

LEGAL PROFESSION (AMENDMENT) ACT 1992 No. 78

NEW SOUTH WALES



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LEGAL PROFESSION (AMENDMENT) ACT 1992 No. 78

NEW SOUTH WALES



Act No. 78, 1992

An Act to amend the Legal Profession Act 1987 with respect to the pronouncement of determinations of certain bodies constituted under that Act; to validate certain matters; and for other purposes. [Assented to 23 November 1992]

The Legislature of New South Wales enacts:**Short title**

1. This Act may be cited as the Legal Profession (Amendment) Act 1992.

Commencement

2. This Act commences on the date of assent.

Amendment of Legal Profession Act 1987 No. 109

3. The Legal Profession Act 1987 is amended as set out in Schedule 1.

SCHEDULE 1—AMENDMENTS

(Sec. 3)

(1) Section 143 (Hearings):

After section 143 (6), insert:

(7) A determination of the Board is not invalid only because the constitution of the Board at the time of the pronouncement of the determination is different from the constitution of the Board at the time of making the determination.

(2) Section 157 (Hearings):

After section 157 (5), insert:

(6) A determination of the Tribunal is not invalid only because the constitution of the Tribunal at the time of the pronouncement of the determination is different from the constitution of the Tribunal at the time of making the determination.

(3) Schedule 8 (Savings, transitional and other provisions):

(a) After clause 19A, insert:

Certain determinations of the Solicitors' Statutory Committee

19B. (1) A determination or order under the repealed Act of the Solicitors' Statutory Committee is not invalid, and is taken never to have been invalid, only because the constitution of the Committee at the time of the

SCHEDULE 1—AMENDMENTS—*continued*

pronouncement of the determination or order was different from the constitution of the Committee at the time of the making of the determination or order.

(2) This clause does not apply to a determination or order the subject of the decision of the Court of Appeal in *Knaggs v. The Solicitors' Statutory Committee & Anor. (No. 2)*.

(b) After Part 3, insert:

Part 4—Provisions consequent on the enactment of the Legal Profession (Amendment) Act 1992

Validation of certain determinations and orders

29. A determination or order of the Legal Profession Standards Board or the Legal Profession Disciplinary Tribunal that would have been valid if this Act, as amended by the Legal Profession (Amendment) Act 1992, had been in force at the time the determination or order was made is validated.

*[Minister's second reading speech made in—
Legislative Assembly on 15 October 1992
Legislative Council on 17 November 1992]*