

# Draft Addition to Section 6 of By-Law 4 Regarding Paralegal Scope of Activities

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(yellow highlight represent addition)

## Scope of activities

### Class P1

### Interpretation

6. (1) In this section, unless the context requires otherwise,

“claim” means a claim for statutory accident benefits within the meaning of the Insurance Act, excluding a claim of an individual who has or appears to have a catastrophic impairment within the meaning of the Statutory Accident Benefits Schedule;

“party” means a party to a proceeding;

“proceeding” means a proceeding or intended proceeding;

- (a) in the Small Claims Court,
- (b) in the Ontario Court of Justice under the Provincial Offences Act,
- (c) in a summary conviction court under the Criminal Code (Canada),
- (d) before a tribunal established under an Act of the Legislature of Ontario or under an Act of Parliament, or
- (e) before a person dealing with a claim or a matter related to a claim, including a mediator, a person performing an evaluation, an arbitrator or the Director acting under section 280, 280.1, 282 or 283 or 284, respectively, of the Insurance Act;

“Statutory Accident Benefits Schedule” means the Statutory Accident Benefits Schedule within the meaning of the Insurance Act;

“tribunal established under an Act of the Legislature of Ontario” includes an arbitral tribunal pursuant to the *Arbitration Act, 1991* and the *International Commercial Arbitration Act* but does not include an arbitration to which the *Family Law Act* applies.

## **Activities authorized**

(2) Subject to any terms, conditions, limitations or restrictions imposed on the class of licence or on the licensee and subject to any order made under the Act, a licensee who holds a Class P1 licence is authorized to do any of the following:

1. Give a party advice on his, her or its legal interests, rights or responsibilities with respect to a proceeding or the subject matter of a proceeding.
2. Represent a party before,
  - i. in the case of a proceeding in the Small Claims Court, before the Small Claims Court,
  - ii. in the case of a proceeding under the Provincial Offences Act, before the Ontario Court of Justice,
  - iii. in the case of a proceeding under the Criminal Code, before a summary conviction court,
  - iv. in the case of a proceeding before a tribunal established under an Act of the Legislature of Ontario or under an Act of Parliament, before the tribunal, and
  - v. in the case of a proceeding before a person dealing with a claim or a matter related to a claim, before the person.
3. Anything mentioned in subsection 1 (7) of the Act, provided the activity is required by the rules of procedure governing a proceeding.
4. Select, draft, complete or revise, or assist in the selection, drafting, completion or revision of, a document for use in a proceeding.
5. Negotiate a party's legal interests, rights or responsibilities with respect to a proceeding or the subject matter of a proceeding.
6. Select, draft, complete or revise, or assist in the selection, drafting, completion or revision of, a document that affects a party's legal interests, rights or responsibilities with respect to a proceeding or the subject matter of a proceeding.