

# Information

## Transfer to British Columbia

A member of another Canadian law society may apply to be called to the bar in British Columbia and become a member of the Law Society of BC. For details on transfer requirements, see Law Society Rules 2-79 to 2-84, which are reproduced below.

### What are the ways a Canadian lawyer can transfer to BC?

There are three ways that a lawyer can transfer to BC from another Canadian jurisdiction:

- **Transfer to BC from a reciprocating jurisdiction under the National Mobility Agreement or the Territorial Mobility Agreement:** Depending on a lawyer's recent practice experience, he or she may be eligible to transfer to BC from a reciprocating jurisdiction under Rule 2-81 and the National Mobility Agreement or the Territorial Mobility Agreement on fulfilling a prescribed reading requirement.
- **Transfer to BC from another Canadian jurisdiction:** A lawyer who is from a non-reciprocating Canadian jurisdiction may transfer to BC under Rule 2-79 on writing a transfer examination, writing the qualification examinations or re-articling, depending on the lawyer's recent practice experience.
- **Transfer to BC as an in-house counsel:** A lawyer transferring to BC from another Canadian jurisdiction under Rule 2-79 as in-house counsel may be exempted under Rule 2-80 from the requirement to write examinations or fulfil a reading requirement.
- **Transfer to BC as a Canadian Legal Advisor:** Under the Quebec Mobility Agreement and depending on the lawyer's recent practice experience, a member of the Barreau du Québec or the Chambre des notaires du Québec transferring to BC as a Canadian Legal Advisor under Rule 2-82, may be eligible to transfer to BC from a reciprocating jurisdiction under Rule 2-81 on fulfilling a prescribed reading requirement. As a Canadian Legal Advisor (CLA), a member of the Barreau du Québec or the Chambre des notaires du Québec must hold and maintain membership and insured status in Quebec and will hold a restricted license in BC once that member of the Barreau du Québec or the Chambre des notaires du Québec has completed the requirements for membership. A Canadian Legal Advisor can only give legal advice on and matters involving the law of Quebec, matters under Federal Jurisdiction or matters involving public international law. See Rules 2-35 and 2-36 for further clarification.

## **Who can transfer to BC under the National Mobility Agreement or the Territorial Mobility Agreement?**

The Law Society of BC was one of the provincial law societies to sign a National Mobility Agreement in 2002 and adopt mobility rules effective July 1, 2003. These rules ease the requirements for the temporary inter-jurisdictional practice of lawyers and the requirements for call and admission of lawyers who wish to move permanently from one province to another.

To transfer to BC under Rule 2-81 and the National Mobility Agreement, you must be "entitled to practise law" in a reciprocating jurisdiction. A reciprocating jurisdiction is one that has signed the National Mobility Agreement and adopted regulatory provisions giving effect to the requirements of the agreement. At present, the reciprocating jurisdictions are **British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Nova Scotia, Newfoundland Prince Edward Island and New Brunswick.**

The Barreau du Québec is also a signatory but must receive various approvals and possibly separate rules, in recognition of differences between the legal systems of Quebec and the common law provinces. The Chambre des Notaires in Quebec has not signed the National Mobility Agreement.

In addition, the Law Society of BC signed the Territorial Mobility Agreement in November 2006. Under the Territorial Mobility Agreement, the Yukon, Nunavut and Northwest Territories law societies agreed to join the common law provincial law societies in the National Mobility Agreement with respect to lawyers transferring from one jurisdiction to another.

The National Mobility Agreement and Territorial Mobility Agreement are both reciprocal agreements. In other words, for a lawyer to benefit from the provisions of the agreement, both the lawyer's home law society and the law society in the jurisdiction to which the lawyer wishes to transfer must both have signed and implemented the agreement.

### **What does "entitled to practise law" mean?**

Some jurisdictions use the term "entitled to practise law." Others use "authorized to practise." In both cases, this means that, as a prerequisite to transferring to BC under Rule 2-81, you must first meet the requirements of your home law society to be entitled or authorized to practise law. You must maintain this status until you have taken membership with the Law Society of BC.

