

BE IT RESOLVED THAT THE RULES OF THE LAW SOCIETY BE AMENDED AS SET OUT HEREIN:

1. The following heading and section are added after section 53:

Continuing Legal Education

Continuing legal education mandatory

53.1(1) Every practising member shall complete 12 hours of eligible continuing legal education in each calendar year, at least one hour of which is devoted to professional responsibility and ethics, and one hour devoted to cultural competency.

(2) Subsection (1) does not apply to a member who:

(a) completes the bar admission program and is admitted to the Society in respect of the year of admission;

(b) is or has been a member of a law society in another jurisdiction, but such member shall complete one hour of eligible continuing legal education for each full or partial month from the date of admission to the end of that calendar year;

(c) has inactive status, but an inactive member who becomes active shall complete one hour of eligible continuing legal education for each full or partial month from the date of becoming active to the end of that calendar year;

(d) was on leave or unable to practise because of illness or for any other reason acceptable to the Executive and was therefore unable to complete all the required numbers of hours of continuing legal education, but such member shall complete one hour of eligible continuing legal education for each full or partial month during which the member was engaged in practice during the calendar year.

(3) For the purposes of this section and subject to subsection (4), “eligible continuing education” includes activities that are recognized by the Executive and that contain significant substantive or practical content and whose primary objective is increasing professional competence in the protection of the public, such as the following:

(a) client care and relations

(b) cultural competency

(c) language training;

(d) member wellness;

(e) professional responsibility and ethics;

- (f) practice and standards management
- (g) substantive legal or procedural issues;
- (h) any other topics approved by the Executive.

(4) For the purposes of this section, “eligible continuing education” does not include:

- (a) activities designed for or targeted at clients;
- (b) topics relating to law firm marketing or profit maximization; or
- (c) activities prepared and delivered in the ordinary and usual course of practice.

(5) Where a member fails to comply with subsection (1) or paragraph (2)(b), (c) or (d), the member’s licence to practise is suspended unless the member completes and reports the required hours of eligible continuing legal education within 30 days of receipt of a notice of a failure to comply from the Secretary and remains suspended until the member has completed and reported the required hours.

(6) Hours of eligible continuing legal education completed and reported in accordance with subsection (5) are counted only with respect to the previous calendar year and may not be counted with respect to the calendar year in which they are completed.

2. Section 71 is amended:

(a) by adding “subsection 53.1(5),” before “section 56” where it appears in subsections (1) and (2), other than in paragraph (1)(b); and

(b) by renumbering paragraph (1)(a) as paragraph (1)(a.01) and adding the following paragraph before the renumbered paragraph (1)(a.01):

(a) under subsection 53.1(5) for failure to complete and report the required hours of continuing legal education, on the member completing and reporting the required hours.

3. Form S is repealed and the following substituted:

FORM S

(Subsection 54(1))

RENEWAL NOTICE

TAKE NOTICE that your annual fee and assurance fund levy for the year beginning January 1, 20 and ending December 31, 20 is required by the Rules of the Law

Society to be paid on or before January 31, 20 by cheque made payable to "The Law Society of Nunavut" as follows:

- (a) the amount payable by an active member is \$....., and consists of the following:
 - (i) annual fee, \$.....;
 - (ii) assurance fund levy, \$.....;
 - (iii) trust account levy, if applicable, \$.....; and
 - (iv) applicable taxes (...%);
- (b) the amount payable by an inactive member is \$....., and consists of the following:
 - (i) annual fee, \$.....;
 - (ii) trust account levy, if applicable, \$.....; and
 - (iii) applicable taxes (...%).

AND FURTHER TAKE NOTICE that:

- (a) the assurance fund levy is payable by every active member, whether a resident or non-resident member of the Law Society;
- (b) the trust account levy, which is collected in substitution for payment of interest from members' trust accounts generated by money received from Nunavut clients and matters and transferred by the Law Society to the Law Foundation, is payable by every member who does not have a trust account in Nunavut; and
- (c) every active member who is applying for an exemption from payment of the annual professional liability insurance levy must also complete and submit the Insurance Exemption Certificate and Undertaking that accompanies this form.

AND FURTHER TAKE NOTICE that any member who fails to complete and submit the Application for Renewal Form T which accompanies this form, or fails to pay the required annual fee and levies on or before January 31, 20, is, without further notice, automatically suspended as a member.

AND FURTHER TAKE NOTICE that the Secretary shall notify any member who fails to complete the number of hours of eligible continuing legal education in the previous calendar year as required pursuant to section 53.1 of the Rules of the Law Society of Nunavut that the member will be suspended as a member unless the member completes

and reports the required number of hours of eligible continuing legal education within 30 days of receipt of the notice and thereafter until the member completes and reports the required hours.

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Secretary of the Law Society of Nunavut

4. Form T is amended by:

(a) deleting the line “Education programs that I attended or for which I was a presenter in 2011 (Appendix B)” in item 5 of Part C; and

(b) by adding the following after Part C:

PART C.1: CONTINUING LEGAL EDUCATION

I have completed 12 hours of eligible continuing legal education as required pursuant to subsection 53.1 of the Rules of the Law Society of Nunavut, including at least one hour of which was devoted to Professional Responsibility and Ethics, and one hour was devoted to cultural competency, as follows:

Title	Hours	Date	Location

I have been unable to complete the required hours of eligible continuing legal education because I was on leave or unable to practise due to illness or for the following reasons and request an exemption in accordance with paragraph 53.1(2)(d) of the Rules of the Law Society of Nunavut:

I am exempt from the requirement to complete eligible continuing legal education hours in accordance with paragraph 53.1(2)(a) of the Rules of the Law Society of Nunavut as a student-at-law admitted as an active member on _____ [date in the calendar year prior to renewal].

I am a member of another law society in Canada who became a member of the Law Society of Nunavut on _____ [date in the calendar year prior to renewal] and have completed the required prorated number of eligible continuing legal education hours in accordance with paragraph 53.1(2)(b) of the Rules of the Law Society of Nunavut, as follows:

Title	Hours	Date	Location

I was an inactive member and became an active member of the Law Society of Nunavut on _____ [date in the calendar year prior to renewal] and have completed the required prorated number of eligible continuing legal education hours in accordance with paragraph 53.1(2)(c) of the Rules of the Law Society of Nunavut, as follows:

Title	Hours	Date	Location

I undertake with the Law Society of Nunavut that I will upon request provide proof of participation in respect of any eligible continuing legal education hours described above.

5. Appendix B is repealed.

6. These amendments come into force effective January 1, 2022 in relation to the licence renewal application to be submitted by January 31, 2023 with respect to the 2023-24 licence year, so that the number of eligible continuing legal education hours required in accordance with section 53.1 for that licence year must be accumulate during 2022.