



Legal Dictionary of Property in Canada
Volume I • Common Law / Civil Law • French / English

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**Conference: Using Corpora in Contrastive and
Translation Studies (UCCTS 2010)**

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Bilingual and Bisystemic Legal Dictionary (1)

Using judicial bilingual and bisystemic corpora

- Canadian federal law in private law matters is expressed with equal authority in both official languages and must reflect the Civil Law and Common Law systems. Since both the French and English carry equal authority, both versions should be taken into account for a full understanding of the law.

Promoting Canada's unique contribution to legal dualism

- ... to the scientific community and reflect the advances made in all areas of expertise that are relevant to its activities.
- Attending UCCTS conference and presenting the Dictionary is part of the Legal Dualism Team's mandate.



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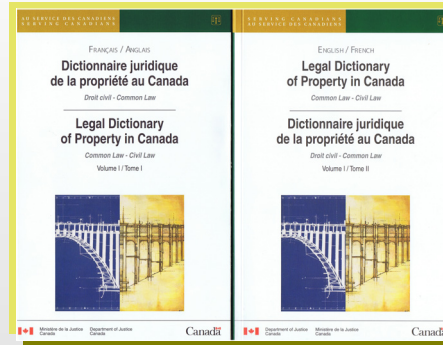
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Bilingual and Bisystemic Legal Dictionary (2)

Paper version of the Dictionary for feedback purposes

More than 400 copies of the Dictionary were sent to specialists in Canada, England, United States and France for feedback.

We still have a few copies of the Dictionary in print version for those who would like to examine it and share their comments with us.



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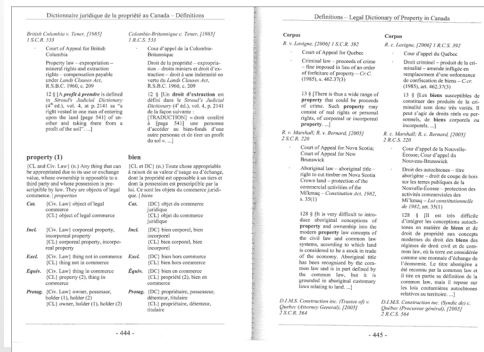
Bilingual and Bisystemic Legal Dictionary (3)

The development of the Dictionary and the corpus

Is it really a dictionary?

This is a question we could debate. We consider it to be a dictionary prototype, and our nomenclature is a working hypothesis that current and future corpora will enable us to verify.

This is the first of a four volume dictionary, and the the corpus is in its initial phase.





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Ownership as a phenomenon

Property: There is no property without an owner and there is no significance in owning a thing with no value.

Any thing that can be appropriated due to its use or exchange value, whose ownership is opposable to a third party and whose possession is prescriptible by law. They are objects of legal commerce. (LDPC)

Knowledge: To learn about the phenomenon, the relationship itself and the terms of this relationship must be known: the protagonist is the functional subject of the relationship.

Perspective: Categorical knowledge of legal objects is inseparable from the juridical act or fact. Each legal object is known as it is appropriated, enforced and prescribed.

Legal dualism: Exists as it appears in the qualitative opposition between the DC and CL systems in the Canadian legal framework .



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Moodle as a collaboration platform

Community of interest

Anything we can learn on the use of bilingual and aligned corpora provides us with insights and drives our efforts.

The collaboration platform

The aim is to foster interaction between Canadian researchers, but it is open to everyone interested in legal dualism issues.

Moodle was selected because of its strong popularity among teaching professionals and its growing use at universities around the world.

The screenshot shows the Moodle forum interface for the Legal Dictionary of Property in Canada. The page is titled "LEGAL DICTIONARY OF PROPERTY IN CANADA" and "DICTIONNAIRE JURIDIQUE DE LA PROPRIÉTÉ AU CANADA". It features a "Coming soon..." message, a welcome message in both English and French, and a list of users. The interface includes navigation menus, a search bar, and a calendar.



Building corpora for the Dictionary (1)

Selecting the situation of communication

- The Dictionary's corpus **consists exclusively of decisions from Canada's appellate courts.**
- The Dictionary's corpus is **not a reference corpus** for studying the language of the legal corpus on property.
- It is a **specialized language corpus** related to a specific area of knowledge: Canadian Property Law.