For example, if you are required to have insurance in your home jurisdiction to be considered entitled to practise and you do not currently have insurance, you are not eligible to transfer under Rule 2-81. You must first be reinstated to practising insured status in your home jurisdiction.

### **What are the other requirements for transfer under Rule 2-81?**

To transfer to BC under Rule 2-81, you must fulfil all the requirements in Rule 2-79 for call and admission on transfer from another Canadian jurisdiction, except that you need not write a transfer examination but instead must fulfill a reading requirement.

## What is the reading requirement under Rule 2-81?

In support of an application to transfer under Rule 2-81, you must certify using the prescribed form that you have reviewed and understand:

- the Law Society of BC Member's Manual, including the Legal Profession Act, the Law Society Rules and the Code of Professional Conduct for BC; and
- the following sections of the current Professional Legal Training Course Practice Material and the statutory provisions, regulations and rules referred to in those sections:
  - Professional Responsibility;
  - Law Office Management; and
  - all other sections that you anticipate will be of relevance to your practice of the law of or in British Columbia.

## I am seeking to transfer to BC from a non-reciprocating jurisdiction. What transfer requirements apply?

If you are not eligible to transfer to BC under Rule 2-81, you may still be eligible to transfer to BC from another Canadian jurisdiction under Rule 2-79. The requirements on transfer depend on your recent practice history; specifically, the length of time you have been engaged in the practice of law, and the length of time you have been absent from practice:

Practice history	Transfer requirements
Called to the bar in home jurisdiction within the last three years	Must pass transfer examinations (Rule 2-79(3))
Called to the bar in home jurisdiction more than three years ago and out of practice for no more than three years within the last five years	Must pass transfer examinations (Rule 2-79(3))
Called to the bar in home jurisdiction more than three years ago and out of practice for more than three years within the last five years	Must pass qualification examinations (Rule 2-79(2))
Called to the bar in home jurisdiction at least seven years ago and has not practised law within the last seven years	Must pass qualification examinations (Rule 2-79(2)); Credentials Committee has discretion to impose additional conditions, such as re-articling and completion of the Professional Legal Training Course (PLTC)

## I am an in-house counsel seeking to transfer to BC. What transfer requirements apply?

A transfer applicant may apply to the Credentials Committee for call and admission as an in-house counsel, and seek an exemption from the requirements to write and pass an examination or fulfill the reading requirement under Rule 2-81: see Law Society Rule 2-80. A lawyer who is called and admitted

as an in-house counsel must practise law in British Columbia only on behalf of the lawyer's employer or one of its subsidiaries or affiliates.

A lawyer who wishes to move into a new practice situation may be relieved of this restriction by the Credentials Committee. In the case of a lawyer who is entitled to practise law in a reciprocating jurisdiction under the National Mobility Agreement (or at the time of transferring to BC was entitled to practise law in a jurisdiction that is now a reciprocating jurisdiction) the Committee may allow the lawyer to be relieved of the practice restriction on completion of the prescribed reading requirement. Likewise, in the case of a lawyer who has already practised full time in BC for two years, the Committee may require only completion of the prescribed reading requirement.

In some instances, lawyers must write and pass the required examination, or in certain circumstances (such as where the lawyer has practised full-time in BC for two years) by fulfilling the reading requirement under Rule 2-81.

### **I don't have a Canadian LL.B. degree in the common law. What do I need to do before applying to transfer to BC?**

If you do not possess a Canadian LL.B. degree in the common law, you must obtain a Certificate of Qualification from the National Committee on Accreditation before applying for transfer to BC. For more information, see the information sheet *NCA Certificate of Qualification*.

### **How do I apply for transfer to BC?**

#### **Step 1: Make application**

All applicants seeking to transfer to BC must fulfill the filing requirements in Rule 2-79(1). You must submit to the Law Society:

- an Application for Transfer to British Columbia;
- an Application (Supporting Document): Certificate of Character;
- certificates of standing from all law societies of which you are or have been a member, issued not more than 30 days prior to the date of application;
- the application/investigation fee of \$1,207.50 (\$1,150 plus GST).

