



Queensland

Supreme Court (Legal Practitioner Admission) Amendment Rule (No. 1) 2007

Subordinate Legislation 2007 No. 155

made under the

Supreme Court of Queensland Act 1991

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1 Short title

This rule may be cited as the *Supreme Court (Legal Practitioner Admission) Amendment Rule (No. 1) 2007*.

2 Rules amended

This rule amends the *Supreme Court (Legal Practitioner Admission) Rules 2004*.

3 Amendment of r 1 (Short title)

Rule 1, ‘*Legal Practitioner*’—
omit.

4 Amendment of r 3 (Overview)

- (1) Rule 3(1), ‘the admission of legal practitioners’—
omit, insert—
‘admission to the legal profession’.
- (2) Rule 3(2), ‘as a legal practitioner’—
omit, insert—
‘to the legal profession’.
- (3) Rule 3(2), footnote, ‘as a legal practitioner’—
omit, insert—
‘to the legal profession’.

5 Amendment of r 5 (Words and expressions have same meaning as in Legal Profession Act 2004)

- (1) Rule 5, heading, ‘2004’—
omit, insert—
‘2007’.

- (2) Rule 5, ‘2004’—
omit, insert—
‘2007’.

6 Amendment of r 6 (Approved academic qualifications—Australian course)

- (1) Rule 6(1), ‘under the *Legal Profession Act 2004* as a legal practitioner’—
omit, insert—
‘to the legal profession under the *Legal Profession Act 2007*’.
- (2) Rule 6(1), footnote, ‘2004, section 29(1)(b)’—
omit, insert—
‘2007, section 30(1)(b)’.

7 Amendment of r 7 (Approved practical legal training requirements—Australian course)

- (1) Rule 7(1), ‘under the *Legal Profession Act 2004* as a legal practitioner’—
omit, insert—
‘to the legal profession under the *Legal Profession Act 2007*’.
- (2) Rule 7(1), footnote, ‘2004, section 29(1)(c)’—
omit, insert—
‘2007, section 30(1)(c)’.

8 Amendment of rr 7A, 8, and 9

- Rules 7A(1), 8(1) and (3), 9(1) and (3), ‘under the *Legal Profession Act 2004* as a legal practitioner’—
omit, insert—
‘to the legal profession under the *Legal Profession Act 2007*’.

9 Amendment of r 9B (Persons eligible to be a trainee)

- (1) Rule 9B(b), footnote, ‘2004, section 36’—
omit, insert—
‘2007, section 32’.
- (2) Rule 9B(b), ‘as a legal practitioner’—
omit, insert—
‘to the legal profession under the *Legal Profession Act 2007*’.

10 Amendment of r 9D (Persons disqualified from being a supervisor)

- (1) Rule 9D(1)(b), ‘section 280(2)(a), (b) or (c) of the *Legal Profession Act 2004*’ and footnote—
omit, insert—
‘section 456(2)(a), (b) or (c)¹ of the *Legal Profession Act 2007*’.
- (2) Rule 9D(3)(b), ‘*Legal Profession Act*, section 584.’ and footnote—
omit, insert—
‘*Legal Profession Act 2007*, section 26.²’.

11 Amendment of r 9K (Response statement)

- Rule 9K(4), definition *response statement*, paragraph (c)(ii), ‘as a legal practitioner’—
omit, insert—
‘to the legal profession’.

1 *Legal Profession Act 2007*, section 456 (Decisions of tribunal about an Australian legal practitioner)

2 *Legal Profession Act 2007*, section 26 (Associates who are disqualified or convicted persons)

12 Amendment of r 10 (Sittings where person may apply for admission)

Rule 10(1), ‘as a legal practitioner’—

omit, insert—

‘to the legal profession’.

13 Amendment of r 11 (Application and affidavit of compliance to be filed in court)

(1) Rule 11(1), ‘as a legal practitioner’—

omit, insert—

‘to the legal profession’.

(2) Rule 11(2), ‘2004’—

omit, insert—

‘2007’.

14 Amendment of r 12 (Notice of intention to apply)

Rule 12(1), ‘as a legal practitioner’—

omit, insert—

‘to the legal profession’.

15 Amendment of r 13 (Documents and fee to be given to board)

(1) Rule 13(1), ‘as a legal practitioner’—

omit, insert—

‘to the legal profession’.

(2) Rule 13(3)(b), ‘2004’—

omit, insert—

‘2007’.