Building corpora for the Dictionary (2)

Selecting the texts for the corpus

- (1) the **open-access corpus** (or available corpus) includes all the decisions of the selected courts (79727 texts)
- (2) the **total corpus** is a subset of the open-access corpus (or available corpus) and consists of texts selected for the purpose of analyzing the area of property law knowledge (20627 texts) and
- (3) the **bilingual corpus** is the section of the total corpus that incorporates all bilingual decisions (4232 texts).



Distribution of texts, types and tokens

Court	Period	Available Corpus (AC)	Total Corpus (TC)	% Total Corpus from Available Corpus
Supreme Court	1980-2009	2563	1767	69%
Federal Court of Appeal	1980-2009	10343	1878	18%
Court of Appeal of New Brunswick	1980-2009	7070	762	11%
Court of Appeal of Quebec	1980-2009	31745	5447	17%
Court of Appeal for Ontario	1980-2009	9555	2188	23%
Manitoba Court of Appeal	1980-2009	1249	912	73%
British Columbia Court of Appeal	1980-2009	17202	7673	45%
Total		79727	20627	26%

Court	Period	Bilingual Corpus (BC)	Bilingual Corpus Words	Bilingual Corpus Occurrences
Supreme Court	1980-2009	1767	120031	39043969
Federal Court of Appeal	1980-2009	1724	87967	16150655
Court of Appeal of New Brunswick	1980-2009	690	59823	5861797
Court of Appeal of Quebec	1980-2009	51	26933	978769
Court of Appeal for Ontario	1980-2009	0		0
Manitoba Court of Appeal	1980-2009	0		0
British Columbia Court of Appeal	1980-2009	0		0
Total		4232	157810	62035190



Corpus as a testing environment

The corpus is seen as an environment to evaluate the definitions as describing attested senses.

No description tags were added to the files. The texts are identified only by their filenames. The aligned files are HTML with UTF-8 character encoding.

Filenames consist of four parts

- (1) the year of the decision
- (2) the court of appeal of origin (for Supreme Court only)
- (3) the number assigned to the decision and
- (4) the direction of the alignment

For example, 1980_1_SCR_122_FR-EN indicates that, in 1980, the Supreme Court of Canada, rendered decision number 122c, and the alignment direction was French first.



Searching with dtSearch (1)

Composing dtSearch queries

The dtSearch search engine can handle very complex queries.

Definitional markers the use of definitional markers such as “*is a*”

Frequency analysis and lemmatization of headwords occurrences

A different process based on frequency analysis and conjunction of bilingual forms of dictionary entries, as well as forms from the “semantic” part of articles.

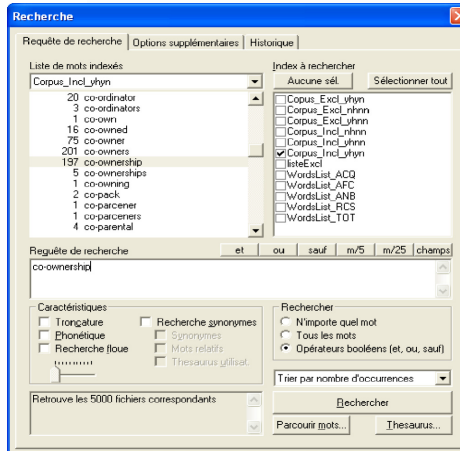
The results of the examination of simple forms are displayed under the lemma, indicating the frequency of each of the forms encountered.