If applicable, also submit at this time the PLTC *Practice Material* order form and the fee for the material.

#### **Step 2: Fulfil any applicable exam or reading requirement**

If you are applying to transfer to BC from a reciprocating jurisdiction under Rule 2-81, submit to the Law Society:

- a Statutory Declaration re Transfer Reading Requirement.

If you are applying to transfer under Rule 2-79, you may make arrangements, once your transfer application has been approved, to write the applicable examinations. Details on making the

arrangements, as well as information about the form and content of the examinations, are set out below.

### Step 3: Finalize arrangements for call and admission

On fulfilling your examination or reading requirement, make arrangements to pay the call and admission fees and the practice and insurance fees, and to attend a call ceremony.

#### What are the fees?

The fees for a transfer application vary depending on whether you are required to write an examination and on your membership status (practising, non-practising or retired) and your insurance status at the time of call and admission. For full fee information, see Schedules 1 and 2 of the Law Society Rules.

See the information sheet *Compulsory Professional Liability Insurance* for information on insurance coverage options.

If you do not intend to practise law following transfer, see the information sheets *Non-Practising Membership* and *Retired Membership*.

The following table summarizes the fee components on transfer.

Item	Fee	Fee (including GST)
Application/investigation fee (non-refundable)	\$1,150 plus GST	\$1,207.50
PLTC Practice Material		
if picked up	\$300 plus GST	\$315.00
if delivered	\$325 plus GST	\$341.25
Transfer or qualification examination fee (payable prior to writing the examinations)	\$325 plus GST	\$341.25
Call and admission fee (payable prior to call and admission)	\$250 plus GST	\$262.50
Prorated practice and insurance fees (payable prior to call and admission)	as applicable: see Schedules 1 and 2 of the Law Society Rules	as applicable: see Schedules 1 and 2 of the Law Society Rules

#### Where and when can I write the examinations?

If you are required to pass examinations, you may make arrangements to write the applicable examinations at the Law Society of BC office, another provincial law society office or a Benchers' office once your transfer application is approved. If you prefer to write in another provincial law society office, you must contact that office to schedule your examinations. Once you have set the dates, please notify

the Law Society of BC at least three weeks prior to your first examination in order that we have sufficient time to forward the examinations as required.

The examinations must be written within two weeks of each other. You must pass the examinations within 12 months after approval of your transfer application, and at least 30 days before your intended call and admission date: see Law Society Rule 2-79(5) and (6). The next several call and admission dates are listed below. Once you have passed the applicable examinations, you must be called to the BC bar within that calendar year (unless you are called within the last four months of the year).

### **On what material are the examinations based?**

The transfer and qualification examinations are based on the *Practice Material* used in the Professional Legal Training Course. The *Practice Material* is practice-oriented and provides a transfer candidate with the substantive and procedural knowledge required to practise in British Columbia.

The *Practice Material* also provides a good reference source in practice. When you order, you will receive three volumes of *Practice Material*. The *Practice Material* is also on the Law Society of BC website.

The *Practice Material* does not include the *Legal Profession Act*, the Law Society Rules or the *Code of Professional Conduct for BC* but these are also available for consultation online.

### **What content do the transfer examinations cover?**

The transfer examinations cover general legal knowledge as well as:

- those parts of the *Practice Material* specified in the "List of Examinable Sections" (this list is provided on purchase the *Practice Material*);
- Statutes relevant to those parts;
- the following "Additional Statutes":
  - Business Practices and Consumer Protection Act
  - Employment Standards Act
  - Commercial Arbitration Act
  - Partnership Act
  - Commercial Tenancy Act
  - Age of Majority Act
  - Infant's Act
  - Crown Proceeding Act
  - Interpretation Act Libel and Slander Act

- Occupiers Liability Act
- the *Member's Manual*, which contains the *Legal Profession Act*, the Law Society Rules and the *Code of Professional Conduct for BC*. The Law Society will deliver to you a *Member's Manual* once your transfer application has been approved; the contents are also available online.

