



**Tab 3**

**Secretary's Report to Convocation  
April 23, 2015**

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**Amendment to By-Law 3 Respecting Nominations for the  
Treasurer's Election**

**Purpose of Report:      Decision**

**Prepared by the Policy Secretariat  
Jim Varro (416-947-3434)**

**FOR DECISION**

**AMENDMENT TO BY-LAW 3**

**Motion**

1. That Convocation make the amendment to By-Law 3 [Benchers, Convocation and Committees] set out in the motion at [Tab 3.1](#) respecting the date for the close of nominations for the election of the Treasurer in a year for the election of lawyer benchers.

**Issue for Consideration**

2. In a year in which a bencher election for lawyer benchers is held, By-Law 3 (Benchers, Convocation and Committees) provides that the close of nominations for the Treasurer's election is the fourth Friday in May.
3. The *Law Society Act* requires that an elected bencher be elected as Treasurer.
4. If Convocation in May is scheduled to be after the fourth Friday in May in an election year, those benchers who may wish to be candidates for the election of the Treasurer will not have taken office as benchers, as By-Law 3 provides that they take office as an elected bencher at the May Convocation in an election year. As such, benchers who are elected at the end of April but who have not taken office before the close of nominations for the election of the Treasurer are not eligible candidates in the Treasurer's election.
5. An amendment to the By-Law is required to modify the date for the close of nominations in an election year to ensure that candidates are eligible for election.
6. The proposed amendment to By-Law 3 in this report provides that the close of nominations is on the Friday immediately after the day on which the regular meeting of Convocation is held in May.

THE LAW SOCIETY OF UPPER CANADA  
BY-LAWS MADE UNDER SUBSECTIONS 62 (0.1) AND (1) OF THE LAW SOCIETY ACT  
BY-LAW 3  
[BENCHERS, CONVOCATION AND COMMITTEES]

MOTION TO BE MOVED AT THE MEETING OF CONVOCATION ON APRIL 23, 2015

MOVED BY

SECONDED BY

THAT By-Law 3 [Benchers, Convocation and Committees], made by Convocation on May 1, 2007 and amended by Convocation on June 28, 2007, September 20, 2007, November 22, 2007, June 26, 2008, April 30, 2009, September 24, 2009, February 25, 2010, May 27, 2010, October 28, 2010, November 25, 2010, January 27, 2011, November 24, 2011, April 26, 2012, September 27, 2012, September 25, 2013, February 27, 2014, March 4, 2014 and September 24, 2014, be further amended as follows:

1. Subsection 55 (4) of the English version of the By-Law is amended by deleting “the fourth Friday in May” and substituting “the Friday immediately after the day on which the regular meeting of Convocation is held in May”.

2. Subsection 55 (4) of the French version of the By-Law is amended by deleting “autorisés à pratiquer le droit en Ontario en qualité d’avocat et avocate, la date de clôture des mises en candidature tombe le quatrième vendredi de mai à 17 heures” and substituting “autorisés à exercer le droit en Ontario en qualité d’avocats, la date de clôture des mises en candidature tombe à 17 heures le vendredi qui suit immédiatement le jour de la réunion ordinaire du Conseil de mai”.