

# **Professional Standards (Queensland Law Society Professional Standards Scheme) Notice 2016**

Explanatory notes for SL 2016 No. 109

made under the

*Professional Standards Act 2004*

## **General Outline**

### **Short title**

Professional Standards (Queensland Law Society Professional Standards Scheme) Notice 2016.

### **Authorising law**

All Australian states and territories have similar professional standards legislation, which is designed to reduce the cost of, and facilitate the obtaining of, professional indemnity insurance for members of an occupational association that has an approved scheme. Each jurisdiction's legislation provides for a Professional Standards Council (PSC) to approve and monitor schemes. A consequence of a scheme being approved is that occupational liability is restricted to the amount of the monetary ceiling for the scheme.

Section 14(1) of the *Professional Standards Act 2004* (Act) requires the Minister to give notice of the approval of a scheme under the Act by the Professional Standards Council of Queensland (Council). Under section 14(2), the notice is subordinate legislation.

### **Policy objectives and the reasons for them**

The primary objective of this subordinate legislation is to give notice of the approval of the Queensland Law Society Professional Standards Scheme (Scheme) by the Council.

The Scheme limits the occupational liability of full and honorary members of the Queensland Law Society (QLS) who hold a current Australian practising certificate (other than legal practitioners who only hold a corporate practising certificate, government legal officers or members who have been exempted by the QLS).

## **Achievement of policy objectives**

The policy objectives are achieved by giving notice of the approval of the Scheme by the Council.

The current QLS Scheme will expire on 30 June 2016. The notice will repeal the Professional Standards (Queensland Law Society Scheme) Notice 2010, SL No. 159 on 1 July 2016.

## **Consistency with policy objectives of authorising law**

The notice is consistent with the policy objectives of the Act.

## **Inconsistency with policy objectives of other legislation**

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

## **Benefits and costs of implementation**

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

## **Consistency with fundamental legislative principles**

The notice is consistent with fundamental legislative principles.

## **Consultation**

Notice of the Scheme was published in *The Australian*, *The Sydney Morning Herald*, *The Daily Telegraph*, *The Canberra Times*, *The Age*, *The Advertiser*, *The West Australian*, *The NT News* and *The Courier Mail*.