For the purposes of the transfer examinations, the examinable subject areas are divided into two examinations as follows:

<b>Examination 1 (Solicitors)</b>	<b>Examination 2 (Barristers)</b>
Business	Civil Procedure
Real Estate	Family Practice
Wills	Additional Statutes
Practice Management	Practice Management

Please note that questions on Ethics are found in other subject areas. Although included in the *Practice Material*, Criminal Procedure and Tax issues will not be examined on the transfer examinations.

**What content do the qualification examinations cover?**

The qualification examinations are primarily based on the following:

- those parts of the *Practice Material* specified in the Reading List of Examinable Sections sent to you by PLTC;
- Statutes relevant to those parts; and
- *Member's Manual*, which contains the *Legal Profession Act*, Law Society Rules and *Code of Professional Conduct for BC*.

For the purpose of the qualification examinations, the examinable subject areas are divided into two examinations, as follows:

<b>Examination 1 (Solicitors)</b>	<b>Examination 2 (Barristers)</b>
Business	Civil Procedure
Real Estate	Family Practice
Wills	Criminal Procedure
Practice Management	Practice Management

Please note:

- Questions on Ethics will be posed within any subject area.
- Knowledge of one subject may be required to answer a related question in another subject. For example, Family Law has Civil Procedure aspects, and so on.
- All segments of the examinations have roughly equal weight in the marking (about 24 to 26 marks per segment). Marks allocated to each of Practice Management, Professional Responsibility and Taxation will not exceed 10 -12 marks on each examination.

## How can I obtain the Practice Material and keep it updated?

The *Practice Material* is available on the Law Society's website at:

[PLTC Practice Material | The Law Society of British Columbia](#)

To obtain a hard copy of the *Practice Material*, submit the Order Form and applicable fee to Katie McConchie, Legal Editor (KMcConchie@lsbc.org)

If there are significant statutory or case law changes after the date of publication of the *Practice Material*, you are responsible for updating the law on your own.

All enquiries regarding updates for the *Practice Material* should be directed to:

Practice Material Editor  
Law Society of British Columbia  
845 Cambie Street  
Vancouver, BC V6B 4Z9

Tel.: 604.669.2533  
BC toll-free: 1.800.903.5300  
Fax: 604.646.5907  
PLTC@lsbc.org

Statutes may be viewed online at: [www.canlii.org](http://www.canlii.org)

You may purchase the Additional Statutes from:

Crown Publications  
521 Fort Street  
Victoria, BC V8W 1E7

Tel.: 250.386.4636  
Fax: 250.386.0221

## How long are the examinations and what format do they take?

Each examination is three hours long and is approximately equal in length and difficulty. The questions are grouped into subject areas. The number of marks are shown beside each question. Marks for each subject are roughly equal.

The examinations contain mostly short answer questions with some multiple choice. The questions primarily examine the *Practice Material*. Sample examination questions are provided when you purchase the *Practice Material*.

## Are materials permitted during the examinations?

You may bring only the *Practice Material*, Additional Statutes, the *Criminal Code*, the *Member's Manual* your own notes, BC Annual Practice (the “White Book”) and any other Statutes you wish into the examinations. Since the examinations are comprehensive, all applicants should have a good understanding of the *Practice Material* before writing these examinations.

### **What is the passing mark on the examinations?**

The passing mark on each examination is 60%.

### **Can I re-write the examinations if I fail?**

Applicants who fail one or both examinations on the first attempt may re-write the failed examination or examinations at any time. If unsuccessful on the second attempt, the applicant must wait one year before re-writing both examinations, unless the Credentials Committee grants permission pursuant to Rule 2-79(7)(c).

An unsuccessful applicant may review a failed examination at the offices of the Law Society or, with permission, the office of a Bencher of the Law Society. Re-reads of a failed examination are available on written request.

### **What are the final steps that must be taken to be called and admitted in BC?**

In order to be called and admitted in BC, a transfer candidate must either:

- attend a call ceremony and be presented in open court; or
- before beginning the practice of law, take the barristers and solicitors' oath before a judge or a practising lawyer: see Rule 2-84(2).

