**LAW SOCIETY OF PRINCE EDWARD ISLAND**

**Policy on Readmission Following Resignation (Regulation 53)**

**1 Purpose**

**1.1** The purpose of this Policy on Readmission Following Resignation (Regulation 53) (“Policy”) is to outline the requirements, procedures, and expectations for previous members of the Society who have resigned and wish to be readmitted as members of the Law Society of Prince Edward Island (“the Society”).

**1.2** This Policy should be read in tandem with the *Legal Profession Act* (“*Act”)* and Regulations made pursuant to the *Act*. If there is a conflict between the Policy and the provisions of the *Act* and/or Regulations made pursuant to the *Act*, the provision of the *Act* and Regulations prevail.

 **2 Decision-Making Process**

**2.1** The Secretary-Treasurer is responsible for making all determinations regarding applications submitted under this Policy, except where:

* The Regulations require referral to Council; or
* The Secretary-Treasurer, in their sole discretion, determines that such referral is necessary.

**2.2** In every instance, all decisions will adhere to the guidelines and procedures set forth in the Society’s *Policy on Decision-Making in the Public Interest*, ensuring decisions are made in the public interest and in full compliance with the *Act*, its Regulations, and the Society’s mandate.

**3 Application of Policy**

**3.1** This policy applies to lawyers who have resigned from the Society, excepting lawyers who have been permitted to resign by a hearing panel. (See *Policy on Readmission Following Disbarment*).

**4 The Application**

**4.1** Pursuant to Regulation 53(1), a person who has resigned from the Society, and who is not a member of another law society in Canada, may apply to be readmitted to the Society.

# 5 Procedure for Application

# 5.1 A written application for readmission should be directed to the Secretary-Treasurer together with the prescribed fee.

# 6 Content of Application

# 6.1 The content of the application is prescribed by Regulation 53(2):

# *An application under this section shall be in the prescribed form, accompanied by the prescribed fee, and shall provide a) contact information, b) professional history, c) information confirming good character, d) information confirming fitness, e) information confirming competence to practice law, f) if the member is or has been a member of a law society in a foreign jurisdiction, certificates of standing from each jurisdiction, g) such other information that may be required by the Secretary-Treasurer or the Council.*

# 7 Good Character and/or Fitness Evidence

# 7. 1 The Secretary-Treasurer or Council may obtain additional information regarding the applicant’s good character and/or fitness from the applicant or any other person.

# 8 Authority of Secretary-Treasurer

# 8.1 The Secretary-Treasurer may approve the application unless the Secretary-Treasurer is required to refer the application to Council per Regulation 53(5).

# 9 Consideration of the Application

# 9. 1 The Secretary-Treasurer or Council will evaluate the application considering the public interest and may require the applicant to submit additional information.

# 9. 2 Where there are issues about the applicant’s character or fitness, the applicant may be subject to a Credentials Inquiry.

# 9. 3 Decisions under Regulation 53 will be pursuant to section 2 of this Policy.

# 10 Call to the Bar Required

# 10. 1 Pursuant to Regulation 53(9), upon approval of an application for readmission, the applicant must be called to the Bar.

# 11 Period of Supervision

# 11.1 During any required period of supervision, the applicant is considered a practicing lawyer and must be fully insured and pay the fees of a practicing lawyer.

# *Approved by Council – MM/DD, 2025*