

Insolvency Law Section Report 2020-2021

In 2020-2021, all meetings of the MBA Insolvency Law Section were carried out by remote means, due to the ongoing COVID-19 pandemic and related public health orders.

In October 2020, the MBA Insolvency Law Section organized a joint event with the MBA Civil Litigation Section. Kalev A. Anniko (Fillmore Riley LLP) presented on the discharge provision contained in section 178 of the BIA. Madison Sutherland (MLT Aikins LLP) discussed stays of proceedings for bankruptcies, BIA proposals, and court appointed receiverships. Kirk A. Vilks (Fillmore Riley LLP) presented on debt enforcement against farmer-debtors, focusing on issues arising from the federal *Farm Debt Mediation Act* and the Manitoba *Family Farm Protection Act*. Kalyn Bomback (City of Winnipeg) served as moderator.

In December 2020, the MBA Insolvency Law Section held a joint session with MAIRP. The three panelists, the Honourable Justice Edmond, Ross McFadyen (TDS Law) and Nathan Bell (Grant Thornton Ltd.) discussed the shift to virtual insolvency and bankruptcy proceedings. JJ Burnell (MLT Aikins LLP) moderated the presentation. At the end of the event, attendees entered breakout rooms to network and discuss current insolvency events.

In January 2021, the MBA Insolvency Law Section organized a session at the MBA Mid-Winter Conference on Crown Priorities in Insolvency. Tim Doyle (Department of Justice Canada) discussed federal crown claims for tax debts in insolvency. Collin Legall (Lazer Grant LLP) presented on recent decisions concerning mortgages, builder's liens, and unremitted deductions, as well as the potential for director indemnification in corporate proposals. Scott Armstrong (Office of the Superintendent of Bankruptcy) discussed when and how the levy under BIA, s 147 applies. Virginia Torrie (University of Manitoba Faculty of Law) served as moderator.

In April 2021, all members of the MBA Insolvency Law Section confirmed they would carry on in their roles for the 2021-2022 year. Therefore, no call for Sections Executive Members will be released.

The next meeting of the MBA Insolvency Law Section has not yet been scheduled. It is anticipated that the next meeting will be held in fall 2021.

Submitted by,
Virginia Torrie, Chair, MBA Insolvency Law Section