

**2020**

## **CHAPTER 7**

An Act to amend *The Legal Profession Act, 1990*

(Assented to March 16, 2020)

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

**Short title**

**1** This Act may be cited as *The Legal Profession (Law Foundation) Amendment Act, 2020*.

**SS 1990-91, c L-10.1 amended**

**2** *The Legal Profession Act, 1990* is amended in the manner set forth in this Act.

**Long title amended**

**3** The long title is amended by adding “of Saskatchewan” after “Law Foundation”.

**Section 2 amended**

**4** Subsection 2(1) is amended:

(a) by adding the following clause after clause (a.1):

“(a.2) ‘board’ means the board of directors of the foundation appointed pursuant to section 74”;

(b) by adding the following clause after clause (e):

“(e.1) ‘director’ means a director of the board”; and

(c) in clause (g) by adding “of Saskatchewan” after “Law Foundation”.

**Section 14 amended**

**5** Subsection 14(7) is amended by striking out “Law Foundation Account” and substituting “accounts of the foundation”.

**Section 37 amended**

**6** Section 37 is amended by striking out “, the discipline committee”.

**New section 74**

**7** Section 74 is repealed and the following substituted:

“Foundation continued

**74(1)** The Law Foundation is continued as a corporation under the name of the Law Foundation of Saskatchewan.

- (2) The affairs and business of the foundation shall be managed by a board of directors consisting of:
- (a) 4 persons appointed by the minister; and
  - (b) 5 persons appointed by the benchers.
- (3) Subject to subsections (4) and (5), a director appointed pursuant to subsection (2):
- (a) holds office for a term of 3 years and until a successor is appointed; and
  - (b) is eligible for reappointment.
- (4) No person shall hold office for more than two consecutive terms.
- (5) A person ceases to be a director when the person dies or resigns.
- (6) The directors shall elect from among their number:
- (a) a chairperson of the board; and
  - (b) a vice-chairperson of the board.
- (7) If a vacancy occurs on the board, the person or body by whom the director was appointed may appoint another person to the vacant office.
- (8) A director appointed pursuant to subsection (7) holds office for the remainder of the term of the person being replaced and until a successor is appointed.
- (9) A vacancy on the board does not impair the power of the remaining directors to act.
- (10) No act done by the authority of the foundation is invalid in consequence of any defect that is discovered in the appointment of the board.
- (11) A director may resign by giving 30 days' notice in writing to the board of the intention to do so, and the resignation takes effect on the earlier of:
- (a) the expiration of the notice; and
  - (b) the acceptance of the resignation by the board.
- (12) Those persons who were members of the foundation on the day before the coming into force of this subsection:
- (a) continue as directors of the board pursuant to this section; and
  - (b) hold office for the remainder of the terms for which they were appointed until they resign or are replaced pursuant to this section".

**Section 76 amended**

**8 Clause 76(7)(b) is amended by striking out "benchers" and substituting "foundation".**

**Section 77 amended****9(1) Subsection 77(1) is amended:**

- (a) in clause (b) by striking out “subject to subsection 74(3),”; and**
- (b) in clause (e) by striking out “and employees” and substituting “, employees and directors”.**

**(2) Subsection 77(2) is repealed.****Section 86 amended**

**10 Section 86 is amended by striking out “Law Foundation or a member of the Law Foundation” and substituting “foundation or a director, officer, employee or agent of the foundation”.**

**Section 93 amended**

**11 Subsection 93(2) is repealed.**

**Coming into force**

**12 This Act comes into force on assent.**

