

<u>CASE NO.</u>	<u>VOLUME</u>	<u>PAGE</u>
Cite as: Susin v. Delazzer, 1997 NSCA 190		
JOHN SUSIN (Appellant)	- and -	JOE DELAZZER O/A JOE DEL (Respondent)
C.A. No. 140214	Halifax, N.S.	HALLETT, J.A.

APPEAL HEARD: November 25, 1997

JUDGMENT DELIVERED: December 9, 1997

SUBJECT: **Reciprocal Enforcement of Judgments Act**, S.N.S. 1973, c. 13, s. 1  
**Interest on Judgments Act**, R.S.N.S. 1989, c. 233

SUMMARY: Appeal from an Order, granted under the **Reciprocal Enforcement of Judgments Act**, for registration of a judgment of the Mississauga Small Claims Court of Ontario.

The judgment creditor (the appellant) asserts that the Supreme Court of Nova Scotia did not have jurisdiction to vary the pre-judgment and post-judgment interest rate of 28.8% awarded by the Ontario Court.

Appeal is allowed in part. The Supreme Court did not have jurisdiction to vary the pre-judgment interest rate (**Ruttan v. Ruttan**, [1982] 1 S.C.R. 690) but the Court did not err in reducing the post-judgment interest rate to 5% from the date of registration of the judgment in Nova Scotia.

The Appeal Court ordered that the appellant give notice to the respondent judgment debtor of the order granted by the Appeal Court as provided for in s. 7 of the **Act**.

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