

**IN THE COURT OF APPEAL**

**BETWEEN:**

**GATEWAY BIBLE BAPTIST CHURCH, PEMBINA VALLEY BAPTIST CHURCH, REDEEMING GRACE BIBLE CHURCH, THOMAS REMPEL, GRACE COVENANT CHURCH, SLAVIC BAPTIST CHURCH, CHRISTIAN CHURCH OF MORDEN, BIBLE BAPTIST CHURCH, TOBIAS TISSEN and ROSS MACKAY,**

(Applicants) Appellants,

- and -

**HIS MAJESTY THE KING IN RIGHT OF THE PROVINCE OF MANITOBA, and DR. BRENT ROUSSIN in his capacity as CHIEF PUBLIC HEALTH OFFICER OF MANITOBA, and DR. JAZZ ATWAL in his capacity as ACTING DEPUTY CHIEF OFFICER OF HEALTH MANITOBA,**

(Respondents) Respondents,

-and-

**ASSOCIATION FOR REFORMED POLITICAL ACTION (ARPA) CANADA**

Intervener.

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**CERTIFICATE OF DECISION**

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MANITOBA JUSTICE



**IN THE COURT OF APPEAL**

THE HONOURABLE MR. JUSTICE MONNIN )  
THE HONOURABLE MADAM JUSTICE CAMERON) Monday, the 19<sup>th</sup>  
THE HONOURABLE MADAM JUSTICE SIMONSEN) day of June,  
JUDGES OF APPEAL ) 2023

**BETWEEN:**

**GATEWAY BIBLE BAPTIST CHURCH, PEMBINA VALLEY BAPTIST  
CHURCH, REDEEMING GRACE BIBLE CHURCH, THOMAS REMPEL,  
GRACE COVENANT CHURCH, SLAVIC BAPTIST CHURCH,  
CHRISTIAN CHURCH OF MORDEN, BIBLE BAPTIST CHURCH,  
TOBIAS TISSEN and ROSS MACKAY,**

(Applicants) Appellants,

- and -

**HIS MAJESTY THE KING IN RIGHT OF THE PROVINCE OF  
MANITOBA, and DR. BRENT ROUSSIN in his capacity as CHIEF  
PUBLIC HEALTH OFFICER OF MANITOBA, and DR. JAZZ ATWAL in  
his capacity as ACTING DEPUTY CHIEF OFFICER OF HEALTH  
MANITOBA,**

(Respondents) Respondents,

-and-

**ASSOCIATION FOR REFORMED POLITICAL ACTION (ARPA) CANADA**

Intervener.

**CERTIFICATE OF DECISION**

The appeal of the Appellants Gateway Bible Baptist Church, Pembina Valley Bible Baptist Church, Redeeming Grace Bible Church, Thomas Rempel, Grace Covenant Church, Slavic Baptist Church, Christian Church of Morden, Bible Baptist Church, Tobias Tissen and Ross MacKay from the orders of the Honourable Chief Justice Joyal of the Court of King's Bench, Winnipeg Centre, pronounced on the 21<sup>st</sup> day of October, 2021, was heard by this court on the 13<sup>th</sup> day of December, 2022 in the presence of counsel for the Appellants, counsel for the Respondents His Majesty the King in Right of the Province of Manitoba, and Dr. Brent Roussin in his capacity as Chief Public Health Officer of Manitoba, and Dr. Jazz Atwal in his capacity as Acting Deputy Chief Officer of Health Manitoba, and counsel for the Intervener Association for Reformed Political Action (ARPA) Canada, and after considering the record and the factums and hearing the representations of counsel, and as this court directed that the Appeal should stand over for judgement, and reasons for the decision being delivered this day, this court did order:

1. That the appeal is dismissed;
2. That there is no order of costs.

CERTIFIED this 11<sup>th</sup> day of September, 2023.

**“ D. RONDEAU ”**

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Deputy Registrar of the Court of Appeal

**CONSENTED AS TO FORM:**

Per: A.K. Pejovic

A.K. Pejovic, Counsel for the Appellants,  
Gateway Bible Baptist Church, Pembina Valley Bible Baptist, Redeeming Grace Bible  
Church, Thomas Rempel, Grace Covenant Church, Slavic Baptist Church, Christian  
Church of Morden, Bible Baptist Church, Tobias Tissen and Ross MacKay

Per: John Sikkema

John Sikkema, Counsel for the Intervenor,  
Association for Reformed Political Action (ARPA) Canada