

Supreme Court (Admission Guidelines) Amendment Notice 2019

Explanatory notes for SL 2019 No. 269

made under the

Supreme Court of Queensland Act 1991

General Outline

Short title

Supreme Court (Admission Guidelines) Amendment Notice 2019

Authorising law

Section 86 of the *Supreme Court of Queensland Act 1991* (the Act)

Policy objectives and the reasons for them

The objective of the *Supreme Court (Admission Guidelines) Amendment Notice 2019* (the Notice) is to give effect to three guidelines issued by the Chief Justice.

Under section 86 of the Act, the Chief Justice may issue guidelines about a matter prescribed under the *Supreme Court (Admission) Rules 2004* (Admission Rules).

Section 86 of the Act provides that a guideline is a statutory instrument but not subordinate legislation, and has no effect unless the Minister gives notice of the issuing of the guideline. The notice is subordinate legislation.

Rule 9AA(2) of the Admission Rules provides that, in issuing these guidelines, the Chief Justice must have regard to any relevant recommendations of the Law Admissions Consultative Committee (LACC). The LACC is a national body comprised of representatives of the law admitting authority in each Australian jurisdiction, the Council of Australian Law Deans, the Australasian Professional Legal Education Council and the Law Council of Australia. The LACC's role is to facilitate consensus on matters related to admission to the Australian legal profession, including academic and practical legal training requirements.

The Chief Justice has recently issued the following guidelines under rule 9AA of the Admission Rules, which comprise the relevant standards or principles recommended by the LACC:

- Admission Guidelines for Approving Academic Qualifications - Admission Guidelines Number 1 (2019);
- Admission Guidelines for Approving Practical Legal Training Requirements - Admission Guidelines Number 2 (2019); and
- Admission Guidelines for Assessing Overseas Applications - Admission Guidelines Number 3 (2019).

In issuing these guidelines, the Chief Justice has also withdrawn the earlier guidelines for approving academic qualifications, approving practical legal training requirements and assessing overseas applications.

Achievement of policy objectives

The Notice gives notice of the issuing of three guidelines by the Chief Justice.

Consistency with policy objectives of authorising law

The Notice is consistent with the 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

Implementing the Notice ensures that Queensland's Admission Guidelines are consistent with current national standards. There are no costs associated with implementation of the Notice.

Consistency with fundamental legislative principles

The Notice is consistent with fundamental legislative principles.

Consultation

The Chief Justice has issued guidelines under rule 9AA of the Admission Rules.

The Department of Justice and Attorney-General has self-assessed the Amendment Regulation to be excluded from further regulatory impact analysis under exclusion category (g) of the Queensland Government Guide to Better Regulation as it is a regulatory proposal that is machinery in nature.