

624 Kochar Drive  
Ottawa, Ontario  
K2C 4H4

[www.legislatedrafting.co](http://www.legislatedrafting.co)

home/office: (613) 225-1314  
cell: (613) 852-3308  
email: [paul.salembier@rogers.com](mailto:paul.salembier@rogers.com)  
website:

## **CURRICULUM VITAE**

*of*

**J. PAUL SALEMBIER**

---

### **EDUCATION:**

LL.M., University of Ottawa, Ottawa, Ontario  
Diploma in Legislative Drafting, University of Ottawa,  
Ottawa, Ontario  
LL.B., University of Windsor, Windsor, Ontario.  
B.A., Queen's University, Kingston, Ontario.

Called to Bar of the Province of Ontario, 1983.

### **LANGUAGES:**

Fluent in English  
Working ability in French

### **QUALIFICATIONS:**

Internationally recognized expert in legislative drafting  
Internationally recognized expert in regulatory law  
Experienced lecturer  
Experienced negotiator

## **PROFESSIONAL EXPERIENCE**

**September 2013 to present:**

*PRIVATE SECTOR LEGISLATIVE DRAFTING & TRAINING*

Providing legislative drafting services to a variety of clients, including Crown corporations and foreign jurisdictions, and providing advanced training to drafting professionals, both locally and internationally. Projects have included:

- working on a number of files with the Federal Government and aboriginal organizations to develop and draft regulations to increase access to financing by First Nations, to improve the appointment process for appointments to aboriginal organizations, and to improve land-holding regimes for First Nations;
- working with two First Nations to develop and draft legislation in the areas of finance and environment;
- working with an aboriginal organization to review legislation pertaining to First Nations to determine areas of improvement; and
- working with a Federal Government department to review draft legislation to identify problems and drafting improvements to increase comprehensibility.

Training provided to government legislative drafting offices:

- Bangladesh Ministry of Law, Justice and Parliamentary Affairs – Legislative Drafting (2005)
- Malaysia Attorney General’s Chambers – Legislative Drafting (2005), Translating Policy into Legislation (2007) and Regulatory Law (2006, 2007, 2008)
- Singapore Attorney General’s Chambers – Regulatory Law (2007, 2014), Legislative Drafting (2013, 2015)
- Halifax Regional Municipality Legal Services, Nova Scotia – Legislative Drafting (2011)
- Hong Kong Department of Justice – Legislative Drafting (2014, 2015)
- Canada Department of Defence – Legislative Drafting (2017).

\* \* \*

**September 2016 to present:**

FACULTY OF LAW  
QUEEN’S UNIVERSITY  
128 Union St.  
Kingston, Ontario K7L 2N6

*ADJUNCT PROFESSOR*

Teaching Legal Drafting in the Undergraduate Law program.

\* \* \*

**January 2017 to present:**

FACULTY OF LAW  
UNIVERSITY OF HONG KONG  
10/F, Cheng Yu Tung Tower,  
Centennial Campus,  
Pokfulam Road, Hong Kong.

*VISITING PROFESSOR*

Teaching Legal & Legislative Drafting in the Undergraduate Law program in 2017 and 2019.

\* \* \*

**September 1997 to April 2016:**

FACULTY OF LAW  
UNIVERSITY OF OTTAWA  
57 Louis Pasteur St.  
Ottawa, Ontario K1N 6N5

*ADJUNCT PROFESSOR*

Taught Legal Drafting in the Undergraduate Law program (6 years). Other courses taught include Regulatory Process (3 years) and Statutory Interpretation (3 years).

**October 1990 to August 2013:**

DEPARTMENT OF JUSTICE -  
CANADA  
284 Wellington Street  
Ottawa, Canada K1A 0H8

*LEGISLATIVE COUNSEL & GENERAL COUNSEL (LEGISLATIVE INITIATIVES)*

As a senior Legislative Counsel, responsible for drafting regulations and bills, functions included

- (a) the drafting of more than 1000 statutes and regulations;
- (b) verifying the legality of proposed regulations, and reviewing the work of other drafters;
- (c) providing legal opinions to clients on regulatory law and process, statutory interpretation, Crown law and administrative law;
- (d) acting manager of the Regulations Section of the Legislative Services Branch; and
- (e) training staff lawyers, and reviewing and providing feedback to other legislative counsel on their work

As a General Counsel (Legislative Initiatives), responsible for advising on all aspects of the development of legislation in the area of aboriginal affairs, functions included:

- (a) advising on the design of legislation and constitutional and aboriginal law constraints on

- proposed legislative initiatives;
- (b) negotiation of proposed legislation with First Nation representatives, their lawyers, major corporations and provincial government officials;
  - (c) briefing of Ministers and senior officials on legal issues relating to bills and regulations; and
  - (d) representing the Department of Justice in appearances before House of Commons and Senate committees.

## **PUBLICATIONS**

### ***Books***

*Regulatory Law and Practice*, 2<sup>nd</sup> Edition (Toronto: LexisNexis, 2015)

*Modern First Nations Legislation, Annotated* (Toronto: LexisNexis, annually 2006 to 2016)

*Legal and Legislative Drafting*, 2<sup>nd</sup> Ed. (Toronto: LexisNexis, 2018)

### ***Articles***

“How Many Sheep Make a Flock? An Analysis of the Surrender Provisions of the Indian Act”, [1992] 1 *C.N.L.R.* 14

“The Crown as Fiduciary and the Conflict of Interest Inherent in its use of Indian Lands for Public Purposes”, (1994) University of Ottawa (thesis)

“Crown Fiduciary Duty, Indian Title and the Lost Treasure of I.R. 172: The Legacy of *Apsassin v. The Queen*”, [1996] 3 *C.N.L.R.* 1

“Understanding the Regulation-Making Process”, (2002) 25 *Canadian Parliamentary Review* 13

“Designing Regulatory Systems: A Template for Regulatory Rule-making”, (2002) 23 *Statute Law Rev.* 165; (2003) 24 *Statute Law Rev.* 1

“Understanding Retroactivity: When the Past Just Ain't What It Used To Be”, (2003) 33 *H.K.L.J.* 99

“Rethinking the Interpretation of Bilingual Legislation: The Demise of the Shared Meaning Rule” (2004) 35 *Ottawa L. R.* 75

“Equal Authenticity and Rule of Law in the Adjudication of Bilingual Legislation”, (2004) 26 *S.C.L.R.* (2d) 579

“Designing Interpretive Statutes” in *The Drafting of Laws*, ed. Serge Lortie, (Ottawa: Department of Justice International Development Group, 2008) at p. 235.

“Testing Client Policy: The Emperor’s Clothes” [2011] 3 *Loophole* 44

“The Do’s and Don’ts of Dealing with Instructing Officials” [2014] 2 *Loophole* 50

“Is Bad Grammar Good Policy? Legislative Use of the Singular *they*”, (2015) 36 *Statute Law*

*Rev. 175*

“De-institutionalizing Corruption” [2018] 2 *Loophole* 3

### **AWARDS**

Garon-Bertrand-McIntosh Medal in Legislative Drafting, 1990