A candidate opting to take the oath before a judge or practising lawyer will not be entitled to renew his or her practising certificate until after having attended a call ceremony.

### **What are the dates for upcoming call ceremonies?**

Dates for call ceremonies can be found on the Law Society's website at: [lawsociety.bc.ca](http://lawsociety.bc.ca). See “Calendar” under the heading QUICKLINKS, on the right hand side of the page.

### **Can I be called and admitted outside the Lower Mainland?**

Call ceremonies are normally held only in Vancouver, but occasionally are held in other areas of the province on an as-needed basis. A regional call ceremony may be arranged in other areas where there is an applicant/candidate who wants to be called, a Bencher or local bar association who wants to hold the ceremony, and an available Supreme Court judge and courtroom.

To determine the location and date of any pre-arranged regional ceremonies, please contact Credentials & Licensing at [callceremonies@lsbc.org](mailto:callceremonies@lsbc.org).

### **Can I enrol in the Law Society Admission Program rather than apply to transfer to BC?**

You may wish to enrol in the Law Society Admission Program (LSAP) and complete articles and the Professional Legal Training Course (PLTC) despite your eligibility to be called and admitted on the basis of transfer. If you choose to enrol in LSAP instead of pursuing an application for transfer, you must:

- provide a letter to the Law Society confirming that you are aware of your options and have chosen the LSAP route;
- pay the unsubsidized fee for PLTC of \$4,488.75 (\$4,275 plus GST); and
- if you decide to change to a transfer applicant during the LSAP period, provide a complete transfer application and transfer application fee of \$1,207.50 (\$1,150 plus GST) at least 30 days before your proposed call date.

For more information, see the information sheet *Law Society Admission Program*.

### **How can I obtain more information?**

If you have any questions regarding transfer to British Columbia or if you wish to schedule examinations relating to your transfer application, please contact:

Registration & Licensee Services  
Law Society of British Columbia  
8th Floor, 845 Cambie Street  
Vancouver, BC V6B 4Z9

Tel.: 604.605.5311  
BC toll-free: 1.800.903.5300  
Fax: 604.687.0135  
Email: [registration@lsbc.org](mailto:registration@lsbc.org)

*The information in this package is based on the Law Society Rules as they exist at this time. You must comply with the Rules that are in effect at the time you apply to transfer to British Columbia and with any changes in the Rules that may occur while you are in the process of transferring. If you have any questions about transfer to BC, contact Registration & Licensee Services at the Law Society of British Columbia.*

## Law Society Rules

### Transfer from another Canadian jurisdiction

- 2-79** (1) An applicant for call and admission on transfer from another jurisdiction in Canada must deliver the following to the Executive Director:
- (a) an application for call and admission on transfer in a form approved by the Credentials Committee, including written consent for the release of relevant information to the Society;
  - (b) a certificate of character;
  - (c) a certificate of standing from each body regulating the legal profession in any jurisdiction in which the applicant is or has been a member of the legal profession;
  - (d) an errors and omissions insurance application or exemption form;
  - (e) proof of academic qualification
    - (i) as required of applicants for enrolment under Rule 2-54 (2) [*Enrolment in the admission program*], or;
    - (ii) for a member of the Barreau, proof that he or she has earned
      - (A) a bachelor's degree in civil law in Canada, or
      - (B) a foreign degree and a certificate of equivalency from the Barreau;
  - (f) the following fees:
    - (i) the application fee and call and admission fees specified in Schedule 1;
    - (ii) the prorated practice fee specified in Schedule 2;
    - (iii) the prorated annual insurance fee specified in Schedule 2, unless exempt under Rule 3-43 [*Exemption from liability insurance*];
  - (g) any other information and documents required by the Act or these rules that are requested by the Credentials Committee or the Benchers.
- (2) An applicant under this rule must not be called and admitted unless the Executive Director is satisfied that the lawyer is not prohibited from practising law under Rule 2-89 [*Returning to practice after an absence*].
- (3) Unless Rule 2-81 [*Transfer under National Mobility Agreement and Territorial Mobility Agreement*] applies, an applicant under this rule must pass an examination on jurisdiction-specific substantive law, practice and procedure set by the Executive Director.
- (4) An applicant who does not satisfy the Executive Director that he or she has an adequate knowledge of the English language must satisfactorily complete the training required by the Credentials Committee.
- (5) An applicant who is required to write an examination under this rule or Rule 2-89 [*Returning to practice after an absence*] must pass the required examination within 12 months after the Executive Director's decision to permit the applicant to write the examination.
- (6) At least 30 days before writing the first examination, an applicant who is required to write an examination under this rule or Rule 2-89 [*Returning to practice after an absence*] must pay the fee specified in Schedule 1 for the examination.
- (7) An applicant who fails the transfer or qualification examination

