

1991

c 41 Law Society Amendment Act (Temporary Members), 1991 / Loi de 1991 modifiant la Loi sur le Barreau (membres provisoires)

Ontario

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CHAPTER 41

CHAPITRE 41

**An Act to amend the Law Society Act**

*Assented to November 25th, 1991*

**Loi portant modification de la Loi sur la Société du barreau**

*Sanctionnée le 25 novembre 1991*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

SA MAJESTÉ, sur l'avis et avec le consentement de l'Assemblée législative de la province de l'Ontario, édicte :

**1. Clause 1 (c) of the *Law Society Act* is amended by inserting after "member" in the second line "and a temporary member".**

**1** L'alinéa 1 (c) de la loi intitulée *Law Society Act* («*Loi sur la Société du barreau*») est modifié par insertion, après le mot «member» à la deuxième ligne, des mots «and a temporary member».

**2. Section 16 of the Act is amended by adding the following subsection:**

**2** L'article 16 de la Loi est modifié par adjonction du paragraphe suivant :

Idem (2) For the purposes of subsection (1), "member" does not include a temporary member.

**3. The Act is amended by adding the following section:**

**3** La Loi est modifiée par adjonction de l'article suivant :

Admission of temporary members **28a.**—(1) On the request of the Attorney General, a person who is of good character and who is qualified to practise law outside Ontario may be admitted by Convocation as a temporary member of the Society for a specified period.

Canadian citizenship or residency not required (2) A person need not be a Canadian citizen or a permanent resident of Canada to be admitted as a temporary member of the Society.

Limited right to practise (3) For the period specified under subsection (1), a temporary member of the Society who has taken the oath or given the affirmation prescribed for temporary members by the rules shall be deemed to be called to the bar and admitted and enrolled as a solicitor and is entitled to act and practise as a barrister and solicitor in the employ of the Attorney General for Ontario or, if appointed under the *Crown Attorneys Act*, as a Crown Attorney or as an assistant Crown Attorney.

Termination of temporary membership (4) A person admitted as a temporary member of the Society for a specified period ceases to be a member at the end of the period.

**4. Subsection 50 (1) of the Act is repealed and the following substituted:**

**4** Le paragraphe 50 (1) de la Loi est abrogé et remplacé par ce qui suit :

Prohibition as to practice, etc. (1) Except where otherwise provided by law,  
(a) no person, other than a member whose rights and privileges are not suspended, shall act as a barrister or solicitor or hold himself or herself out as or represent himself or herself to be a barrister or solicitor or practise as a barrister or solicitor; and  
(b) no temporary member shall act as a barrister or solicitor or practise as a barrister or solicitor except to the extent permitted by subsection 28a (3).

**5. Paragraphs 12 and 15 of subsection 62 (1) of the Act are repealed and the following substituted:**

12. governing members and student members or any class of either of them, and prescribing their rights and privileges;

15. prescribing oaths and affirmations for members and student members or any class of either of them.

**6. Paragraph 1 of section 63 of the Act is amended by inserting after “student members” in the third line “or any class of either of them”.**

**7. This Act comes into force on the day it receives Royal Assent.**

**8. The short title of this Act is the *Law Society Amendment Act (Temporary Members), 1991*.**

**5 Les dispositions 12 et 15 du paragraphe 62 (1) de la Loi sont abrogées et remplacées par ce qui suit :**

**6 La disposition 1 de l'article 63 de la Loi est modifiée par insertion, après les mots «student members» à la troisième ligne, des mots «or any class of either of them».**

**7 La présente loi entre en vigueur le jour où elle reçoit la sanction royale.**

**8 Le titre abrégé de la présente loi est *Loi de 1991 modifiant la Loi sur la Société du barreau (membres provisoires)*.**

Commence-  
ment

Short title

Entrée en  
vigueur

Titre abrégé