

NOTICE OF MEASURE

to Achieve a Legitimate objective under Chapter 7 of the Canadian Free Trade Agreement (CFTA)

Approved by the GOVERNMENT OF SASKATCHEWAN

Regulated Occupation Name: Lawyer

Province(s)/Territory(ies) whose workers are affected: Quebec

Under which legitimate objective(s) is/are the measure(s) being filed: Consumer Protection

Rationale/Justification: Material Scope of Practice Difference

The practice of law involves advising on and assisting in the creation of legal rights and obligations which can significantly and permanently impact clients' personal, commercial or economic status. A high level of subject matter knowledge is required, as is an understanding of the legal and cultural contexts, and procedures in place to address a client's legal issue(s).

There are two legal systems in Canada: the common law system, which is used everywhere in Canada other than Quebec, and the civil law system, used in Quebec. Although there are significant foundational differences between the two legal systems, all public law in Quebec is based on the common law system. As a result, lawyers licensed by the Barreau du Québec who obtain their legal education in a civil law program in Canada receive significant education in common law. Civil lawyers educated in Canada also study the same constitutional, criminal, tax, intellectual property and other public law subjects as Canadian common law lawyers.

Pursuant to the 2010 Mutual Recognition Agreement between the Barreau du Québec and the Conseil national des barreaux du France, lawyers from France can obtain a license to practice in Quebec upon the successful completion of a single exam on legal ethics. Unlike Canadian trained civil lawyers, lawyers from France do not receive any training in the Canadian common law system or Canadian public law and so do not possess the necessary knowledge and expertise to practice in Saskatchewan's common law system.

Additional Requirement(s):

Individual assessment of the educational credentials and experience and, if required, successful completion of additional training, examinations and/or experience for lawyers licensed by the Barreau du Québec through the Mutual Recognition Agreement between the Barreau and the Conseil national des barreaux du France.

Anticipated Duration of the additional requirement(s): Indefinite

Date Approved:

09/04/01
YY/MM/DD

Date(s) Reviewed and/or Updated

21/03/01
YY/MM/DD

Contact Information

Saskatchewan Labour Mobility Coordinator
labour-mobility@gov.sk.ca