

To: Law Society of Nunavut Members

From: Merrilee Rasmussen, Chair, on behalf of the Standing Committee on Rules for the Legal

Profession; and

Committee Members: Thomas Ahlfors, Nancy Hellyer & Michael Chandler

Re: Report for the 2018 – 2019 Annual General Meeting

**Date:** May 17, 2019

The Rules Committee was established in April 2018 after the coming into force of amendments to the *Legal Profession Act* that included a new section 8.1 requiring the committee's establishment as follows:

## **Rules Committee**

8.1. (1) The Executive shall establish a committee called the Rules Committee composed of not less than three members at least one of whom is an active member resident in Nunavut, and shall, in accordance with the rules, appoint the members of the Rules Committee from among the members of the Society.

## Forwarding proposed rule

(2) Prior to making a rule under this Act, the Executive or the Society shall forward a copy of the proposed rule to the Rules Committee.

## Examination

- (3) The Rules Committee shall examine any proposed rule forwarded to it to ensure that it
  - (a) is authorized by this Act;
  - (b) is consistent with the enactments of Nunavut and Canada;
  - (c) does not trespass unduly on existing rights and freedoms; and
  - (d) does not constitute an unusual or unexpected use of the authority under which it is to be made.

## Advice

(4) Following the examination under subsection (3), the Rules Committee shall advise the Executive and the members of the Society that the proposed rule has been examined and indicate any matter referred to in that subsection to which the attention of the Executive and the members of the Society should be drawn.

Restriction on making rules prior to examination

(5) Despite any other provision of this Act, the Executive and the Society may not make or confirm any rule prior to receiving advice under subsection (4) respecting that rule.

The Committee consists of Merrilee Rasmussen as Chair, Thomas Ahlfors, Michael Chandler, and Nancy Hellyer. The current Rules of the Law Society were referred to the Rules Committee for examination in accordance with section 8.1(4).

The Committee has met on 11 occasions over the past year to complete this task and has provided a summary of its examination to the Executive. The Committee now awaits the Executive's proposals for the enactment of revised rules responding to these concerns. The Committee's advice will be provided to the Executive and the members of the Law Society in accordance with section 8.1(5) at that time.