

1995—No. 494

## LEGAL PROFESSION ACT 1987—REGULATION

(Relating to barristers' costs)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Legal Profession Act 1987, has been pleased to make the Regulation set forth hereunder.

J. W. Shaw  
Attorney General.

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The Legal Profession Regulation 1994 is amended by inserting after clause 26I the following Division:

### **Division 6—Miscellaneous**

#### **Barristers may receive costs in advance**

**26J. ( 1 )** A barrister may, in the course of practising as a barrister, receive money in advance for costs to accrue due to, or to be paid by, the barrister.

Note: “Costs” includes barristers’ fees as well as other charges by barristers (such as expenses and disbursements): section 3 of the Act.

**(2)** This clause does not affect any trust to which money received by a barrister is subject, or any obligation of a barrister under such a trust.

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### **EXPLANATORY NOTE**

The object of this Regulation is to make it clear that a barrister may receive fees, disbursements (and other “costs”) in advance “on account”.

This Regulation is made under the Legal Profession Act 1987, in particular section 216 (3) (b) (matters for which rules may be made) and (d) (practice, conduct and discipline of legal practitioners).

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