

BY-LAW 13

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Amended: June 28, 2007
October 28, 2010
September 27, 2012

LEGAL INFORMATION

PART I

REPORTING OF COURT DECISIONS

ONTARIO REPORTS

Copies of Ontario Reports

1. (1) Subject to subsection (2), copies of the Ontario Reports shall be provided at the expense of the Society to,
 - (a) licensees whose licences are not suspended and who are not in default for payment of an annual fee; and
 - (b) such persons as Convocation may from time to time determine.

Exceptions

- (2) Copies of the Ontario Reports shall not be provided to a licensee who has chosen not to receive the Ontario Reports.

Other reports

- (3) Convocation may, from time to time, determine to provide reports of court decisions other than the Ontario Reports to any persons mentioned in subsection (1).

Application of subs. (2)

- (4) Subsection (2) applies, with necessary modifications, to the provision under subsection (3) of reports of court decisions other than the Ontario Reports to licensees.

Advertising in the Ontario Reports

2. The Society may permit the publisher of the Ontario Reports to publish with each part of the Ontario Reports such advertising not objectionable to the Society as the publisher may wish to print at his, her or its own expense, but all such advertising shall be kept entirely separate from the text of the Ontario Reports.

REASONS FOR JUDGMENT

Distribution

3. Convocation may make provision for the distribution of copies of reasons for judgment on such terms as Convocation may from time to time determine.

PART II

COUNTY LAW LIBRARIES

INTERPRETATION

Definitions

4. In this Part,

“association” means a county or district law association formed under Regulation 708 of the Revised Regulations of Ontario, 1990 or any predecessor of it;

“Corporation” means the corporation established as required under section 6;

“county law library” means a law library established by an association;

“trustees”, where an association is incorporated, means the directors of the corporation.

Interpretation: “county law library funded by the Corporation”

5. In this Part, “county law library funded by the Corporation” means,

- (a) a county law library established under Regulation 708 of the Revised Regulations of Ontario, 1990, any predecessor of Regulation 708 of the Revised Regulations of Ontario or any predecessor of this By-Law and in existence on the day on

which this By-Law comes into force; and

- (b) a county law library established with the approval of the Corporation after the day on which this By-Law comes into force.

LIBRARY CORPORATION

Corporation to be established

- 6. (1) The Society shall cause a corporation to be established in accordance with this section for the purposes of,
 - (a) establishing and administering a system for the provision of law library services and programs by county law libraries funded by the Corporation;
 - (b) establishing policies and priorities for the provision of law library services and programs by county law libraries funded by the Corporation based on the financial resources available to the Corporation;
 - (c) providing to associations funding to pay for the operation of county law libraries funded by the Corporation;
 - (d) monitoring and supervising the provision of law library services and programs by county law libraries funded by the Corporation, including establishing guidelines and standards for the organization and operation of county law libraries funded by the Corporation and for the provision of law library services and programs by county law libraries funded by the Corporation; and
 - (e) advising Convocation on all aspects of the provision of law library services and programs by county law libraries funded by the Corporation, including anything that affects or may affect the demand for or quality of law library services and programs.

Classes of shares

- (2) The Corporation shall have two classes of shares as follows:
 - 1. A class of shares, to be issued to the Society.
 - 2. A class of shares, giving the County and District Law Presidents' Association the exclusive right to elect three directors and the Toronto Law Association the

exclusive right to elect one director, to be issued to the County and District Law Presidents' Association and the Toronto Law Association as follows:

- i. 75 percent of the shares to be issued to the County and District Law Presidents' Association.
- ii. 25 percent of the shares to be issued to the Toronto Law Association.

Directors

- (3) The Corporation shall consist of eight directors.

COUNTY LAW LIBRARIES

Application to establish county law library

7. (1) An association that wishes to establish a county law library to be operated by the association and funded by the Corporation shall apply to the Corporation for its approval to establish the county law library.

Same

(2) An application under subsection (1) shall contain the information required by the Corporation.

Operation of county law library

8. (1) A county law library funded by the Corporation shall be operated by the association in accordance with any guidelines and standards established by the Corporation.

Provision of law library services and programs

(2) A county law library funded by the Corporation shall provide library services and programs in accordance with any guidelines, standards, policies and priorities established by the Corporation.

Library materials

9. (1) The trustees of an association shall continue to hold in trust for the Society all library materials of its county law library that the trustees held in trust for the Society before the day on which this By-Law comes into force.

Same

(2) Subject to subsection (3), the trustees of an association shall hold the library materials of its county law library in trust for the Society.

Same

(3) Library materials acquired by an association for its county law library after the day on which the Corporation is established shall be held by the trustees of the association in trust for the Corporation.

Return of library materials to Society

(4) In case of the dissolution or winding-up of an association, the disposal of the property of an association or a direction from the Society to return to it the library materials of an association=s county law library that are held in trust for it, the trustees of the association shall, at the expense of the association, return all library materials of the association=s county law library that are held in trust for the Society to the Society, subject to any other directions from the Society.

Return of library materials to Corporation

(5) In case of the dissolution or winding-up of an association, the disposal of the property of an association or a direction from the Corporation to return to it the library materials of an association=s county law library that are held in trust for it, the trustees of the association shall, at the expense of the association, return all library materials of the association=s county law library that are held in trust for the Corporation to the Corporation, subject to any other directions from the Corporation.

Failure to return library materials

(6) If the trustees of an association do not return the library materials of the association=s county law library to the Society, as required under subsection (4), or to the Corporation, as required under subsection (5), the Society or the Corporation, as the case may be, may take such steps as it considers advisable to obtain the library materials that were required to be returned to it, and the association shall reimburse the Society or the Corporation for any expense incurred by it in so doing.

Access to law library services and programs

10. A county law library funded by the Corporation shall give access to its law library services and programs to,

- (a) every person licensed to practise law in Ontario as a barrister and solicitor, regardless of whether the person is also a member of an Association;
- (b) judges of Ontario courts;
- (c) Ontario justices of the peace; and
- (d) members of boards, commissions or other tribunals established or provided for under Acts of Parliament or the Legislature in Ontario.

FINANCING

Provision of funds by Society

11. The money paid to the Corporation for its purposes shall be paid out of such money as is appropriated therefor by Convocation.

Suspension, reduction of funding

12. (1) Convocation may, in its absolute discretion, in respect of a fiscal year, suspend or reduce funding of the Corporation.

Notice to Corporation

(2) Before taking action under subsection (1), Convocation shall give the board of directors of the Corporation notice of its intent and a reasonable opportunity to comply with the relevant provisions of this Part or to provide the required information.

Budget

13. (1) The Corporation shall submit its annual budget for the next fiscal year to the Audit and Finance Committee by such date as may be specified by the Chair of the Audit and Finance Committee.

Same

(2) The Corporation's annual budget shall be in such form as may be specified by the Chair of the Audit and Finance Committee.

Financial statements

14. (1) For the purposes of clause 15 (2) (a), the Corporation shall prepare annual

financial statements for each fiscal year in accordance with generally accepted accounting principles.

Audit

(2) For the purposes of clause 15 (2) (a), the financial statements of the Corporation shall be audited by a public accountant.

Annual report

15. (1) The Corporation shall submit an annual report to Convocation within four months after the end of its fiscal year.

Contents

- (2) The annual report shall contain,
 - (a) the audited financial statements of the Corporation;
 - (b) a report on the affairs of the Corporation; and
 - (c) such other information as Convocation may request.

Other reports

16. Convocation may at any time require the Corporation to report to it on any aspect of its affairs or to provide information on its activities, operations and financial affairs as Convocation may request.