

(6) Each applicant for membership and each active member who by virtue of subsection (4) claims to be exempt from payment of the insurance levy shall provide proof to the satisfaction of the Executive of his or her entitlement to the exemption with his or her application and annually on or before January 31 in each year.

(7) In addition to the requirements of subsection (6), each member who claims to be exempt from payment of an assessment under subsection (4) shall, at the request of the Secretary, and within the time specified in the request, certify in writing to the Executive the circumstances entitling the member to the exemption.

(8) An active member who does not carry on the principal practice of law in Nunavut and who does not qualify for an exemption pursuant to subsection (4), shall participate in the indemnity program and pay the assessment referred to in subsection (2).

(9) The coverage provided under subsection (8) shall be restricted to the member's practice of law in Nunavut.

(10) Where the Executive considers that a member no longer qualifies for exemption under subsection (4), the Executive shall request the member to pay to the Society the full amount of the assessment payable by that member.

(11) A member who fails

- (a) to pay the assessment,
- (b) to comply with subsection (6),
- (c) to comply with a request made under subsection (7), or
- (d) to comply with subsection 94(2),

is, without notice, automatically suspended from membership.

(12) Notwithstanding subsection (4), an active member who is exempt under subsection (4), or an inactive, deceased or former member or a suspended member shall be entitled to indemnification provided under the group contract entered into under subsection 61(1) of the Act, but only with respect to professional services performed while the member was not exempt and was an active member in good standing.

[93 (4)(5)(8)(9) amended, 2004 03 13]

[93 (6) amended, confirmed 2009 05 02, with effect from 2008 12 15]

[93 (5)(5.1) amended, 2014 12 04]

94. (1) Where a member exempted under subsection 93(4) intends to practice law in Nunavut in circumstances where the exemptions are no longer applicable,
(a) the member shall so notify the Secretary; and
(b) the Secretary shall, on receiving notification, promptly give to the member written notice of the amount of the insurance levy payable by him or her and the date payment is due to the Society.

(2) No member exempted under subsection 93(4) shall begin to practice law in Nunavut in circumstances where the exemptions are no longer applicable until the member has paid to the Society the full amount of the insurance levy payable by him or her.

[91 (1) and 91(2) amended, 2004 03 13]

- 95.** Where a member is enrolled under subsection 21(3) of the Act or where a member who is exempted under subsection 93(4) begins to practice law in Nunavut in circumstances where the exemptions are no longer applicable, the insurance levy shall be pro-rated so that the member is levied one-twelfth of the insurance levy for each month or unexpired portion of a month remaining in the period for which the levy is payable.

[amended, 2004 03 13]

- 96.** A member shall promptly notify the Secretary and the insurer under the group contract of any situation that might result in a claim being made against the Professional Liability Claims Fund or the group contract entered into by the Society under subsection 61(1) of the Act.
- 97.** A member is deemed to have instructed the insurer under the group contract to release to the Society sufficient information respecting a professional liability claim, excluding the name of the member, to enable the Society to
- (a) publish bulletins for the education of its members to assist them in avoiding similar claims and to improve the profession's service to the public;
 - (b) compile claims experience under the group contract.