

**Certified True Copy of Amendments  
to the Rules of the Law Society of Saskatchewan  
April 29, 2022**

It was moved, seconded and carried that the *Rules* of the Law Society of Saskatchewan be amended. Please note that deletions have a “~~line through~~” for identification purposes.

**AMENDMENTS:**

Amendments to Parts 7, 12 and 14 of the Rules were approved to streamline requirements with respect to disqualification from the practice of law arising from administrative deficiencies. Limited exemptions to the reinstatement fee by an inactive member returning to active status have also been added.

An increase to the reinstatement fee by a disqualified member in Schedule 1 has also been approved.

**PART 7 - Membership and Practice Privileges**

**701 Definitions**

“disqualified member” means a member who has been disqualified in accordance with Rule 721, 724, ~~1202~~ or 1612;

**Notification of Disqualification**

**725** The Executive Director shall, promptly ~~after each January 1:~~

- (a) notify all disqualified members of their disqualification;
- (b) give notification of those persons who have become disqualified members to:
  - (i) the Chief Justice of Saskatchewan;
  - (ii) the Chief Justice of the Court of Queen’s Bench of Saskatchewan;
  - (iii) the Chief Judge of the Provincial Court of Saskatchewan;
  - (iv) the Minister of Justice for Saskatchewan; and
  - (v) the Registrar of Titles; and
- (c) publish a notice on the Society website identifying those persons who have become disqualified members.

**Part 12 - Insurance**

**Saskatchewan Lawyers’ Insurance Association Inc.**

**1202(11)** The Society shall promptly, in the case of a member who has not, when due, paid an assessment pursuant to subrule (1) or (2) or reimbursed a deductible pursuant to subrule (7):

- (a) notify the member in writing that the member is disqualified from ~~shall not engage in~~ the practice of law until the amount owing is paid in full;

- (b) give notification of those persons who have become disqualified members to notify in writing:-
- (i) the Chief Justice of Saskatchewan;
  - (ii) the Chief Justice of the Saskatchewan Court of Queen's Bench;
  - (iii) the Chief Judge of the Provincial Court of Saskatchewan;
  - (iv) the Minister of Justice for Saskatchewan; and
  - (v) the Registrar of Titles; and
- (c) publish a notice on the Society website identifying those persons who have become disqualified members. cause a notice to be published in:
- ~~(i) the Saskatchewan Gazette; and~~
  - ~~(ii) a newspaper of general circulation in each community in which the member maintained an office.~~

### **Liability Insurance Coverage**

**1204** A member who becomes disqualified pursuant to Rule 721, 724, 1202 or 1612 and who is reinstated as an active member within 2 months of the date disqualification prior to March 1 of the current practice year is deemed to have been insured, while a disqualified member, for errors or omissions occurring before the member became, or while the member was, disqualified.

## **PART 14 - Law Society Fees and Assessments**

### **Active Member Annual Fee**

**1401**(1) The active member annual fee for each calendar year, as set out in Schedule 1, including the applicable federal and provincial taxes is, subject to subrule (4), payable by the preceding December 1.

(2) The active member annual fee for each calendar year for Law Professor members and members whose principal place of practice or employment is in the City of Lloydminster is, subject to subrule (5), payable by the preceding December 1 and consists of:

- (a) one-half the active member practice fee as set out in Schedule 1; and
- (b) the applicable federal and provincial taxes payable thereon.

(3) A member who does not pay the active member annual fee by December 1, but who does pay it by December 31 shall pay, in addition, a late payment fee as set out in Schedule 1.

(4) A member may, upon approval from the Executive Director, pay the active member annual fee on a quarterly basis, payable in four equal instalments, ~~commencing on the preceding December 1 and continuing on March 1, June 1 and September 1~~ in accordance with the payment dates as set by the Executive Director.

(5) A member who is approved to make quarterly payments shall pay, in addition, an administration fee as set out in Schedule 1 by the preceding December 1.

(6) Quarterly payments shall be made by way of pre-authorized automatic debit.

