
JUSTICE

JU301*

Legal Profession Act 2008

**Legal Profession Amendment Regulations
(No. 2) 2015**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Legal Profession Amendment Regulations (No. 2) 2015*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Legal Profession Regulations 2009*.

4. Regulation 3 amended

- (1) In regulation 3 insert in alphabetical order:

Legal Aid Commission has the meaning given in section 388(1) of the Act.

- (2) In regulation 3 in the definition of *entity* delete “body.” and insert:

body;

5. Regulation 5A inserted

At the beginning of Part 2 insert:

5A. Exceptions to prohibition on engaging in legal practice when not entitled (Act s. 12(3)(h))

For the purposes of section 12(3)(h) of the Act, section 12(2) of the Act does not apply to a person doing legal work under the supervision of an Australian legal practitioner as a paid employee of —

- (a) the Legal Aid Commission; or
- (b) a community legal centre; or
- (c) a corporation other than an incorporated legal practice.

6. Regulation 73A inserted

At the end of Part 7 Division 7 insert:

73A. Board may grant exemptions from s. 237(1)

The Board may by written notice exempt a law practice from the requirement to have trust records examined under section 237(1) of the Act to the extent that is specified in the notice.

7. Regulation 97 amended

In regulation 97(1):

- (a) in paragraph (g)(iii) delete “insurance.” and insert:

insurance;

- (b) after paragraph (g) insert:

(h) a practitioner who —

- (i) holds a local practising certificate with a condition imposed that the holder only engages in the provision of legal services on a not-for-profit basis and does not charge any person nor seek to

- recover a fee from any person, except for any fee arrangements that are specified in that condition; and
- (ii) holds or is covered by professional indemnity insurance issued in accordance with the National Pro Bono Resource Centre's professional indemnity insurance arrangement.

8. Schedule 2 amended

In Schedule 2 under the heading "*Community legal centres*" insert in alphabetical order:

Aboriginal Legal Service of Western Australia (Inc)

Law Access Limited

R. KENNEDY, Clerk of the Executive Council.