16 Amendment of rr 14 and 17

Rules 14(1), 17(1) and (4), ‘as a legal practitioner’—
omit, insert—
‘to the legal profession’.

17 Amendment of r 18 (Oath of office)

Rule 18(1) and (2), ‘legal practitioner’—
omit, insert—
‘lawyer’.

18 Amendment of r 21 (Application for conditional admission to be made unconditional)

Rule 21(1), ‘as a legal practitioner’—
omit, insert—
‘to the legal profession’.

19 Amendment of r 23 (Seniority)

Rule 23, ‘as a legal practitioner’—
omit, insert—
‘to the legal profession’.

20 Amendment of r 24 (Appeal from registrar’s decision under mutual recognition legislation)

Rule 24(1), ‘legal practitioner’—
omit, insert—
‘lawyer’.

21 Amendment of r 33 (Approved academic qualifications and approved practical training requirements)

Rule 33(2) and (4), ‘under the *Legal Profession Act 2004* as a legal practitioner’—

omit, insert—

‘to the legal profession under the *Legal Profession Act 2007*’.

22 Amendment of r 36 (Application of div 5)

Rule 36(1), ‘as a legal practitioner’—

omit, insert—

‘to the legal profession’.

23 Amendment of r 37 (Approved academic qualifications and approved practical training)

Rule 37(2) and (3), ‘under the *Legal Profession Act 2004* as a legal practitioner’—

omit, insert—

‘to the legal profession under the *Legal Profession Act 2007*’.

24 Amendment of r 39 (References to solicitors)

Rule 39, ‘2004’—

omit, insert—

‘2007’.

25 Amendment of rr 40 and 42

Rules 40(1)(a) and 42(d)(ii), ‘as a legal practitioner’—

omit, insert—

‘to the legal profession’.

26 Amendment of r 44 (Practical legal training courses)

Rule 44(2), ‘under the *Legal Profession Act 2004* as a legal practitioner’—

omit, insert—

‘to the legal profession under the *Legal Profession Act 2007*’.

27 Amendment of r 45 (References to boards, repealed barristers rules and repealed solicitors rules)

Rule 45(2), ‘2004’—

omit, insert—

‘2007’.

28 Amendment of r 48 (Approved academic qualifications and approved practical training requirements)

Rule 48(1) and (2), ‘under the *Legal Profession Act 2004* as a legal practitioner’—

omit, insert—

‘to the legal profession under the *Legal Profession Act 2007*’.

29 Amendment of r 53 (Conditional admission of overseas-registered foreign lawyer under former r 20)

Rule 53(1), ‘as a legal practitioner’—

omit, insert—

‘to the legal profession’.

30 Insertion of new pt 7

After rule 53—

insert—

**‘Part 7 Transitional provisions for
Supreme Court (Legal
Practitioner Admission)
Amendment Rule (No. 1) 2007**

‘54 Outdated references

‘In an Act or document—

- (a) a reference to the *Legal Profession Act 2004* is, if appropriate in the context, taken to be a reference to the *Legal Profession Act 2007*; and
- (b) a reference to admission under the *Legal Profession Act 2004* as a legal practitioner is, if appropriate in the context, taken to be a reference to admission to the legal profession under the *Legal Profession Act 2007*.

‘55 Registrar’s decision under mutual recognition legislation

- ‘(1) This section applies to a decision of the registrar made before the commencement date in relation to the admission of a person under a mutual recognition Act as a legal practitioner in Queensland.
- ‘(2) Rule 24 applies in relation to the decision as if it were a decision of the registrar in relation to the admission of a person under a mutual recognition Act as a lawyer in Queensland.
- ‘(3) In this section—
commencement date means the date of commencement of this rule.
mutual recognition Act see rule 24(3).’.

31 Amendment of sch 2 (Dictionary)

- (1) Schedule 2, definition *overseas-registered foreign lawyer*, from ‘2004’—
omit, insert—
‘2007, section 163.³’.

3 *Legal Profession Act 2007*, section 163 (Definitions for pt 2.8)

- (2) Schedule 2, definition *roll*, from ‘2004’—
omit, insert—
‘2007, section 37.⁴’.
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ENDNOTES

- 1 Made by the Governor in Council on 28 June 2007.
- 2 Notified in the gazette on 29 June 2007.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Justice and Attorney-General.

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4 *Legal Profession Act 2007*, section 37 (Roll of persons admitted to the legal profession as a lawyer)