

Legal Profession Bill 2007

Amendments agreed to during Consideration

1 **Clause 2 (Commencement)**

At page 34, lines 7 and 8—

omit, insert—

‘This Act, other than the following provisions, commences on a day to be fixed by proclamation—

- part 3.2, divisions 1 to 4, other than sections 217, 223 and 226
- part 7.6, division 6, other than section 698.’

2 **Clause 223 (Public notice of proposed legal profession rules)**

At page 177, line 14, after ‘that’—

insert—

‘, after the commencement of this section.’

3 **Clause 232 (Indemnity rules)**

At page 186, lines 33 and 34, ‘an incorporated legal’—

omit, insert—

‘a law’.

4 **Clause 232 (Indemnity rules)**

At page 186, line 37, ‘an incorporated legal’—

omit, insert—

‘a law’.

5 Clause 301 (Terms relating to third party payers)

At page 228, line 25, after ‘A third’—

insert—

‘party’.

6 Clause 319 (On what basis are legal costs recoverable)

At page 242, line 5, ‘Subject’—

omit, insert—

‘(1) Subject’.

7 Clause 319 (On what basis are legal costs recoverable)

At page 242, after line 16—

insert—

‘(2) Subsection (1) does not apply in relation to the recovery of legal costs for work by a barrister retained, before the relevant day, to perform that work.

‘(3) In this section—

relevant day means the day that is 6 months after the day of commencement of this section.’.

8 Clause 352 (Ordinary protection and immunity allowed)

At page 265, lines 31 and 32, and page 266, lines 1 and 2—

omit, insert—

‘(2) A party appearing in a costs assessment has the same protection and immunity the party would have if the costs assessment were a proceeding being heard before the Supreme Court.’.

9 Clause 352 (Ordinary protection and immunity allowed)

At page 266, after line 9—

insert—

‘(5) In this section—

party includes a party’s lawyer or agent.’

10 Clause 736 (Failure to comply with Queensland Law Society Act 1952 after commencement and before relevant day)

At page 488, line 3, after ‘law practice’—

insert—

‘, other than a barrister.’

11 Schedule 1 (Acts amended)

At page 511, after line 2—

insert—

‘Criminal Code**‘1 Section 436(4)—**

insert—

‘(g) a legal practitioner associate of a law practice, within the meaning of the *Legal Profession Act 2007*, if part 3.3 of that Act applies to the law practice.’

‘2 Section 568—

insert—

‘(2A) For subsection (2), the reference to a trustee to whom the *Trust Accounts Act 1973* applies includes a legal practitioner associate of a law practice, within the meaning of the *Legal Profession Act 2007*, if part 3.3 of the *Legal Profession Act 2007* applies to the law practice.’

‘3 Section 641—

insert—

- ‘(4) For subsection (1) or (3), the reference to a trustee within the meaning of the *Trust Accounts Act 1973* includes a legal practitioner associate of a law practice, within the meaning of the *Legal Profession Act 2007*, if part 3.3 of the *Legal Profession Act 2007* applies to the law practice.’.’

12 Schedule 1 (Acts amended)

At page 511, after line 3—

insert—

‘1AA Section 9A(1), table, column 1, item 20, ‘as a legal practitioner’—

omit, insert—

‘to the legal profession’.’.

13 Schedule 1 (Acts amended)

At page 522, after line 1—

insert—

‘1AA Sections 125(2), 160(4)(c) and 354(4)(b), ‘the *Trust Accounts Act 1973*’—

omit, insert—

‘the *Legal Profession Act 2007*’.

‘1AB Section 372(1)(b)—

omit, insert—

‘(b) a law practice; or’.

‘1AC Section 372—*insert—*

‘(5) In this section—

law practice means any of the following, within the meaning of the *Legal Profession Act 2007*, that has an office in Queensland—

- (a) an Australian legal practitioner who is a sole practitioner but not a barrister under that Act;
- (b) a law firm;
- (c) an incorporated legal practice;
- (d) a multi-disciplinary partnership.’.