Legal Profession (Australian Solicitors Conduct Rules) Notice 2024

Explanatory notes for SL 2024 No. 242

Made under the

Legal Profession Act 2007

General Outline

Short Title

Legal Profession (Australian Solicitors Conduct Rules) Notice 2024

Authorising law

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

Policy objectives and the reasons for them

Section 219 of the Act provides that the Queensland Law Society (QLS) may make rules about legal practice in this jurisdiction engaged in by Australian legal practitioners as solicitors, and about engaging in legal practice in this jurisdiction as an Australian-registered foreign lawyer (solicitors' rules).

Under section 225(1)(a) of the Act, solicitors' rules have no effect unless the Minister notifies the making of them. Under section 225(2) of the Act, a notice under subsection (1) is subordinate legislation.

The purpose of the *Legal Profession (Australian Solicitors Conduct Rules) Notice 2024* (Notice) is to give notice of the making of the Australian Solicitors' Conduct Rules 2023 (ASCR 2023) by the QLS Council.

The ASCR 2023 will replace the Australian Solicitors' Conduct Rules 2012.

Achievement of policy objectives

The Notice gives effect to the ASCR 2023 and repeals the *Legal Profession (Australian Solicitors Conduct Rules) Notice 2022*.

Consistency with policy objectives of authorising law

The Notice is consistent with the policy objectives of the Act, which provides for the making of solicitors' 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 ASCR 2023. There are no costs associated with 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.