Definitional Markers (dtSearch - french)

(à comme fonction) or (à pour) or (appellation*) or (appliq* à) or (attribut*) or (autant dire) (autrement dit) or (baptis*) or (caractère*) or (cause* de) or (ce qui revient à dire) or (ce qui veut dire) or (c'est-à-dire) or (comme) or (compos* de) or (comprend*) or (consid* comme) or (consist* à) or (consist* en) or (constitu*) or (correspond* à) or (dans l'ensemble des) or (de toutes les) or (défini*) or (dénommi*) or (dénom*) or (désign*) or (donn*) or (dot* de) or (écri*) or (emploi*) or (en d'autres termes) or (en particulier) (en un mot) or (entend*) or (équiva* à) or (est un) or (être un) or (exception* faite*) or (fixe* les règles) or (hormis) or (appellation*) or (expression*) or (vocabl*) or (le contraire) or (sens) or (terme) or (membre*) or (même* chose*) or (nom de) or (nomm*) or (notamment) or (objet* de) or (obten*) or (organis*) or (panel* à) or (parmi tout*) or (parti* comme) or (part* de) or (particulièrement) or (perm* de) or (plac* comme) or (plac* sous) or (pour ainsi dire) or (prononc*) or (propres* à) or (propriété* de) or (proven* de) or (provoqu*) or (qualité*) or (rassembl*) or (réf* à) or (regard* comme) or (regard* sous) or (renvo* à) or (représent*) or (ser* à désigner) or (signifi*) or (connu* sous le nom* or (sont des) or (sorte* de) or (tel* que) or (tradu* par) or (utili*) or (veut dire) or (vis* à) or (vouloir dire)

(à comme fonction)	(équiva* à)	(qualité*)
(à pour)	(est un)	(rassembl*)
(appellation*) (appliq* à)	(être un)	(réf* à)
(attribu*)	(exception* faite*)	(regard* comme)
(autant dire)	(fixe* les règles)	(regard* sous)
(autrement dit)	(hormis)	(renvo* à)
(baptis*)	(appellation*)	(représent*)
(caractère*)	(expression*)	(ser* à désigner)
(cause* de)	(vocabl*)	(signifi*)
(ce qui revient à dire)	(le contraire)	(connu* sous le nom)
(ce qui veut dire)	(sens)	(sont des)
(c'est-à-dire)	(terme)	(sorte* de)
(comme)	(membre*)	(tel* que)
(compos* de)	(même* chose*)	(tradu* par)
(comprend*)	(nom de)	(utili*)
(consid* comme)	(nomm*)	(veut dire)
(consist* à)	(notamment)	(vis* à)
(consist* en)	(objet* de)	(vouloir dire)
(constitu*)	(obten*)	
(correspond* à)	(organis*)	
(dans l'ensemble des)	(panel* à)	
(de toutes les)	(parmi tout*)	
(défini*)	(part* de)	
(dénommi*)	(particulièrement)	
(dénom*)	(perm* de)	
(désign*)	(plac* comme)	
(donn*)	(plac* sous)	
(dot* de)	(pour ainsi dire)	
(écri*)	(prononc*)	
(emploi*)	(propres* à)	
(en d'autres termes)	(propriété* de)	
(en particulier)	(proven* de)	
(en un mot)	(provoqu*)	
(entend*)		

Co-owner : 276	Copropriétaire : 301
Co-owner - 75	Copropriétaire - 84
Co-owners - 201	Copropriétaires - 217
Co-ownership : 202	Copropriété : 342
Co-ownership - 197	Copropriété - 341
Co-ownerships - 5	Copropriétés - 1
Divided co-ownership : 2	Copropriété divise : 4
Divided (1125) co-ownership (197) - 2 occ.	Copropriété (341) divise (260) - 4 occ.
Divided (1125) co-ownerships (5) - 0 occ.	Copropriétés (1) divisées (74) - 0 occ.
Undivided co-ownership : 19	Copropriété indivise : 9
Undivided (240) co-ownership (197) - 19	Copropriété (341) indivise (94) - 9
Undivided (240) co-ownerships (5) - 0	Copropriétés (1) indivises (8) - 0





Searching with dtSearch (2)

Concept of maximum frequency

- The maximum frequency of a compound word is defined by the number of occurrences of its least frequent form. The same applies to bilingual equivalents.
- The number of occurrences of bilingual headwords, used together in a bilingual equivalent, cannot exceed the frequency of the least frequent headword or lemma.
- By combining the frequency of English and French headword forms, the maximum frequency of equivalents is easily calculated.

