

Legal Profession (Society Rules) Amendment Notice (No. 3) 2020

Explanatory notes for SL 2020 No. 216

Made under the

Legal Profession Act 2007

General Outline

Short Title

Legal Profession (Society Rules) Amendment Notice (No. 3) 2020

Authorising law

Section 697 of the *Legal Profession Act 2007* (the Act).

Policy objectives and the reasons for them

Section 696 of the Act provides for the Queensland Law Society (QLS) to make society rules for various purposes, including: to define, and carry out, the objects of the QLS; for the regulation and good government of the QLS and its members; and to fix fees, levies and subscriptions in relation to QLS membership.

Under section 697(1) of the Act, society rules have no effect unless the Minister notifies the making of the rules. Under section 697(2) of the Act, the notice is subordinate legislation. The rules made and notified to date under sections 696 and 697 of the Act are consolidated in the *Legal Profession (Society) Rules 2007* (the Society Rules).

The purpose of the *Legal Profession (Society Rules) Amendment Notice (No. 3) 2020* (the Notice) is to give notice of the making of the *Legal Profession (Society) Amendment Rule (No. 3) 2020* (the Amendment Rule) by the QLS Council.

The Amendment Rule amends the Society Rules to:

- provide that the fee accompanying an application for membership is payable in a way approved by the QLS Council under rule 16;
- allow members to apply to change their membership to another category of membership at any time; and
- transition associate membership from a financial year basis to annual renewal upon the anniversary of the application for membership.

Achievement of policy objectives

The Notice gives effect to the Amendment Rule.

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

The benefit of the Notice is that it gives effect to the mentioned amendments to the Society Rules. 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

The Notice is being made at the request of the QLS.

The Queensland Productivity Commission has not been consulted because the Notice is excluded from regulatory impact analysis under the *Queensland Government Guide to Better Regulation* as a regulatory proposal of a machinery nature.