

1972 Bill 67

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First Session, 17th Legislature, 21 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

**BILL 67**

**The Legal Profession Amendment Act, 1972 (No. 1)**

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THE ATTORNEY GENERAL

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First Reading .....

Second Reading .....

Third Reading .....

# BILL 67

1972

## THE LEGAL PROFESSION AMENDMENT ACT, 1972 (NO. 1)

(Assented to \_\_\_\_\_, 1972)

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

1. *The Legal Profession Act is hereby amended.*

2. *Section 42 is amended by adding the following subsection after subsection (1):*

(1.1) The Education Committee may waive the requirements of subsection (1), clause (c) in the case of an application by a solicitor of the Supreme Court of Judicature in England where the applicant provides satisfactory evidence that he has been performing in Alberta services of a legal nature for the Department of the Attorney General of the Government of Alberta for a period or periods totalling at least three years and occurring in the five year period immediately preceding his application for admission.

3. *Section 53 is amended by striking out the word "Bencher" and by substituting the words "Discipline Committee".*

4. *Section 75 is amended by adding the following subsection after subsection (3):*

(4) Any Bencher who is a member of a committee of inquiry appointed pursuant to the rules to consider an application for reinstatement may participate in or vote at any proceedings of the Benchers under this section, and the Secretary and the Society's solicitor may participate in those proceedings.

5. *The following section is added after section 89:*

**89.1** No municipality has the power to require

- (a) any active member to obtain a licence from the municipality to practice law or to carry on the practice or profession of a barrister and solicitor, or

## Explanatory Notes

**1.** This Bill amends chapter 203 of the Revised Statutes of Alberta 1970.

**2.** Section 42, subsection (1) presently reads:

42. (1) The Education Committee shall approve the admission of a person as a student-at-law if he proves to its satisfaction and in accordance with the rules that he

(a) is of good character and reputation,

(b) has been called to the bar of England, Scotland, Northern Ireland, Eire, New Zealand or Australia, or is a solicitor of the Supreme Court of Judicature in England or Northern Ireland, a writer to the signet in Scotland, or a solicitor of any Supreme or High Court in New Zealand, Australia or Eire, and

(c) has been actively engaged in the practice of law in any of the jurisdictions mentioned in clause (b) for a period or periods totalling at least three years and occurring in the five-year period immediately preceding his application for enrolment,

and shall prescribe the period of articles to be served by that person.

**3.** Section 53 presently reads:

53. Where a matter regarding the conduct of a member is brought to the attention of the chairman or member of the Discipline Committee as a result of a complaint and where the chairman or a member of the Discipline Committee directs pursuant to section 51 or 52 that no further action be taken with respect to the matter, the complainant may appeal his direction to the Benchers who, in either or both cases may make any direction regarding it that the chairman could have made under those sections.

**4.** Section 75 (1) reads:

75. (1) When the name of any member has been struck off the roll under this Part he shall not be reinstated as a member except by order of the Benchers.

**5.** Exemption from municipal business licence.

- (b) any student-at-law to obtain a licence from the municipality for or in connection with the performance of any acts or services authorized by this Act to be performed by a student-at-law.

*6. This Act comes into force on the day upon which it is assented to.*