co-ownership	copropriété
[CL and Civ. Law (n.) (s.)] Divided or undivided concurrent ownership exercised towards a property. co-ownership	[CL et C.C. (n.) (s.)] Propriété concourante, divisée ou indivise, exercée à l'égard d'un bien. copropriété
Cat. [Civ. Law] ownership [CL] concurrent ownership	Cat. [C.C.] propriété (f) [CL] propriété concourante
Incl. [Civ. Law] divided co-ownership, undivided co-ownership, ownership in common, joint ownership	Incl. [C.C.] copropriété divisée, copropriété indivise [CL] propriété commune, propriété conjointe
Excl. [Civ. Law] individual ownership	Excl. [C.C.] propriété individuelle [CL] propriété individuelle
Protag. [Civ. Law] co-owner [CL] co-owner	Protag. [C.C.] copropriétaire [CL] copropriétaire

Search for:
((copropriété) OR (copropriétés)) = (53) files

Search for:
((co-ownership) OR (co-ownerships)) = (24) files

Search for both **english** and **french** headwords: (13) files

((copropriété) OR (copropriétés)) AND ((co-ownership) OR (co-ownerships))

1) Extended search using **(Civ. Law)**: (3) files

-- 1996_1_ser_0900.htm; -- 1996_1_ser_0900.htm; -- 2004_2_ser_0551.htm

Incl.	[Civ. Law]	divided co-ownership, undivided co-ownership	Incl.	[C.C.]	copropriété divisée, copropriété indivise
Excl.	[Civ. Law]	individual ownership	Excl.	[C.C.]	propriété individuelle
Protag.	[Civ. Law]	co-owner	Protag.	[C.C.]	copropriétaire

((copropriété) OR (copropriétés)) AND ((co-ownership) OR (co-ownerships))
AND
((copropriété divisée) OR (copropriétés divisées) OR (divided co-ownership) OR (divided co-ownerships)) OR (copropriété indivise) OR (copropriétés indivises) OR (undivided co-ownership) OR (undivided co-ownerships))

AND
((copropriétaire) OR (copropriétaires) OR (co-owner) OR (co-owners))
AND NOT
((propriété individuelle) OR (propriétés individuelles) OR (individual ownership) OR (individual ownerships))

2) Extended search using **(CL)**: (1) file -- 2001_1_ser_0367.htm

Incl.	[CL]	ownership in common, joint ownership	Incl.	[CL]	propriété commune, propriété conjointe
Excl.	[CL]	individual ownership	Excl.	[CL]	propriété individuelle
Protag.	[CL]	co-owner	Protag.	[CL]	copropriétaire

((copropriété) OR (copropriétés)) AND ((co-ownership) OR (co-ownerships))

AND
((propriété commune) OR (propriétés communes) OR (ownership in common) OR (ownerships in common) OR (propriété conjointe) OR (propriétés conjointes) OR (joint ownership) OR (joint ownerships))

AND
((copropriétaire) OR (copropriétaires) OR (co-owner) OR (co-owners))

AND NOT
((propriété individuelle) OR (propriétés individuelles) OR (individual ownership) OR (individual ownerships))

3) Excerpts

Court of Appeal for Quebec

Source: *Syndicat Northcrest c. Amaleen*, [1998] J.Q. n° 1969 (C.S.Q.)

167 § [Co-ownership of an immovable is one of the atypical modes of ownership (art. 1009 C.C.Q.). Co-ownership is itself defined as ownership of the same property, jointly and at the same time, by several persons (art. 1010 C.C.Q.). Co-owners may dispose of their fractions, but their use and enjoyment of both the private and common portions thereof must be consistent with the by-laws of the immovable and must not impair the rights of the other co-owners or the destination of the immovable (art. 1085 C.C.Q.).]

172 § [Finally, it should be noted that all the co-owners have an interest in maintaining harmony in the co-owned property and an undivided right therein, especially with respect to a common portion reserved for restricted use in which, by contract, they have a collective right of ownership. ...]

178 § [... The right of co-ownership, in its essence, is exercised in harmony with the rights of all the co-owners. ...]