- (a) is entitled to a formal re-read of the examination on application to the Executive Director in writing within 30 days of notification of his or her failure,
- (b) may re-write the examination
  - (i) at any time, provided he or she has not failed the examination before, or
  - (ii) after a period of one year from the date of the failure if he or she has previously failed the examination, or
- (c) may be permitted to write the examination for a third or subsequent time at any time despite paragraph (b) (ii) on application to the Credentials Committee in writing stating
  - (i) compassionate grounds, supported by medical or other evidence, or
  - (ii) other grounds based on the applicant's past performance.

### **In-house counsel**

- 2-80** (1) An applicant under Rule 2-79 [*Transfer from another Canadian jurisdiction*] may apply to the Credentials Committee for call and admission as in-house counsel.
- (2) On an application under this rule, the Credentials Committee may exempt an applicant from the requirements to write and pass the transfer examination or the qualification examination or complete the requirement under Rule 2-81 (3) [*Transfer under National Mobility Agreement and Territorial Mobility Agreement*].
- (3) A lawyer who is called and admitted as in-house counsel must practise law in British Columbia only on behalf of the lawyer's employer or one of its subsidiaries or affiliates.
- (4) On application of a lawyer called and admitted as in-house counsel, the Credentials Committee may relieve the lawyer of the restriction under subrule (3), on the lawyer
- (a) writing and passing the required examination under Rule 2-79 [*Transfer from another Canadian jurisdiction*], or
  - (b) completing the requirements under Rule 2-81 (3) [*Transfer under National Mobility Agreement and Territorial Mobility Agreement*], if the lawyer
    - (i) has practised law full-time in British Columbia for 2 years, or the equivalent in part-time practice, immediately preceding the application,
    - (ii) is entitled to practise law in the jurisdiction of a reciprocating governing body of which the applicant is a member, or
    - (iii) was, when called and admitted in British Columbia, entitled to practise law in the jurisdiction of a governing body that is now a reciprocating governing body, of which the applicant was a member.

### **Transfer under National Mobility Agreement and Territorial Mobility Agreement**

- 2-81** (1) This rule applies to an applicant for transfer from another Canadian jurisdiction, provided that the applicant is entitled to practise law in the jurisdiction of a reciprocating governing body of which the applicant is a member.
- (2) An applicant under this rule must fulfill all of the requirements in Rule 2-79 [*Transfer from another Canadian jurisdiction*] for call and admission on transfer from another Canadian jurisdiction, except that he or she need not pass any transfer examination.

- (3) To qualify for call and admission, an applicant under this rule must certify, in a prescribed form, that he or she has reviewed and understands all of the materials reasonably required by the Executive Director.
- (4) A lawyer called and admitted under this rule has no greater rights as a member of the Society than
  - (a) the lawyer has as a member of the governing body of his or her home jurisdiction, or
  - (b) any other member of the Society in similar circumstances.

