act*, an application will be made by the Applicant to a panel of the Court of Appeal at the courthouse at 800 Smithe Street, in the City of Vancouver, in the Province of British Columbia at 10AM on Monday, August 17, 2020 (likely by videoconference), pursuant to sections 24 and 52 of the *Constitution Act, 1982*, for a declaration or order that sections 104 and 108 of the *Societies Act*, S.B.C. 2015, c. 18 (the "Impugned Sections") unjustifiably infringe s. 2(d) and s. 2(a) of the *Charter of Rights and Freedoms* and are of no force and effect to the extent that the Impugned Sections authorize a court order requiring a society to admit as a member an applicant whom the society concludes does not share the purposes of the society as set out in its constitution.

AND TAKE NOTICE THAT particulars of the basis for the application are set out in the Appellant's factum, a copy of which is attached hereto.

Dated: July 15, 2020

A handwritten signature in blue ink, appearing to read "Geoffrey Trotter", is written over a horizontal line.

Geoffrey Trotter, Co-Counsel for the Applicant

This Notice is served by Geoffrey Trotter, Albertos Polizogopoulos, and Isabelle Corbeil, solicitors for the Appellant, whose address for service is c/o Geoffrey Trotter Law Corporation, 1700 – 1185 West Georgia Street; Vancouver BC; V6E 4E6; **e-mail service requested:** gt@gtlawcorp.com / albertos@vdg.ca / isabelle.corbeil@vdg.ca

¹ vancouvermailreception@justice.gc.ca pursuant to the [Covid-19 electronic service protocol](#).