Régime complémentaire de retraite de la Société de transport de la Communauté urbaine de Montréal c. Bandida Investment Co. (1997), J.Q. n° 2173 (C.S.Q.)

42 § M. Carlin - Cusyn, in her article *L'indivision*, published in *Mélanges Germain Bratet*, 1963 vol. discusses the nature of indivision and co-ownership: at pp. 328 and 329. (3) Indivision seems to be a challenge for anyone trying to pinpoint the concept ... It is common to use the terms indivision and co-ownership indiscriminately. (4) Although authors rarely take the precaution to say it, indivision is likely to occur regarding any property or any patrimonial right. (co-ownership is only one type of indivision, i.e. indivision related to the right of ownership. Indivision also covers co-ownership of the elements of the right of ownership: joint claims or co-ownership of personal rights, and the plurality of holders of a sole intellectual right. Indivision's wide field of application should prevent the term co-ownership from being proposed as a synonym for the term indivision. [translation: D.J.C., 2006]



Searching with dtSearch (3)

Lack of bilingual contexts

- In practice, verifying acceptations involves finding contexts that best illustrate the concept described in the dictionary entry. If we cannot find a perfect example of how the concept is used, we select the excerpts most likely to clearly illustrate its meaning.
- The lack of an equivalent in the other language results in observing a large number of variants. In those cases we must use the unilingual part of the corpus to find an excerpt containing a possible equivalent.
- Translation is sometimes necessary for an excerpt to appear in the dictionary.



Definition and ontological consistency

Building definitions

- A short list of dictionaries were systematically consulted. They were used to produce computerized records of the semantic features of their definitions.
- The process involved documenting the semantic features that would enable us to provide sufficient evidence of the consistency, as a whole, of our dictionary's definitions.
- Each definition is a “condition nécessaire et suffisante” leading to ontological consistency of property law.

Sample of a definition in the online version

action

{CL and Civ. Law} (n.) Legal proceeding to obtain the recognition of a right or the benefit of the performance of an obligation. | **actions**

Cat. {Civ. Law} prerogative
{CL} prerogative

Incl. {Civ. Law} real action, personal action
{CL} real action, personal action

Protag. {Civ. Law} holder (2)
{CL} holder (2)

Graph. {CL}{Civ. Law}

Corpus

Dell Computer Corp. v. Union des consommateurs, [2007] 2 S.C.R. 801

- Court of Appeal for Quebec
- Private international law – sales contract – validity of an arbitration clause contained in an electronic contract – C.C.Q.
- 147 § [...] First, art. 3151 C.C.Q. confers to the Quebec authorities exclusive jurisdiction to hear in first instance all **actions** founded on civil liability for damage suffered as a result of exposure to or the use of raw materials originating in Quebec. Second, art. 3149 C.C.Q., which confers jurisdiction to the Quebec authorities to hear an **action** involving a consumer contract or an employment contract if the consumer or worker has his domicile or residence in Quebec, states that the waiver of such jurisdiction by the consumer or worker may not be set up against him. ...]

Merck & Co. v. Apotex Inc., [2007] 3 F.C.R. 588 (F.C.A.)

- Intellectual property – patent – counterfeit and validity of certain claims regarding a patent
- 131 § These authorities support the view that a plaintiff's delay in initiating an **action** is a proper ground for refusing the election of an accounting of profits. In my view, delay in prosecuting an **action** once the **action** has been initiated has the same effect as a delay in bringing the **action** and therefore, should likewise be an appropriate ground for refusing the election.

action

{CL et DC} (n.) Recours judiciaire visant à obtenir la reconnaissance d'un droit ou la prestation relative à l'exécution d'une obligation. | **actions**

Cat. {DC} prérogative
{CL} prérogative

Incl. {DC} action réelle, action personnelle
{CL} action réelle, action personnelle

