

# BILL

No. 115

## An Act respecting King's Counsel and Precedence at the Bar

### TABLE OF CONTENTS

1	Short title	6	Precedence of other members of the Bar
2	Appointment	7	Crown counsel
3	Exception and limitation	8	Revocation of appointment
4	Precedence of certain officials	9	RSS 1978, c Q-2 repealed
5	Precedence of King's Counsel	10	Coming into force

---

(Assented to )

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

#### Short title

1 This Act may be cited as *The King's Counsel Act*.

#### Appointment

2 The Lieutenant Governor in Council may authorize the issue of letters patent under the Great Seal for the appointment during pleasure of members of the Bar of Saskatchewan residing in Saskatchewan as provincial officers under the name of His Majesty's counsel learned in the law for Saskatchewan.

#### Exception and limitation

3 Other than a person who holds or has held the office of Attorney General or Solicitor General of Canada or Attorney General or Deputy Attorney General for Saskatchewan, a person is not eligible to be appointed pursuant to section 2 unless that person has been entitled during 10 years to practise in the superior courts of the United Kingdom of Great Britain and Northern Ireland or of any province or territory of Canada or for a portion of that period in one and for the remaining portion of that period in another or others of those courts.

## KING'S COUNSEL ACT

**Precedence of certain officials**

4 The following members of the Bar of Saskatchewan have precedence in the courts of Saskatchewan in the following order:

- (a) the Attorney General for Saskatchewan for the time being;
- (b) the members of the Bar of Saskatchewan who have filled the office of Attorney General of Canada or of Attorney General for Saskatchewan according to seniority of appointment as Attorney General;
- (c) the members of the Bar of Saskatchewan who have filled the office of Solicitor General of Canada according to seniority of appointment as Solicitor General.

**Precedence of King's Counsel**

5 Members of the Bar of Saskatchewan appointed by the Lieutenant Governor in Council to be His Majesty's counsel learned in the law for Saskatchewan severally have the precedence in the courts of Saskatchewan that is assigned to them by the Lieutenant Governor in Council under the Great Seal.

**Precedence of other members of the Bar**

6 The remaining members of the Bar of Saskatchewan as between themselves have precedence in the courts of Saskatchewan in the order of their enrolment.

**Crown counsel**

7(1) Nothing in this Act affects or alters any right of precedence that applies to a member of the Bar of Saskatchewan when acting as counsel for His Majesty or for any Attorney General of His Majesty in any matter in the name of His Majesty or of the Attorney General before the courts.

(2) The right and precedence mentioned in subsection (1) remains as if this Act had not been passed.

**Revocation of appointment**

8 If a person who has been appointed to be one of His Majesty's counsel learned in the law for Saskatchewan is disbarred pursuant to *The Legal Profession Act, 1990* for any cause other than non-payment of fees payable by that person to the law society:

- (a) the appointment is, on disbarment, automatically revoked and that person shall promptly forward the person's letters patent to the Attorney General for Saskatchewan; and
- (b) if the person fails to forward the letters patent pursuant to clause (a), the person is guilty of an offence and liable on summary conviction to a fine not exceeding \$50.

**RSS 1978, c Q-2 repealed**

9 *The Queen's Counsel Act* is repealed.

**Coming into force**

10 This Act comes into force on assent.



THIRD SESSION

**Twenty-ninth Legislature**

SASKATCHEWAN

---

**BILL**

No. 115

An Act respecting King's Counsel  
and Precedence at the Bar

---

Received and read the

First time

Second time

Third time

And passed

---

Honourable Bronwyn Eyre

---