

LEGAL PRACTITIONERS.

No. 92 of 1970.

AN ACT to amend the Legal Practitioners Act, 1893-1969.

[Assented to 30th November, 1970.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Legal Practitioners Act Amendment Act, 1970.*

Short title
and citation.

(2) In this Act the Legal Practitioners Act, 1893-1969 is referred to as the principal Act.

Reprinted as
approved for
reprint 22nd
November,
1968 and
further
amended by
Act No. 59
of 1969.

(3) The principal Act as amended by this Act may be cited as the Legal Practitioners Act, 1893-1970.

Amendment
to s. 1.
(Short title
and
division.)

2. Section 1 of the principal Act is amended by adding after the passage "PART V.—PRACTITIONERS' TRUST ACCOUNTS, ss. 34-41." the passage "PART VA.—CONTROL OF CERTAIN PRACTICES, ss. 58A-58F." .

Amendment
to s. 9.
(Conditions
for the
articling of
clerks.)

3. Section 9 of the principal Act is amended by deleting the words "natural born or naturalised", in lines two and three of paragraph (a).

Amendment
to s. 10.
(Restrictions
as to articulated
clerks.)

4. Section 10 of the principal Act is amended by adding after subsection (4) a subsection as follows—

(5) A person who in the year nineteen hundred and seventy-six or thereafter is admitted as a practitioner under paragraph (a) of subsection (2) of section fifteen of this Act having served only one year under articles shall not be entitled to practise as a practitioner on his own account unless and until he satisfies the Board that he has had at least twelve months' experience in the office of a practitioner practising on his own account or at least five years in the office of the Crown Solicitor of the State or the Deputy Commonwealth Crown Solicitor in the State. .

Amendment
to s. 15.
(Admission
of prac-
titioners.)

5. Subsection (1) of section 15 of the principal Act is amended by deleting the words "natural born or naturalised", in lines two and three.

Amendment
to s. 20.
(Further qualifica-
tions for
admission.)

6. Section 20 of the principal Act is amended by deleting paragraph (a) and the word "and" following that paragraph.

7. The heading immediately preceding section 58A of the principal Act is amended by substituting for the word "PRACTITIONERS" the word "PRACTICES".

Amendment
to heading
immediately
preceding
s. 58A.

8. Section 58A of the principal Act is amended by adding after the passage "fifty-eight C", in lines five and six of the interpretation "practice", the passage "or the practice of a deceased practitioner in respect of whose trust account an order has been made under section fifty-eight C".

Amendment
to s. 58A.
(Interpreta-
tion.)

9. Section 58C of the principal Act is amended—

Amendment
to s. 58C.
(Control of
trust moneys
by Trust.)

(a) by adding after the word "practitioner", in line three of subsection (1), the passage "or that a sole practitioner has died";

(b) by adding after the word "account", in line two of paragraph (a) of subsection (1), the passage "or constituting the trust account of the deceased practitioner,";

(c) by adding after the word "practitioner", in line four of paragraph (a) of subsection (1), the passage "or the deceased practitioner,"; and

(d) by adding after the word "agents", in line three of subsection (2), the passage "or the former servants, agents, and bankers of the deceased practitioner, and the servants and agents of those former bankers,".

10. Section 58D of the principal Act is amended—

Amendment
to s. 58D.
(Special
powers of
Board.)

(a) by adding after the word "and", in line six of paragraph (b), the passage "in the case of deficiency,"; and

- (b) by substituting for the words "shall be paid to him", in line three of paragraph (c), the passage " , or the personal representative of the deceased practitioner, shall be paid to him, or the personal representative," .

Amendment
to s. 58E.
(Duties of
supervising
solicitor.)

11. Section 58E of the principal Act is amended by adding after the word "matters", being the last word in the section, the passage "and, in the case of the practice of a deceased practitioner, shall carry on the practice until it can otherwise be dealt with according to law".