Protag. {DC} titulaire
{CL} titulaire

Graph. {CL}{DC}

Corpus

Dell Computer Corp. c. Union des consommateurs, [2007] 2 R.C.S. 801

- Cour d'appel du Québec
- Droit international privé – contrat de vente – validité d'une clause d'arbitrage contenue à un contrat électronique – C.C.Q.
- 147 § [...] Premièrement, l'art. 3151 C.c.Q. confère aux autorités québécoises la compétence exclusive pour entendre en première instance toute **action** fondée sur la responsabilité civile pour tout préjudice résultant soit de l'exposition à une matière première provenant du Québec, soit de son utilisation. Deuxièmement, l'art. 3149 C.c.Q., qui confère aux autorités québécoises la compétence pour entendre une **action** fondée sur un contrat de consommation ou sur un contrat de travail si le consommateur ou le travailleur a son domicile ou sa résidence au Québec, précise que la renonciation du consommateur ou du travailleur à cette compétence ne peut lui être opposée. ...]

Merck & Co. c. Apotex Inc., [2007] 3 R.C.F. 588 (C.A.F.)

- Propriété intellectuelle – brevet – contrefaçon et validité de certaines revendications à l'égard d'un brevet
- 131 § Ces décisions appuient l'idée que le temps pris par un demandeur pour intenter une **action** est un motif valable pour refuser la restitution des bénéfices. À mon avis, le retard à poursuivre une **action** une fois que ladite **action** a été intentée a les mêmes conséquences que le retard à intenter l'**action** et devrait donc aussi constituer un motif valable de refuser la possibilité de choisir.

English

1 property rights

2 {CL and Civ. Law} (n.) (p.) All of the prerogatives exercised towards property. | **property rights**

Cat. {Civ. Law} patrimonial rights
{CL} right

Incl. {Civ. Law} principal real right, accessory real right
3 {CL} property interest, security interest

Excl. {Civ. Law} personal right
{CL} personal right

Equiv. {Civ. Law} real right, right *in rem*
{CL} real right, interest (3) right *in rem*

Protag. {Civ. Law} holder (2)
{CL} holder (2)

4 **Graph.** {CL}{Civ. Law}

Corpus

5 *Design Services Ltd. v. Canada*, [2008] S.C.J. No. 22

- 6 Federal Court of Appeal
- Torts - bidding process - contract awarded to a tenderer who submitted a non-compliant bid - absence of duty of care towards subcontractors

Source: BEATSON, J., *Anson's Law of Contract*, 28th ed., New York, Oxford University Press, 2002

3 39 § [...] Whereas a person's **property right** in a thing is generally valid against the whole world, the

1 **Heading** - singular or infinitive form of the lemma.

2 **Definition** - Labels {CL} (Common Law) and {Civ. Law} (Civil Law) are used to indicate the legal systems.

Note: the (hist.) label is used to indicate that the usage may have been retained for historical reasons.

The grammatical category, gender and the number follow the labels indicating the legal systems.

Note: irregular plurals are added in both languages and the plural of the feminine form is indicated in French.

3 **Semantics** - levels for the heading:

* **Cat.** (category): the class immediately above, indicating the object category.

* **Incl.** (inclusion): the class immediately below, indicating the object sub-category.

* **Excl.** (exclusion): the opposite class immediately below, indicating the opposite object sub-category.

* **Equiv.** (equivalent to): additional authorized equivalents whose presence is documented in the corpus.

* **Protag.** (protagonist): agents of ownership: owner, trustee, buyer-seller, legatee-heir etc.

4 **Graphs** - the diagrams provide a graphic representation of the position of the concept's semantic relationships to the adjacent concepts, within the legal system specified by the link {CL} or {Civ. Law}.

6 Court of Appeal

Tourki v. Canada (Minister of Public Safety and Emergency Preparedness), [2007] F.C.J. No. 685 (F.C.A.)

- Administrative law - appropriate remedy against the Minister's decision confirming the seizure of unreported currency at - customs - *Proceeds of Crime (Money Laundering) and Terrorist Financing Act*, S.C. 2000, c. 17

48 § [...] The right to life, liberty and security of the person encompass a person's fundamental life choices, and not purely economic interests or

10 **property rights**: *Inwi. Toy Ltd. v. Quebec (Attorney General)*, [1989] 1 S.C.R. 927 at paragraph 95; *Siemens v. Manitoba (Attorney General)*, [2003] 1 S.C.R. 6 at paragraph 45.]

