

**CASE NO.**

**VOL. NO.**

**PAGE**

MICHAEL HUBLEY

- and -

HER MAJESTY THE QUEEN in the  
right of the PROVINCE OF NOVA  
SCOTIA, represented by the  
MINISTER OF JUSTICE

Appellant

Respondent

C.A. No. 157409

Halifax

ROSCOE, J.A.

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[Cite as: Hublely v. Nova Scotia (Justice), 1999 NSCA 140]

**APPEAL HEARD:**

November 16, 1999

**JUDGMENT DELIVERED:**

November 16, 1999

**WRITTEN RELEASE OF ORAL:**

November 17, 1999

**SUBJECT:**

**Motor Vehicle Act, s. 208(1)(c)**

**SUMMARY:**

The appellant, while driving an automobile without insurance, was involved in a motor vehicle accident which caused personal injuries to two people in another vehicle. As a result of the operation of s. 231(1) of the **Motor Vehicle Act**, the appellant's driver's license was suspended. When he applied to have his license restored pursuant to s. 231(5), the Registrar of Motor Vehicles required him to deposit security in the amount of \$3,500.00. On application to the Supreme Court for approval of the form of bond with personal sureties, pursuant to s. 208(1)(c), the application was denied by the Chambers judge.

**ISSUE:**

Whether the Chambers judge erred in the interpretation of s. 208 of the **Act** by determining that there should be an inquiry into the sufficiency of the amount set by the Registrar.

**RESULT:**

Appeal allowed. The legislation required the Chambers judge to inquire into only the form of the security, not the amount. There is no provision in the **Act** for review of the amount set by the Registrar.

**THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S JUDGMENT. QUOTES MUST BE FROM THE JUDGMENT, NOT FROM THIS COVER SHEET. THE FULL COURT JUDGMENT CONSISTS OF 5 PAGES.**

