

LEGAL PRACTITIONERS AMENDMENT ACT

No. 42 of 1990

AN ACT to amend the *Legal Practitioners Act 1893*.

[Assented to 21 November 1990.]

The Parliament of Western Australia enacts as follows:

Short title

1. This Act may be cited as the *Legal Practitioners Amendment Act 1990*.

Principal Act

2. In this Act the *Legal Practitioners Act 1893** is referred to as the principal Act.

[*Reprinted as approved 12 January 1981 and amended by Acts Nos. 90 of 1981, 10 of 1982, 47 of 1984, 65 and 77 of 1987, and 48 of 1988.]

Commencement

3. The provisions of this Act shall come into operation on such day as is, or days as are respectively, fixed by proclamation.

Section 6 amended

4. Section 6 of the principal Act is amended, in subsection (1), by deleting paragraph (cb) and substituting the following—

“ (cb) for prescribing fees to be payable to the Board—

(i) under this Act, otherwise than under the scale referred to in subsection (2); or

(ii) in respect of services provided, or to be provided, by the Board to practitioners or persons; ”.

Section 9 amended

5. Section 9 of the principal Act is amended, in paragraph (c), by deleting “the sum of twenty-five dollars twenty cents” and substituting the following—

“ the fee prescribed by the rules ”.

Section 29 amended

6. Section 29 of the principal Act is amended, in subsection (1)—

(a) in paragraph (a), by inserting after “inquiry” the following—

“ , and suspend the practitioner from practising pending the determination of the Court ”; and

(b) in paragraph (b), by deleting “two thousand dollars” and substituting the following—

“ \$10 000 ”.

Section 63 amended

7. Section 63 of the principal Act is amended—

(a) by inserting after the section designation “63.” the subsection designation “(1)”;

(b) by deleting “his client” and substituting the following—

“ a client of that practitioner ”;

and

(c) by adding the subsections following—

“ (2) Where an agreement is entered into with the Executive Director for the time being of the Law Society of Western Australia (Inc.) by the client of a practitioner, for purposes pertaining to the Litigation Assistance Fund operated by that Society, in relation to a contentious proceeding undertaken by the client of that practitioner, the agreement may provide for payment under that Fund to the Society of a contribution which is to be dependent upon the result of, or payable only in the event of success in, that contentious proceeding. ”.

(3) Nothing in subsection (2) shall be construed as relating to an agreement by the practitioner for payment to that practitioner.
