

# Supreme Court (Admission) Amendment Rule 2022

## Human Rights Certificate

### Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 41 of the *Human Rights Act 2019* (HR Act), I, the Honourable Shannon Fentiman MP, Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence, provide this human rights certificate with respect to the *Supreme Court (Admission) Amendment Rule 2022* (Amendment Rule) made under the *Supreme Court of Queensland Act 1991* (the Act).

In my opinion, the Amendment Rule, as tabled in the Legislative Assembly, is compatible with the human rights protected by the HR Act. I base my opinion on the reasons outlined in this statement.

## Overview of the Subordinate Legislation

Section 85(1)(b) of the Act empowers the Governor in Council to make rules including rules for the admission of persons to the legal profession under the *Legal Profession Act 2007*. Section 85(2) of the Act provides that a rule made by the Governor in Council under section 85 of the Act may only be made with the consent of the Rules Committee.

The *Supreme Court (Admission) Rules 2004* (the Rules) provide for the approval by the Chief Justice and the Legal Practitioners Admissions Board (the Board) of the academic qualifications and the practical legal training (PLT) requirements for admission to the legal profession.

Other Australian admitting authorities have introduced admission requirements to deal with stale qualifications (i.e academic or PLT qualifications in law more than five years old).

The Rules Committee has consented to the making of rules for similar requirements in Queensland.

The Amendment Rule will insert new rules 6A, 7AA and 7B into the Rules to require applicants for admission who have stale qualifications to refresh or renew previously completed academic and/or PLT qualifications, as determined by the Board. This will promote a nationally consistent approach and will prevent applicants circumventing the stale qualification provisions in other jurisdictions by applying for admission in Queensland.

## Human Rights Issues

### Human rights relevant to the subordinate legislation (Part 2, Division 2 and 3 *Human Rights Act 2019*)

The Amendment Rule does not affect or engage a human right.

## Conclusion

I consider that the *Supreme Court (Admission) Amendment Rule 2022* is compatible with the *Human Rights Act 2019* because it does not limit human rights.

**SHANNON FENTIMAN MP**  
Attorney-General and Minister for Justice  
Minister for Women and  
Minister for the Prevention of Domestic and Family Violence

© The State of Queensland 2022