

## NOTICE OF MOTION

Notice is hereby given pursuant to section 93 of By-Law 3 of our intention to make the following motion at the next meeting of Convocation on 6 August 2020:

\_\_Clare Sellers\_\_\_\_\_  
Mover: Clare Sellers, July 15, 2020

\_\_Nancy Lockhart\_\_\_\_\_  
Second: Nancy Lockhart, July 15, 2020

(Motion with original signatures received by the Secretary)

## MOTION

That By-Law 3 be amended by adding Part IX as follows:

### PART IX

#### BENCHER CODE OF CONDUCT

138. In this Part,

“Bencher” means elected, appointed, ex officio, emeritus benchers and includes ex officio and emeritus Treasurers

“Governance Policies and Practices” means the Governance Policies and Practices that were adopted by Convocation on February 28, 2019 as may be amended from time to time.

“Bencher Code of Conduct” means the Bencher Code of Conduct that was incorporated into the Governance Policies and Practices as may be amended from time to time.

“Declaration of Adherence” means the Declaration of Adherence that was incorporated into the Governance Policies and Practices as may be amended from time to time.

139. All Benchers are bound by the Bencher Code of Conduct which is incorporated by and forms part of this By-Law.

140. Each Bencher shall execute a copy of the Declaration of Adherence and deliver same to the Secretary of Convocation.

141. A Bencher who fails to comply with section 140 of this Part or who purports to withdraw from their Declaration of Adherence or any part thereof:

- a. may not take part in a debate in Convocation;
- b. may not move or second a motion in Convocation;
- c. is not entitled to receive any remuneration from the Society pursuant to Part III of this By-Law;
- d. is ineligible for appointment by Convocation to a standing committee or task force; and
- e. may not attend, take part in a debate in, or vote at, a standing committee, task force, working group or any other committee of the Law Society even if a member thereof

unless and until such Bencher has executed a copy of the Declaration of Adherence and has delivered same to the Secretary of Convocation.

142. The Treasurer or Convocation may request the resignation of a Bencher who has failed to execute a copy of the Declaration of Adherence and deliver same to the Secretary of Convocation after either:

- a. becoming a Bencher; or
- b. purporting to withdraw from their Declaration of Adherence or any part thereof

where such failure continues for at least 60 days.

143. The Treasurer and Convocation are required and authorized to act as provided for in Part 4 of the Bencher Code.

144. The rules of practice and procedure mentioned in section 60 of the Bencher Code are the rules of practice and procedure made under the *Law Society Act* modified to the extent necessary to apply as if Convocation were a panel of the Hearing Division.

145. Without limitation, the "certain rights and privileges" mentioned in section 63(b) of the Bencher Code may include the rights and privileges mentioned in subsections (a) to (e) of section 141 of this By-Law.

146. The provisions of this Part shall prevail to the extent of any inconsistency with this By-Law or any other By-Law.