



Queensland

Professional Standards (Bar Association of Queensland Scheme) Notice 2013

Explanatory Notes for SL 2013 No. 111

made under the

Professional Standards Act 2004

General outline

Short title

Professional Standards (Bar Association of Queensland Scheme) Notice 2013.

Authorising law

Section 14(1) of the *Professional Standards Act 2004* (the Act) provides for the Minister to give notice of the approval of a scheme by the Queensland Professional Standards Council (the council).

Policy objectives and the reasons for them

The Act provides that the council may approve a scheme to limit the civil liability of professionals and others and, on doing so, must advise the Minister. Under section 14 of the Act the Minister must give notice of the council's approval of a scheme and the notice is subordinate legislation.

The primary objective of this subordinate legislation is to give notice of the approval by the council of the Bar Association of Queensland Scheme (the scheme), designed to limit the occupational liability of members of the Bar Association of Queensland (BAQ).

The scheme will apply to any barrister who holds a Queensland practising certificate issued under the *Legal Profession Act 2007* or regulations made under it, is a member of the BAQ and is insured under an approved professional indemnity insurance policy complying with the requirements of that Act. The scheme will also apply to officers, partners, employees and associates of persons to whom the scheme applies, as provided in sections 20, 21 and 21A of the Act.

Achievement of policy objectives

The policy objectives are achieved by giving notice of the approval of the scheme by the council.

Consistency with policy objectives of authorising law

The notice is consistent with the main objects of the Act.

Inconsistency with policy objectives of other legislation

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

Alternative ways of achieving policy

There is no alternative way of achieving the policy.

Benefits and costs of implementation

There are no costs associated with the implementation of this notice.

Consistency with fundamental legislative principles

The notice is consistent with fundamental legislative principles.

Consultation

As required under section 9 of the Act, the council published notice of the scheme in leading daily newspapers in jurisdictions in which it is intended the scheme will operate: *The Australian*, *The Courier Mail*, *The Sydney*

Morning Herald, The Daily Telegraph, The NT News, The Adelaide Advertiser, The Melbourne Age and The West Australian.

The Office of Best Practice Regulation was consulted in relation to the proposed notice and confirmed that a Regulatory Impact Statement is not required.

ENDNOTES

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

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