Euro-Excellence Inc. v. Kraft Canada Inc., [2007] 3 S.C.R. 20

- Federal Court of Appeal
- Intellectual property - copyright - secondary infringement of copyright - **Copyright Act**, R.S.C. 1985, c. C-42, s. 27(2)

6 **Court of Appeal** - (only Supreme Court of Canada judgments) - the name of the court whose ruling is being appealed is indicated under the title of the judgment.

7 **Judgment themes index** - list of elements describing the field of law involved, the types of issues raised and all the acts and regulations studied in the decision.

8 **Paragraph** - paragraph number. Note: When the decision rendered goes back to the early 1900s there may be no paragraph number.

9 **Occurrences** - all occurrences of a form of the heading are bolded in the excerpt from the judgment.

10 **Jurisdiction** - court or tribunal other than the Supreme Court of Canada. See the table of acronyms and abbreviations.

* **Acts** - known abbreviation of the title of certain Canadian acts cited in the themes index. See table of acronyms and abbreviations.



Moving forward

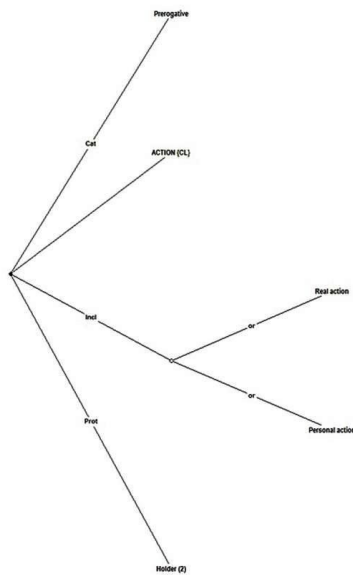
Next steps...

- We plan to increase the number of entries to over 1000, as each volume was initially supposed to contain about 250 bilingual and bisystemic entries.

Internet version and complementary studies

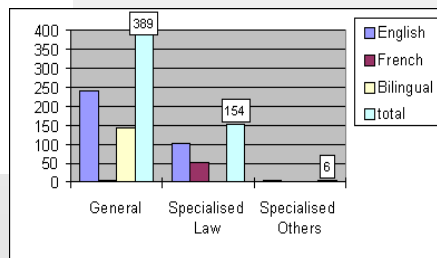
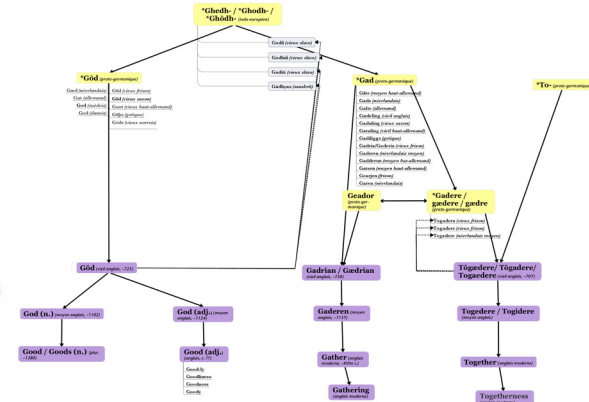
- Publishing the Dictionary online allowed us to add more than 900 graphics to illustrate the conceptual relationships described in the Dictionary.
- The search for definitional contexts led us to compile the definitions cited in decisions. Interestingly, the definitions cited are primarily from general language dictionaries.

Ontology graphs



Cited definitions

Etymology



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[FRA] HOME

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CONTACT US THE TEAM

Summary

The bystemic and bilingual *Legal Dictionary of Property in Canada* offers over 300 articles describing the vocabulary of property for Canada's civil and common law systems.

[More](#)

Acknowledgments

Consultations on the *Legal Dictionary of Property in Canada* took place over many weeks, and we would like to thank everyone who participated. As soon as the results have been compiled, a statistical report will be made available online, along with our analysis.

The consultation period has ended and you can now access the Dictionary with a simple click of the button below.