(7) A member who does not pay the administration fee and quarterly payments pursuant to subrules (4) and (5) becomes a disqualified member, on the first business day following the payment due dates as set by the Executive Director. effective January 1, March 2, June 2 or September 2, as applicable.

## Reinstatement Fees

**1404**(1) The reinstatement fee payable by a former member who is applying for reinstatement after having been disbarred is as set out in Schedule 1.

(2) The reinstatement fee payable by a suspended or disqualified member who is applying for reinstatement as an active or inactive member is as set out in Schedule 1.

(3) The reinstatement fee payable in all cases other than as set out in subrules (1) and (2) is as set out in Schedule 1.

(4) A member who is reinstated as an active member shall pay, in addition to the fees payable pursuant to subrules (1) to (3):

- (a) one-twelfth of the liability insurance assessment payable pursuant to Rule 1202, multiplied by the number of months remaining in the policy year, including the month that the person is reinstated; and
- (b) one-twelfth of the annual fee payable pursuant to Rule 1402, multiplied by the number of months remaining in the year, including the month that the person is reinstated as a lawyer.

(5) A member who is reinstated as an inactive member shall pay, in addition to the fees payable pursuant to subrules (1) to (3), the inactive member annual fee as set out in Schedule 1.

(6) An inactive member who is applying for reinstatement as an active member may be exempted from the reinstatement fee where:

- (a) during the current year, the member became an inactive member for the purpose of parenting a child newly in the member's care;
- (b) the member became unable to practise as a result of serious illness; or
- (c) the Executive Director is satisfied that there are circumstances that would impose undue hardship on the member.

## Refund of Fees

**1407**(2) The Society shall, upon being satisfied that an active member has, during the current year, become an inactive member for the purpose of parenting a ~~newly born or newly adopted~~ child newly in the member's care, refund one-twelfth of the current year's active member annual fee, multiplied by the number of months remaining in the calendar year excluding the month that the member becomes an inactive member.

## PART 15 - Accounting

Amendments to Part 15, Accounting, Rule 1531, are to account for changes the Government of Canada has made to the rules governing deposit insurance protection for funds held in trust under the *Canada Deposit Insurance Corporation Act* coming into effect on April 30, 2022.

**K. Canadian Deposit Insurance Corporation (“CDIC”) Requirements**

**Filing Annual CDIC Report with Each Savings Institution CDIC Compliance**

**1531** A firm that maintains a pooled trust account or a SIBA in a financial institution which is insured by by the Canada Deposit Insurance Corporation (“CDIC”) must comply with the reporting and disclosure obligations set forth shall file an annual report for each such account with that institution in accordance with the Canada Deposit Insurance Corporation Act, so that each client’s funds, rather than the pooled trust account itself, is insured up to the limit of CDIC insurance.

**SCHEDULE 1 – Law Society Fees and Assessments**

Amendment to Schedule 1, G2 was approved to increase the reinstatement fees charged to a disqualified member becoming an active or inactive member, particularly as it relates to those who have been administratively disqualified for failure to abide by administrative regulatory requirements.

**G. Reinstatement Fees**

- 1. By former member, following disbarment ..... 2,000
- 2. By disqualified member becoming an active or inactive member 475 500 plus fee for year of default
- 3. All other applications for reinstatement ..... 175



**CERTIFIED to be a true copy of the resolutions passed by the Benchers of the Law Society of Saskatchewan at their meeting held April 29, 2022.**

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**TIMOTHY J. BROWN, Q.C.**  
**Executive Director**

**Certified True Copy of Amendments  
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May 11, 2022**

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**AMENDMENTS:**

**SCHEDULE 1 – Law Society Fees and Assessments**

The Benchers approved an increase in the annual Liability Insurance Assessment fee for 2022 – 2023.

**C. Liability Insurance Assessment**

- |  |                             |
|--|-----------------------------|
| 1. Annual Assessment.....                                    | <del>926</del> <u>1,303</u> |
| 2. Late payment fee.....                                     | 75/wk or part thereof       |
| 3. Insurance deductible reimbursement late payment fee ..... | 100                         |



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**TIMOTHY J. BROWN, Q.C.  
Executive Director**