



Approved by LSN Executive: 27 April 2022 First Review by Rules Committee : 1-17 May 2022 Second Review by Rules Committee: 26-31 May 2022

### **Resolution B**

### Resolution to Adopt the Proposed Amendments to the Law Society Rules to Provide for Electronic Signatures

### Summary

The proposed amendments aim to facilitate the use of the electronic signature when submitting the various forms to the Law Society of Nunavut.

Currently, the Rules refer to the <u>Electronic Commerce Act</u> in section 2.1. The present resolution proposed amendments to the forms D, E, F, G.1, G.2, H, I.1, I.2, J, K, L, R, T by adding a standardized text box providing for electronic signature.

For clarification, all forms may be signed by hand or electronically.

WHEREAS the Law Society of Nunavut continues its efforts to reduce its ecological footprint by using less paper and by encouraging its members to print less;

WHEREAS the Law Society of Nunavut provides forms that facilitate the use of electronic signatures;

AND WHEREAS the proposed Rules have been referred to the Rules Committee and the Committee has provided its advice as required by s.8.1 of the LPA;

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

### 1. Form D is amended by deleting Part D and substituting it with the following:

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	<ul> <li>By checking the box, I hereby</li> <li>certify that the information I have provided in or annexed to this application is correct.</li> <li>undertake with the Law Society of Nunavut that I will, during my enrollment as a Regular, Restricted Appearance Certificate or Canadian Legal Advisor member, well and faithfully keep and perform all my obligations as a barrister and solicitor and as a member of the Society and abide by the Legal Profession Act, the Rules of the Law Society of Nunavut, and any code of conduct authorized or established by the Executive of the Law Society of Nunavut.</li> <li>authorize the Law Society of Nunavut to make enquiries concerning my background, character and fitness for admission, and I also authorize the disclosure of information about myself to the Law Society of Nunavut by any person or body possessing it, provided that such information will be used by the Law Society of Nunavut and will otherwise be treated in strict confidence.</li> <li>acknowledge, pursuant to subsection 14(3) of the Legal Profession Act that the Law Society of Nunavut may disclose: my name, membership status, the name of my employer and any information regarding any findings of guilt for conduct discerning of discipline and any sanctions imposed; by making it available on the Law Society of Nunavut's website and in response to direct requests from the public.</li> <li>acknowledge that submitting this application electronically to the Law Society of Nunavut is legally binding.</li> </ul>
2. T	The following is added at the end of Forms E, F, K, L and R:
If signed	electronically,
Signatur	e: Date:
	By checking the box, I hereby
	<ul> <li>certify that all information provided by me in this document is true.</li> <li>acknowledge that my electronic signature is the legally binding equivalent of my handwritten signature.</li> </ul>
3. F	form G.1 is amended by deleting Part D and substituting it with the following:
PAF	RT D: DECLARATION OF APPLICANT AND AUTHORIZATION
rega beh Soc	D □ / DO NOT □ consent to the Law Society of Nunavut sending me commercial electronic messages arding upcoming professional development activities, consultations, and events, either on its own ralf, or on behalf of other organizations. I acknowledge that not all communications from the Law iety of Nunavut are commercial in nature, and that I will continue to receive official notices in ordance with the Legal Profession Act and the Rules of the Law Society of Nunavut.

• certify that the information I have provided in or annexed to this application is correct.

☐ By checking the box, I hereby

- certify that I reviewed the current provisions dealing with competency in the Code of Conduct
  for the Law Society of Nunavut. I undertake with the Law Society of Nunavut that I will, during
  my enrollment as a Student-at-Law, well and faithfully keep and perform all my obligations as a
  Student-at-Law and as a member of the Society and abide by the Legal Profession Act, the Rules
  of the Law Society of Nunavut, and any Code of Conduct authorized or established by the
  Executive committee of the Law Society of Nunavut.
- authorize the Law Society of Nunavut to make enquiries concerning my background, character
  and fitness for admission, and I also authorize the disclosure of information about myself to the
  Law Society of Nunavut by any person or body possessing it, provided that such information will
  be used by the Law Society of Nunavut and will otherwise be treated in strict confidence.
- acknowledge, pursuant to subsection 14(3) of the Legal Profession Act that the Law Society of Nunavut may disclose: my name, membership status, the name of my employer and any information regarding any findings of guilt for conduct discerning of discipline and any sanctions imposed; by making it available on the Law Society of Nunavut's website and in response to direct requests from the public.
- acknowledge that submitting this application electronically to the Law Society of Nunavut is legally binding.

### 4. The following is added at the end of Forms G.2 and H:

If signed	electronically,
Principa	l: Date:
	By checking the box, I hereby
	<ul> <li>certify that all information provided by me in this document is true.</li> <li>acknowledge that my electronic signature is the legally binding equivalent of my handwritten signature.</li> </ul>
Student	Date:
	By checking the box, I hereby
	<ul> <li>certify that all information provided by me in this document is true.</li> <li>acknowledged that my electronic signature is the legally binding equivalent of my handwritten signature.</li> </ul>

## **6. Forms I.1 and I.2 are amended** by adding the following at the end of each Form:

If signed electronically,		
Solicitor:	Date:	
□ By che	cking the box, I	
•	hereby certify that all information provided by me in this document is true. acknowledge that my electronic signature is the legally binding equivalent of my handwritten signature.	
Solicitor:	Date:	
□ By che	cking the box, I	
•	hereby certify that all information provided by me in this document is true. acknowledge that my electronic signature is the legally binding equivalent of my handwritten signature.	
Student-at-la	w: Date:	
□ By che	cking the box, I	
•	hereby certify that all information provided by me in this document is true. acknowledge that my electronic signature is the legally binding equivalent of my handwritten signature.	

7. Form T is amended deleting Part D and substituting it with the following:
PART D: DECLARATION OF APPLICANT AND AUTHORIZATION
I DO ☐ / DO NOT ☐ authorize the Law Society of Nunavut to make public the information I provided under "Part C: Professional Information" by making it available on the Law Society of Nunavut Website, in a public membership directory, and in response to direct requests from the public.
I DO $\square$ / DO NOT $\square$ consent to the Law Society of Nunavut sending me commercial electronic messages regarding upcoming professional development activities, consultations, and events, either on its own behalf, or on behalf of other organizations. I acknowledge that not all communications from the Law Society of Nunavut are commercial in nature, and that I will continue to receive official notices in accordance with the <i>Legal Profession Act</i> and the <i>Rules of the Law Society of Nunavut</i> .
<ul> <li>By checking the box, I hereby</li> <li>certify that the information I have provided in or annexed to this renewal application is correct.</li> </ul>

- undertake with the Law Society of Nunavut that I will, during my enrollment as a Regular,
  Restricted Appearance Certificate or Canadian Legal Advisor member, well and faithfully keep
  and perform all my obligations as a barrister and solicitor and as a member of the Society and
  abide by the Legal Profession Act, the Rules of the Law Society of Nunavut, and any Code of
  Conduct authorized or established by the Executive committee of the Law Society of Nunavut.
- acknowledge that submitting this application electronically to the Law Society of Nunavut is legally binding.

### 8. These amendments come into force effective June 30, 2022.

### **Rules Committee's Review**

The Rules Committee had the chance to review the resolution and is of the opinion that no outstanding matter needs to be referred to the attention of the Executive and the member of the Society under section 8.1 of the Legal Profession Act.