### **Transfer as Canadian legal advisor**

- 2-82** (1) Subject to subrule (3), a member of the Chambre may apply for call and admission on transfer as a Canadian legal advisor by delivering to the Executive Director the following:
- (a) a completed application for call and admission as a Canadian legal advisor in a form approved by the Credentials Committee, including written consent for the release of relevant information to the Society;
  - (b) a certificate of character;
  - (c) a certificate of standing from the Chambre and each other body regulating the legal profession, in any jurisdiction, in which the applicant is or has been a member of the legal profession;
  - (d) an errors and omissions insurance application or exemption form;
  - (e) the following fees:
    - (i) the application fee and call and admission fees specified in Schedule 1;
    - (ii) the prorated practice fee specified in Schedule 2;
    - (iii) the prorated annual insurance fee specified in Schedule 2, unless exempt under Rule 3-43 [*Exemption from liability insurance*];
  - (f) any other information and documents required by the Act or these rules that are requested by the Credentials Committee or the Benchers.
- (2) Subject to subrule (1), Rules 2-79 to 2-84 apply, with any necessary changes, to an application for call and admission on transfer as a Canadian legal advisor.
- (3) This rule does not apply to a member of the Chambre unless he or she has earned a bachelor's degree in civil law in Canada or a foreign degree and a certificate of equivalency from the Chambre.

### **Consideration of application for call and admission**

- 2-83** (1) The Executive Director must consider an application for call and admission by a person meeting the requirements under this division, and may conduct or authorize any person to conduct an investigation concerning the application.
- (2) On an application for call and admission, the Executive Director may
  - (a) authorize the call and admission of the applicant without conditions or limitations, or
  - (b) refer the application to the Credentials Committee.
- (3) When the Executive Director refers an application to the Credentials Committee under subrule (2), the Committee may
  - (a) authorize the call and admission of the applicant without conditions or limitations,
  - (b) authorize the call and admission of the applicant with conditions or limitations on the applicant's practice, if the applicant consents in writing to those conditions or limitations, or

- (c) order a hearing.

### **Barristers and solicitors' roll and oath**

- 2-84** (1) The Executive Director must maintain the barristers and solicitors' roll in paper or electronic form, or a combination of both.
- (2) Every lawyer who is called to the Bar of British Columbia and admitted as a solicitor of the Supreme Court must,
- (a) before beginning the practice of law, take the barristers and solicitors' oath in a form approved by the Benchers before a judge of the Provincial Court or a superior court in British Columbia or before a practising lawyer, and
  - (b) be presented in open court before one or more of the judges of the Supreme Court.
- (3) The Executive Director must enter in the barristers and solicitors' roll the full names of all persons who are called as barristers and admitted as solicitors.
- (4) On proof that an applicant who has otherwise qualified for call and admission has taken the oath required under subrule (2) (a), the Executive Director must issue to the applicant a practising certificate, a non-practising certificate or a Canadian legal advisor certificate, as the case may be.
- (5) The Executive Director must not renew a practising certificate or a Canadian legal advisor certificate issued under subrule (4) unless the lawyer has been presented in open court as required under subrule (2) (b).
- (6) As an exception to subrule (5), the Executive Director may renew a certificate issued under subrule (2) (b) within four months of its expiry date.

## **Canadian legal advisors**

### **Scope of practice**

- 2-35** (1) A Canadian legal advisor may
- (a) give legal advice on
    - (i) the law of Québec and matters involving the law of Québec,
    - (ii) matters under federal jurisdiction, or
    - (iii) matters involving public international law, or
  - (b) where expressly permitted by federal statute or regulation
    - (i) draw, revise or settle a document for use in a proceeding concerning matters under federal jurisdiction, or
    - (ii) appear as counsel or advocate before any tribunal with respect to matters under federal jurisdiction.
- (2) A Canadian legal advisor must not engage in the practice of law except as permitted under subrule (1).

### **Requirements**

- 2-36** (1) A member in good standing who is admitted as a Canadian legal advisor has all the duties and responsibilities of a practising lawyer under the Act, these rules and the *Code of Professional Conduct*.

- (2) A Canadian legal advisor must
- (a) be a member in good standing of the Chambre authorized to practise law in Québec,
  - (b) undertake to comply with Rule 2-35 [*Scope of practice*], and
  - (c) immediately notify the Executive Director in writing if he or she ceases to be authorized to practise law in Québec.