

# **Legal Profession (Barristers Rules) Notice 2018**

Explanatory notes for SL 2018 No. 20

made under the

*Legal Profession Act 2007*

## **General Outline**

### **Short title**

*Legal Profession (Barristers Rules) Notice 2018*

### **Authorising law**

Section 225 of the *Legal Profession Act 2007* (the Act).

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

The policy objectives of this subordinate legislation are to give notice of the '2011 Barristers' Rule, as amended' (the Rule) and to repeal the *Legal Profession (Barristers Rules) Notice 2016*. The Rule incorporates amendments to rules 1 and 108. The amendment to rule 108 inserts a new rule 108(c) which provides that a barrister may disclose in a confidential setting confidential information obtained in the course of practice for the sole purpose of obtaining advice in connection with the barrister's legal or ethical obligations. The amendment to rule 1 is of a consequential nature.

### **Achievement of policy objectives**

The notice achieves the stated objective of giving effect to the Rule.

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

Section 220 of the Act provides that the Bar Association of Queensland (BAQ) may make rules about legal practice in Queensland engaged in by Australian legal practitioners as barristers. Section 225 of the Act provides that these rules have no effect unless the Minister notifies the making of them.

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

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

## **Benefits and costs of implementation**

The benefit of this notice is to give effect to the Rule. There is no implementation cost for this notice.

## **Consistency with fundamental legislative principles**

The notice is consistent with fundamental legislative principles.

## **Consultation**

The BAQ has consulted on the Rule as required by section 223 of the Act.