[ACCESS DICTIONARY](#)

Originality of the project

Stemming from the work of the Department of Justice Canada's Legal Diction Team, the *Legal Dictionary of Property in Canada* illustrates the method that the Team has developed in order to complete its analyses. It is meant to capture the specificities of each legal system and to explain the relationships between them. This method is based on the analysis of judicial texts, which are key witnesses to the dynamism and complexity of the Canadian legal framework.

[More](#)

What's New

End of consultation period
June 15, 2010

Upcoming features:

Etymologies - This addition to the Dictionary refers to the concepts of ownership, possession and holding. The objective was to determine the nature of the referential to which these concepts refer, and to describe the modalities of the legal and cognitive interrelations which manifest themselves within this perspective. The completed studies will soon be available online.

Important Notices - Stemap

List modified on: 2010-06-18

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Legal Dictionary of Property in Canada

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droit réel principal

prior particular estate
domaine particulière antérieur

private domain
domaine privé

private law
droit privé

private legal subject
sujet de droit privé

private portion (1)
partie privative (1)

private portion (2)
partie privative (2)

private property
propriété privée

profit à prendre
profit à prendre

property (1)
bien

property (2)
propriété (2)

property interest
intérêt de propriété

property rights
droits de la propriété

public domain
domaine public

public domain (of)
domaine public (du)

public law

property (1)

(CL and Civ. Law) (n.) Any thing that can be appropriated due to its use or exchange value, whose ownership is opposable to a third party and whose possession is prescribable by law. They are objects of legal commerce. | [properties](#)

Cat. (Civ. Law) object of legal commerce
(CL) object of legal commerce

Incl. (Civ. Law) corporeal property, incorporeal property
(CL) corporeal property, incorporeal property

Excl. (Civ. Law) thing not in commerce
(CL) thing not in commerce

Equiv. (Civ. Law) thing in commerce
(CL) property (2), thing in commerce

Protég. (Civ. Law) owner, possessor, holder (1), holder (2)
(CL) owner, holder (1), holder (2)

Graph. (CL, V(C), Law)

Corpus
R. v. Lavigne, [2006] 1 S.C.R. 382
Court of Appeal for Quebec

- Criminal law -- proceeds of crime -- fine imposed in lieu of an order of forfeiture of property -- Cr. C. (1985), s. 482.37(3)

13 § [There is thus a wide range of **property** that could be proceeds of crime. Such **property** may consist of real rights or personal rights, of corporeal or incorporeal **property**. ...]

R. v. Marshall, R. v. Bernard, [2005] 2 S.C.R. 220
Court of Appeal for Nova Scotia, Court of Appeal for New Brunswick

- Aboriginal law -- aboriginal title -- right to cut timber on Nova Scotia

bien

(CL et DC) (n.) Toute chose appropriable à raison de sa valeur d'usage ou d'échange, dont la propriété est opposable à un tiers et dont la possession est prescriptible par la loi. Ce sont les objets du commerce juridique. | [biens](#)

Cat. (DC) objet du commerce juridique
(CL) objet du commerce juridique

Incl. (DC) bien corporel, bien incorporel
(CL) bien corporel, bien incorporel

Excl. (DC) bien hors commerce
(CL) bien hors commerce

Equiv. (DC) bien en commerce
(CL) propriété (2), bien en commerce

Protég. (DC) propriétaire, possesseur, détenteur, titulaire
(CL) propriétaire, détenteur, titulaire

Graph. (CL, V(C))

Corpus
R. c. Lavigne, [2006] 1 R.C.S. 382
Cour d'appel du Québec

- Droit criminel -- produit de la criminalité -- amende infligée en remplacement d'une ordonnance de confiscation de biens -- C.c. (1985), art. 482.37(3)

13 § [Les **biens** susceptibles de constituer des produits de la criminalité sont donc très variés. Il peut s'agir de droits réels ou personnels, de biens corporels ou incorporels. ...]

R. c. Marshall, R. c. Bernard, [2005] 2 R.C.S. 220
Cour d'appel de la Nouvelle-Écosse, Cour d'appel du Nouveau-Brunswick

- Droit des autochtones -- titre aborigène -- droit de coupe de bois



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Send us your questions and feedback

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