

LEGAL PROFESSION ACT 1987—RULE

(Solicitors Rules)

NEW SOUTH WALES



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The Law Society of New South Wales

Amendments to the Solicitors' Rules

THE Council of the Law Society, on 1 December 1994, resolved, pursuant to its powers under section 57B of the Legal Profession Act, to amend the Solicitors Professional Conduct and Practice Rules, first published in the *Government Gazette*, No. 78, on Friday 10th June 1994, by adding to the Rules, the following new Rule 8A:

8A. For the purposes of section 181 of the Legal Profession Act, the following rules have effect:

8A.1 Where a legal practitioner has—

8A.1.1 agreed to provide to a client legal services as they are specified and required by the client, and charge for them at a declared rate, or on an agreed basis; and

8A.1.2 disclosed to the client the intended billing arrangements and the other information required by section 75 of the Act;

it will be deemed to be not reasonably practicable for the legal practitioner to disclose more information under sections 175 and 177 while that agreement continues in force.

8A.2 Where a legal practitioner agrees with a client to provide legal services, the total cost of which is not immediately capable of estimation—

8A.2.1 the disclosure of such an estimate by the legal practitioner will be deemed to be not reasonably practicable only for such time as any facts or circumstances, on which calculation of the costs is substantially contingent, are unknown to the legal practitioner; and

8A.1.2 the legal practitioner is not released from the obligation to disclose to the client estimates of the costs of the legal services which the legal practitioner can (as circumstances permit) reasonably anticipate will be provided to the client.
