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LEGAL PRACTICE ACT 2003

**LEGAL PRACTICE
(PROFESSIONAL INDEMNITY
INSURANCE) AMENDMENT
REGULATIONS 2005**

Legal Practice Act 2003

Legal Practice (Professional Indemnity Insurance) Amendment Regulations 2005

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Legal Practice (Professional Indemnity Insurance) Amendment Regulations 2005*.

2. The regulations amended

The amendments in these regulations are to the *Legal Practice (Professional Indemnity Insurance) Regulations 1995**.

[* *Reprint 1 as at 27 August 2004.*

For amendments to 3 May 2005 see Western Australian Legislation Information Tables for 2004, Table 4, p. 215.]

3. Regulation 11 amended

(1) Regulation 11 is amended as follows:

- (a) by inserting before “The” the subregulation designation “(1)”;

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- (b) by deleting paragraph (g) and inserting instead —
- “
- (g) practitioners who practise as such as partners or employees of a national partnership which —
- (i) not later than 1 December in any year, gives an undertaking to the Law Society Council that the partnership will take out national insurance, and provide evidence satisfactory to the Law Society Council that the insurance has been taken out, not later than the renewal day in the following year;
 - (ii) complies with the undertaking referred to in subparagraph (i); and
 - (iii) maintains that insurance;
- (h) practitioners who practise as such as legal practitioner directors, officers, or employees, of a national incorporated legal practice which —
- (i) not later than 1 December in any year, gives an undertaking to the Law Society Council that the incorporated legal practice will take out national insurance, and provide evidence satisfactory to the Law Society Council that the insurance has been taken out, not later than the renewal day in the following year;
 - (ii) complies with the undertaking referred to in subparagraph (i); and
 - (iii) maintains that insurance.

”

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- (2) At the end of regulation 11 the following subregulation is inserted —

“

- (2) In this regulation —

“national incorporated legal practice” means an incorporated legal practice —

- (a) the business of which is primarily conducted in a State or States other than this State; and
- (b) all or the majority of whose directors are based in a State other than this State;

“national insurance” means a policy of insurance —

- (a) that provides the same or a higher minimum level of indemnity as a policy of insurance under the arrangements; and
- (b) the terms of which are —
 - (i) broadly equivalent to a policy of insurance under the arrangements; and
 - (ii) approved by the Law Society Council as being so;

“national partnership” means a partnership —

- (a) the business of which is primarily conducted in a State or States other than this State; and
- (b) all or the majority of whose partners are based in a State other than this State;

“renewal day” has the meaning given to that term in regulation 9(1).

”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.



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