



## Executive Committee

### Terms of Reference<sup>1</sup>

Updated: January 2022

### Mandate

The Executive Committee provides direction and oversight for the strategic planning of the Law Society and assists in developing agendas for Benchers meetings to ensure that the Benchers exercise their oversight, regulatory and policy development responsibilities. The Executive Committee also works with the Executive Director and senior management on the operational priorities for the organization and provides support and advice to the Executive Director and senior management on the overall operations of the Law Society. The Executive Committee authorizes significant agreements and the appointment of counsel for the Law Society. The Executive Committee also recommends appointments to outside bodies and exercises such other authority as is delegated to it by the Benchers or as is provided for in the Rules.

### Composition

1. The Executive Committee consists of the following Benchers:<sup>2</sup>
  - a) the President;
  - b) the First and Second Vice-Presidents;
  - c) the Second Vice-President-elect, if not already a member of the Executive Committee;
  - d) 3 other elected Benchers; and
  - e) one appointed Bencher.
2. The President is the Chair and the First Vice-President is the Vice-Chair.<sup>3</sup>

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<sup>1</sup> Nothing in this document amends, replaces or supersedes the relevant provisions in the *Legal Profession Act* or the Law Society Rules.

<sup>2</sup> Rule 1-50(1)

<sup>3</sup> Rule 1-50(2)

## **Meeting Practices**

1. The Committee operates in a manner that is consistent with the Benchers' governance policies.
2. The Committee meets as required.
3. Quorum is 4 members of the Committee.<sup>4</sup>

## **Accountability**

The Committee is accountable to the Benchers as a whole.<sup>5</sup>

## **Reporting Requirements**

The Chair reports regularly to the Benchers on the work of the Committee and the minutes of the Committee meetings are provided at each subsequent Bencher meeting.

## **Duties and Responsibilities**

1. Assist the President and Executive Director in establishing the agenda for Bencher meetings and the annual general meeting; assist the Benchers and the Executive Director in establishing relative priorities for the assignment of Society financial, staff and volunteer resources; plan Bencher meetings or retreats held to consider a policy development schedule for the Benchers and provide constructive performance feedback to President.<sup>6</sup>
2. Authorize the execution of documents relating to the business of the Society and appoint one or more persons to affix the seal of the Society to a document as required<sup>7</sup> and specifically as provided in the Schedule of the Authorizations approved by the Benchers.
3. Authorize the appointment of counsel to advise or represent the Law Society when the Law Society is the plaintiff, petitioner or intervenor in an action or proceeding.<sup>8</sup>
4. Recommend appointments to the appointing bodies on appointments to outside bodies and make, as required, appointments to the Board of Governors of the Law Foundation.<sup>9</sup>

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<sup>4</sup> Rule 1-17(2)

<sup>5</sup> Rule 1-50(3)

<sup>6</sup> Rule 1-51(f) - (i)

<sup>7</sup> Rule 1-51(b), Rule 1-45(1)(b)

<sup>8</sup> Rule 1-51(a)

<sup>9</sup> Rule 1-51(j) & (m)

5. Determine the date, time and places for the Annual General Meeting, and set the agenda.<sup>10</sup>
6. Oversee the process in connection with the Bencher elections.<sup>11</sup>
7. Determine what constitutes a client matter in individual cases and extend or vary the time for remitting the trust administration fee and report.<sup>12</sup>
8. Designate savings institution under section 33(3)(b) of the Act.<sup>13</sup>
9. Consider claims for unclaimed trust funds and hold hearings if required.<sup>14</sup>
10. Provide oversight and direction on Law Society policy for consideration and approval by the Benchers, and, in particular, coordination of the preparation and presentation of any regulatory policy development, the drafting and presentation of amendments to the Law Society Rules, governance matters and unauthorized practice policy decisions, and any other matters delegated to the Committee elsewhere in the Rules or by the Benchers.<sup>15</sup>

## **Staff Support**

Director, Governance, Privacy and Information Management  
Manager, Governance and Board Relations

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<sup>10</sup> Rule 1-51(k)

<sup>11</sup> Rule 1-51(l)

<sup>12</sup> Rule 1-51(n)

<sup>13</sup> Rule 1-51(o)

<sup>14</sup> Rule 1-51(p)

<sup>15</sup> Further to the Benchers' decision at the December 3, 2021 meeting to wind up certain committees.