

Change of Status from Inactive to Active Membership

Please find enclosed in the application package, forms required for a change of status from inactive to active. Applicants are required to submit the following:

- 1) An application in Form R (enclosed).
- 2) A Certificate of Standing from each Law Society of which you are a member. **The certificate(s) must not be dated earlier than 30 days prior to our receiving it/them in our office.**
- 3) An Accountant's Report in Form E **OR** a Statutory Declaration in Form F (enclosed).
- 4) An Insurance Exemption Certificate and Undertaking (enclosed).
Please note: You must delete either option 1 or 2 in their entirety as the one that least applies to you. If you delete 1, then please be sure to fill out the name of your insurer in option 2. If you are unable to make either of the declarations without alteration, you may be required to enroll in our Society's errors and omissions insurance program. If that is the case, a current quotation of the premium cost will be provided.
- 5) Applicable fees

CHANGE OF STATUS FROM INACTIVE TO ACTIVE MEMBER

53. (1) An inactive member may apply to the Society to change his or her status to that of an active member.
[(1) amended, R-115-94]
- (2) A person applying under subsection (1) shall furnish to the Secretary
- (a) an application in Form R;
 - (b) where the member is a member of another provincial or territorial law society or comparable body, a certificate from each provincial or territorial law society or comparable body of which the applicant is a member dated not earlier than 30 days prior to the presentation of the application stating
 - (i) that the applicant is in good standing,
 - (ii) the period of time during which the applicant has been listed as an active member in the society or body,
 - (iii) whether disciplinary proceedings are pending against the applicant, and
 - (iv) the nature and disposition of any disciplinary action that has been taken against the applicant;
 - (c) an Accountant's Report in Form E or a Statutory Declaration in Form F or a statement indicating the member is joining a partnership that, or is becoming associated with a member who, has filed a Certificate of Accountant and Member in Form V;
 - (d) payment of the insurance levy or, where the member is exempt under subsection 93(4), proof that the member is
 - (i) covered by errors and omissions insurance referred to in paragraph 93(4)(a), or
 - (ii) exempt under paragraph 93(4)(b);
 - (e) payment of the assurance fund levy; and
 - (f) payment of the fee for a change of status to an active member set out in Schedule A.
[(d), (f) amended, R-115-94]
- (3) The Executive may require an applicant under subsection (1) to pass such bar admission examinations as may be established under section 38 where
- (a) the applicant has not previously been admitted as an active member and was granted a waiver of the requirement to take bar admission examinations before being admitted as an inactive member; or
 - (b) the applicant is shown on the Record as having been an inactive member for more than three years prior to the day the application is received by the Secretary.
[amended, R-115-94]
- (4) Where the Executive so directs, the Secretary shall refer an application made under subsection (1) to the Admissions Committee and the Admissions Committee shall recommend to the Executive that
- (a) the applicant's status be changed to that of an active member; or
 - (b) the applicant's status not be changed. [(a) and (b) amended, R-115-94]
- (5) The Executive shall consider each application and any recommendation made by the Admissions Committee and shall
- (a) approve the change of status of the applicant to that of an active member or refuse to approve the change of status of the applicant; and
 - (b) advise the applicant of its decision under paragraph (a). [(a) amended, R-115-94]
- (5.1) Where an application made under subsection (1) is approved under subsection (5), the change of status takes effect on the date the application is approved by the Executive or upon a later date requested by the member and approved by the Executive. [added, R-115-94]
- (6) Where an application made under subsection (1) is not approved under subsection (5) or is withdrawn, the Secretary shall refund the fee for a change of status to an active member and levies paid by the applicant in respect of the application. [(6) amended, R-115-94]
- (7) Where an application made under subsection (1) is not approved, the member may apply to the Supreme Court under section 19 of the Act.