

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7 Section 74 is repealed and the following substituted: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.

