

Application to Renew Restricted Appearance Certificate

In order to renew your certificate, you need to supply this office with:

- (a) 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 **(NB: Please ask the applicable law societies to forward these directly to this office and a copy to yourself as you will be asked to address any issues of concern);**
- (b) A form F –Statutory Declaration must be submitted if you are not to maintain a trust account in the Nunavut jurisdiction
- (d) A completed Insurance Exemption Certificate and Undertaking
- (e) A copy of the Restricted Appearance Certificate that is to be renewed
- (f) A signed authorization
- (g) Applicable fee.

Once the above originals have been processed a new certificate will be issued to you and the Court. **Please note that this Society requires at least 10 working days in order to process the forms so I recommend that you apply early enough so that there will be no interruption in your ability to appear in a Nunavut Court of Justice.** If your Restricted Appearance Certificate does expire before you apply for a renewal, you will be required to resubmit a full Restricted Appearance Certificate application.

PLEASE NOTE: You are still bound by the statutory declaration we have on file with your original application to notify this office if you open a trust account in Nunavut regarding this matter.

RESTRICTED APPEARANCE CERTIFICATE

49. (1) A person who has been duly called to the bar of a province or territory or has been admitted to practice as an attorney, advocate, barrister or solicitor in the superior courts of a province or territory may apply to the Executive for a restricted appearance certificate to appear or to act as an active member on a single matter or for a number of matters over a limited period of time.

(2) An applicant under subsection (1) shall furnish to the Secretary

(a) an application in Form M;

(b) two letters of good character from members in good standing of a provincial or territorial law society or comparable body of which the applicant is a member or from judges of a provincial, territorial or superior court of the jurisdiction of the law society or body of which the applicant is a member;

(c) 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 showing

(i) that the applicant is in good standing,

(ii) the period of time during which the applicant has been listed as an active member of 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;

(d) an Accountants Report in Form E or a Statutory Declaration in Form F;

(e) payment of the insurance levy or, where the applicant is exempt under subsection 93(4), proof that the applicant is

(i) covered by errors and omissions insurance in the province or territory in which the applicant is an active member and that coverage under such policy extends to cover the applicant in respect of the matter or matters on which he or she intends to act or appear in the Territories, or

(ii) exempt under paragraph 93(4)(b);

(f) payment of the assurance fund levy;

(g) payment of the application and admission fees set out in Schedule A; and

(h) if required by the Executive, proof that the applicant has passed such bar admission examinations as may be established under section 38.

[(e) amended, R-115-94]

(3) On the recommendation of the Secretary, or on the recommendation of the Admissions Committee in respect of an application referred to the Admissions Committee, the Executive may, if it considers that the nature or circumstances of the matter or matters warrant, grant a restricted appearance certificate to the applicant to act or appear as an active member in the matter or matters in respect of which the applicant has applied to act or appear.
[amended, R-127-95]

(4) A member granted a restricted appearance certificate ceases to be entitled to appear or act as an active member on the conclusion of the matter or matters in respect of which the applicant has applied to act or appear or, unless the certificate is renewed in accordance with subsection (5), on the anniversary of the day the certificate was granted, whichever first occurs.

(5) Prior to each anniversary of the day a restricted appearance certificate was granted, a member granted a restricted appearance certificate wishing to renew the certificate shall furnish to the Secretary

(a) a current certificate in the form required by paragraph (2)(c)

(b) payment of the renewal fee set out in Schedule A;

(c) payment of the assurance fund levy; and

(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 required by paragraph (2)(e), or

(ii) exempt under paragraph 93(4)(b). [(d) amended, R-115-94]