



Queensland

Legal Profession Act 2007

Legal Profession (Transitional) Regulation 2007

Reprinted as in force on 14 December 2007

Reprint No. 1A

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy

NOT FURTHER AMENDED
LAST REPRINT BEFORE REPEAL
See 2007 SL No. 152 s 5

Information about this reprint

This regulation is reprinted as at 14 December 2007. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. See previous reprint for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprint.**

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

Replacement reprint date If the date of a hard copy reprint is the same as the date shown on another hard copy reprint it means that one is the replacement of the other.



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Legal Profession (Transitional) Regulation 2007

[as amended by all amendments that commenced on or before 14 December 2007]

1 Short title

This regulation may be cited as the *Legal Profession (Transitional) Regulation 2007*.

2 Commencement

This regulation commences on 1 July 2007.

2A Activities of PAMDA licensee or PAMDA employee

- (1) This section applies if, after the commencement of section 24 of the Act, a person engaged or is engaging in legal practice in this jurisdiction other than as mentioned in section 24(2)(e) of the Act.
- (2) If, when the person engaged or is engaging in legal practice, the person was or is a PAMDA licensee, section 24(1) of the Act does not apply to the activities that constituted or constitute engaging in legal practice if—
 - (a) the activities would not have been unlawful for the person under the repealed *Legal Profession Act 2004*, section 24; and
 - (b) the activities were or are either of the following—
 - (i) authorised, under the *Property Agents and Motor Dealers Act 2000*, in relation to a PAMDA licensee of the same type as the person;
 - (ii) ancillary or incidental to activities mentioned in subparagraph (i) and part of the ordinary course of business undertaken generally by PAMDA licensees of the same type as the person.
- (3) If, when the person engaged or is engaging in legal practice, the person was or is a PAMDA employee, section 24(1) of the

Act does not apply to the activities that constituted or constitute engaging in legal practice if—

- (a) the activities would not have been unlawful for the person under the repealed *Legal Profession Act 2004*, section 24; and
 - (b) the activities were or are either of the following—
 - (i) authorised, under the *Property Agents and Motor Dealers Act 2000*, in relation to PAMDA employees employed by PAMDA licensees of the same type as the PAMDA licensee by whom the person was or is employed;
 - (ii) ancillary or incidental to activities mentioned in subparagraph (i) or subsection (2)(b)(i) and part of the ordinary course of business undertaken generally by PAMDA licensees of the same type as the PAMDA licensee by whom the person was or is employed.
- (4) In this section—

PAMDA employee means an employee of a PAMDA licensee, whether or not the employee is also a PAMDA licensee.

PAMDA licensee see section 24(7) of the Act.

3 Costs of assessment

- (1) A costs assessor must decide the costs of a costs assessment.
- (2) Unless the costs assessor otherwise orders, the law practice to which the legal costs are payable or were paid must pay the costs of the costs assessment if—
 - (a) on the assessment, the legal costs are reduced by 15% or more; or
 - (b) the costs assessor is satisfied the law practice failed to comply with part 3.4, division 3, of the Act.
- (3) Unless the costs assessor otherwise orders, if the law practice is not, under subsection (2), liable to pay the costs of the costs assessment, the costs of the assessment must be paid by the party ordered by the costs assessor to pay those costs.

4 Declaration that regulation is a transitional regulation—Act, s 751

This regulation is a transitional regulation.

5 Expiry of regulation

This regulation expires 1 year after the commencement of section 751 of the Act.

Endnotes

1 Index to endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 14 December 2007. Future amendments of the Legal Profession (Transitional) Regulation 2007 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Notes
1	none	1 July 2007	
1A	2007 SL No. 341	14 December 2007	

5 List of legislation

Legal Profession (Transitional) Regulation 2007 SL No. 152

made by the Governor in Council 28 June 2007

notfd gaz 29 June 2007 pp 1157–65

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2007 (see s 2)

exp 1 July 2008 (see s 5)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

Legal Profession (Transitional) Amendment Regulation (No. 1) 2007 SL No. 341

notfd gaz 14 December 2007 pp 2131–5

commenced on date of notification

6 List of annotations

Activities of PAMDA licensee or PAMDA employee

s 2A ins 2007 SL No. 341 s 3