

# Legal Profession (Society Rules) Amendment Notice 2022

Explanatory notes for SL 2022 No. 48

Made under the

*Legal Profession Act 2007*

## General Outline

Short Title

Legal Profession (Society Rules) Amendment Notice 2022

### Authorising law

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

### Policy objectives and the reasons for them

Section 696(1) of the Act provides for the Queensland Law Society (QLS) to make rules (society rules) for various purposes, including 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. This notice is subordinate legislation (section 697(2) of the Act). The society rules made and notified to date under sections 696 and 697 of the Act are consolidated in the Legal Profession (Society) Rules 2007 (Society Rules).

The purpose of the *Legal Profession (Society Rules) Amendment Notice 2022* (the Notice) is to give notice of the making of the Legal Profession (Society) Amendment Rule (No. 1) 2022 (Amendment Rule) by the QLS Council.

The Amendment Rule amends rule 16 of the Society Rules to set the annual membership fees for the financial year commencing 1 July 2022.

The Amendment Rule also amends rule 10B of the Society Rules to allow an incorporated legal practice (ILP) which has all legal practitioner directors and employed solicitors holding current Australian practising certificates and full or honorary membership of the QLS to apply for ILP membership of the QLS. It further amends rule 20(1)(h) of the Society Rules to provide that incorporated legal practice membership

ceases if any legal practitioner director or employed solicitor ceases to be a full or honorary member of the QLS.

The latter amendments are for the purposes of The Queensland Law Society Professional Standards Scheme commencing on 1 July 2022.

## **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, which provides for the making of society rules.

## **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 implementation of the Notice.

## **Consistency with fundamental legislative principles**

The Notice is consistent with fundamental legislative principles.

## **Consultation**

The Notice is made at the request of the QLS.

The Office of Best Practice Regulation has not been consulted because the Notice is of a machinery nature and is therefore excluded from regulatory impact analysis under the *Queensland Government Guide to Better Regulation*.