



Queensland

Legal Profession Amendment Regulation (No. 1) 2012

Explanatory Notes for SL 2012 No. 26

made under the

Legal Profession Act 2007

General outline

Short title

Legal Profession Amendment Regulation (No. 1) 2012.

Authorising law

Section 715 of the *Legal Profession Act 2007*

Policy objectives and the reasons for them

The main purpose of the Amendment Regulation is to amend the *Legal Profession Regulation 2007* (the Regulation) to include the Queensland Water Commission (the Commission) as an agency for the purposes of the definition of ‘government legal officer’ in section 12 of the *Legal Profession Act 2007* (the Act).

Section 12 of the Act defines a ‘government legal officer’ as a person whose employment in a government department, the Legal Services Commission or an agency prescribed under a regulation includes or may include engaging in legal practice.

Under the Act, government legal officers are exempt from the requirements relating to practising certificates, professional indemnity insurance and the fidelity fund levies and contributions when engaged in government work.

The Commission is an independent statutory authority established in 2006 under Chapter 2A of the *Water Act 2000* (the Water Act) and is responsible for achieving safe, secure and sustainable water supplies in South East Queensland. The Commission's main functions are outlined in section 345 of the *Water Act 2000* (the Water Act) and include providing advice to the Minister and the Chief Executive. Under section 343 of the Water Act, the Commission represents the State and has the 'status, privileges and immunities of the State'. Further, section 344 provides that the commission is a unit of public administration and is subject to the requirements for statutory bodies under the *Financial Accountability Act 2009* and the *Statutory Bodies Financial Arrangements Act 1982*.

Achievement of policy objectives

The Amendment Regulation amends the Regulation to achieve the stated objectives.

Consistency with policy objectives of authorising law

The Amendment Regulation is consistent with the policy objectives of the Act which provides for the regulation of legal practice in Queensland.

Inconsistency with policy objectives of other legislation

The Amendment Regulation is not inconsistent with the policy objectives of other legislation.

Benefits and costs of implementation

The amendment has minimal financial implications.

Consistency with fundamental legislative principles

This Amendment Regulation does not raise fundamental legislative principles issues.

Consultation

The Commission requested and was consulted on the Amendment Regulation.

ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Justice and Attorney-General.

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