

RULES OF THE LAW SOCIETY OF NUNAVUT

(Current to: May 30th, 2015)

INTER-JURISDICTIONAL PRACTICE

Definitions

39.1 In rules 39.2 through 39.3, unless the context indicates otherwise,

"entitled to practise law" means allowed, under all of the legislation and regulation of a home jurisdiction, to engage in the practice of law in the home jurisdiction;

"governing body" means the Law Society or Barristers' Society in a Canadian common law jurisdiction, and the Barreau du Qu_erc;

"lawyer" means a member of a governing body; "liability insurance" means compulsory professional liability errors and omissions insurance required by a governing body;

"reciprocating governing body" means a governing body that has
(a) signed the Territorial Mobility Agreement, and
(b) adopted regulatory provisions giving effect to the requirements of the Territorial Mobility Agreement;

"resident" has the meaning respecting a province or territory that it has with respect to Canada in the Income Tax Act (Canada);

"Territorial Mobility Agreement" means the 2006 Territorial Mobility Agreement of the Federation of Law Societies of Canada, as amended from time to time.

Application and interpretation

39.2 Rules 39.1 through 39.3 are intended to implement the provisions of the Territorial Mobility Agreement and cease to have effect on the expiry of that Agreement.

TRANSFER UNDER TERRITORIAL MOBILITY AGREEMENT

39.3

(1) This Rule applies to an applicant for transfer from another Canadian jurisdiction, provided that the applicant is entitled to practise law in the jurisdiction of a reciprocating governing body of which the applicant is a member.

(2) An applicant under this Rule must fulfil all of the requirements in Rule 39 for call and admission on transfer from another Canadian jurisdiction, except that he or she need not pass any bar admission examination.

(3) To qualify for call and admission, an applicant under this Rule must certify in a prescribed form that he or she has reviewed and understands all of the materials reasonably required by the Executive.

(4) A lawyer called and admitted under this Rule has no greater rights as a member of the Society than

- (a) the lawyer has as a member of the governing body of his or her home jurisdiction, or*
- (b) any other member of the Society in similar circumstances.*