



ALBERTA
JUSTICE AND SOLICITOR GENERAL

*Office of the Minister
MLA, Calgary-Acadia*

AR 52266

September 9, 2022

Law Society of Alberta
Suite 500, 919 - 11 Avenue SW
Calgary, AB T2R 1P3

Dear Members of the Bar:

It is with great sadness that I reach out to you as a result of the passing of Her late Majesty Queen Elizabeth II, Queen of Canada. Our beloved sovereign dedicated her life to her people and to the institutions that are the safeguards of our parliamentary democracy and liberties. I, along with all Albertans, honour her life and legacy. It is this very legacy that has accredited the esteemed honorary title of Queen's Counsel (QC) – a title for which has been bestowed on various members of the bar throughout the Queen's 70-year reign as monarch.

Although this prestigious title has been designated as QC, the term, QC, is not defined and the *Queen's Counsel Act* (QCA) does not include a provision that expressly provides that those appointed will be titled QC. Section 56 of the *Judicature Act* (JA) contains provisions on the demise of the Crown. It provides that the holding of office, the right or capacity to engage in a profession, any oaths, and the legislature continue as if the demise did not occur. Since the position of QC is considered an office, the provisions in the JA that continue the holding of an office will apply to QCs. Hence, there being no need to reappoint current QCs.

The position of QC being unaffected by the demise of the Crown is also supported by the provisions of the *Interpretation Act* (IA). Section 28(1)(w) of the IA provides that references to "The Queen" or "The King" in statutes are interchangeable terms, all referring to the current monarch. Section 26(2) of the IA also provides that male terms include female terms, and vice versa.

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As supported by the Law Society of Alberta and endorsed by the Government of Alberta, QC appointments will continue at the pleasure of the new monarch. Accordingly, current QC designations will automatically become King's Counsel (KC). This is effective September 8, 2022, the date of the passing of Queen Elizabeth II.

Since there is no need to reappoint current QCs, as the honorary QC designation will automatically transfer to become KC, new Letters Patent will not be reissued either. In fact, Letters Patent, at any time and for any reason, are never reissued or replaced. Also, if any members currently have their QC designation on their Notary Public seal, these members will need to acquire a new seal that replaces the QC designation with KC. Once acquired, a copy of the updated seal will need to be submitted to:

Mary Clark
Registrar
Official Documents and Appointments
First Floor, Bowker Building
9833 – 109 Street
Edmonton, AB T5K 2E8

Unfortunately, even during this period of mourning, it was necessary to inform you of this important information in a timely manner, as His Majesty King Charles III, ascended to the throne the afternoon of his mother's passing. May Her late Majesty Queen Elizabeth II rest in peace.

Thank you for your time and attention to this notice.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tyler Shandro', written in a cursive style.

Honourable Tyler Shandro, KC, ECA
Minister