
JUSTICE

JU301*

Legal Profession Act 2008

Legal Profession Amendment Regulations 2014

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Legal Profession Amendment Regulations 2014*.

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 12 amended

- (1) In regulation 12 delete “In this Division —” and insert:

- (1) In this Division —

- (2) In regulation 12 insert in alphabetical order:

QA provider means an entity approved under the CPD rules as a quality assured provider of professional development activities;

- (3) At the end of regulation 12 insert:

- (2) In this Division, a reference to a WA government lawyer includes a WA government lawyer who holds a current local practising certificate.

5. Regulation 14 amended

After regulation 14(3) insert:

- (4) The employing authority of one or more prescribed WA government lawyers does not have to comply with subregulations (2) and (3)(b) if —
- (a) the Attorney General has (whether before or after the commencement of the *Legal Profession Amendment Regulations 2014*) previously approved under regulation 13 arrangements for the continuing professional development of the lawyers; and
 - (b) the arrangements require the lawyers —
 - (i) to complete professional development activities provided by QA providers, in accordance with substantially the same requirements that apply to local legal practitioners under the CPD rules; or
 - (ii) to complete professional development activities provided by an officer who is to be taken under regulation 15(4) to be a QA provider; or
 - (iii) to complete a combination of the professional development activities referred to in subparagraphs (i) and (ii);and
 - (c) the arrangements do not provide for the lawyers to undertake any professional development activities other than those activities referred to in paragraph (b).
- (5) In subregulation (4) —
- prescribed WA government lawyer* means a WA government lawyer other than a lawyer —
- (a) referred to in the definition of *WA government lawyer* paragraph (a), (b) or (c) in section 36(1) of the Act; or
 - (b) employed in the government agency referred to in item 3 of the Table to regulation 11.

6. Regulation 15 amended

(1) Delete regulation 15(4) and insert:

- (4) The State Solicitor, Parliamentary Counsel, Director of Public Prosecutions and Solicitor-General are each to be taken to be a QA provider when providing

continuing professional development to a WA government lawyer under an approved CPD arrangement, whether the lawyer is employed in the office of any of those officers or in a government agency referred to in regulation 11.

- (2) Delete regulation 15(5).

N. HAGLEY, Clerk of the Executive Council.