

JU301\*

Legal Practice Act 2003

**Legal Practice Board Amendment  
Rules (No. 3) 2007**

Made by the Legal Practice Board under section 252.

**1. Citation**

These rules are the *Legal Practice Board Amendment Rules (No. 3) 2007*.

**2. Commencement**

These rules come into operation as follows:

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

**3. The rules amended**

The amendments in these rules are to the *Legal Practice Board Rules 2004*.

**4. Rule 44A inserted**

After rule 44 the following rule is inserted —

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**44A. Replacement practice certificate**

- (1) The Board may, on the application of a legal practitioner, issue a duplicate practice certificate to replace a practice certificate that has been lost, stolen or destroyed.
- (2) An application for the purposes of subrule (1) is to be made in writing and be accompanied by payment of a fee of \$50.

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**5. Rule 70A inserted**

After rule 70 the following rule is inserted —

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**70A. Evidentiary certificate**

- (1) The Board may, on the application of a legal practitioner, issue to the practitioner a certificate setting out the following information to the extent that it is known to the Board —
  - (a) the practitioner’s date of admission; and
  - (b) whether the practitioner’s name is on the Roll of Practitioners; and
  - (c) if the practitioner’s name is on the Roll, whether the practitioner —
    - (i) holds a current practice certificate; or
    - (ii) is taken to be a certificated practitioner under section 36 of the Act; or
    - (iii) is an interstate practitioner; or
    - (iv) is not a certificated practitioner;and
- (d) whether the practitioner’s entitlement to practise in this State is subject to any conditions or restrictions or is suspended; and

- (e) whether any adverse findings have been made in relation to the practitioner, and if they have, details of those finding; and
  - (f) whether there are any complaints about the conduct of the practitioner that have been made to the Complaints Committee but have not yet been dealt with by the Committee.
- (2) In subrule (1) —
- “adverse finding”**, in relation to a practitioner, means a finding, determination, order or other decision of the Complaints Committee, State Administrative Tribunal or Supreme Court that —
- (a) relates to the practitioner’s professional conduct; and
  - (b) is adverse to the practitioner.
- (3) An application for the purposes of subrule (1) is to be made in writing and be accompanied by payment of a fee of \$100.
- (4) A certificate issued under this rule may include any other information that the Board considers it appropriate to include.

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Made by the Legal Practice Board under section 252.

JOHN G. SYMINTON, Member.

IAN WELDON, Member.

ROBERT E. COCK, Member.

ANNA M. LISCIA, Member.