



New South Wales

Legal Services Tribunal Rules 1997

Division 1 Introduction

1 The rules which follow regulate, subject to the Legal Profession Act 1987 and the qualifications stated within them, the practice and procedure of the Legal Services Tribunal and replace the former rules of the Tribunal.

2 [1] The rules are made by the Rule Committee of the Legal Services Tribunal under the authority of section 166 of the Legal Profession Act 1987.

[2] The rules may be cited as “The Legal Services Tribunal Rules 1997”.

[3] The rules commence 1 September 1997.

3 In the rules:

“the Act” means the Legal Profession Act 1987.

“the Tribunal” means the Legal Services Tribunal.

“the Registrar” means the Registrar of the Legal Services Tribunal and includes any person for the time being acting in that capacity.

a reference to a “Form” means a form in the schedule to the rules.

“Informant” means a Council or the Legal Services Commissioner instituting proceedings in the Tribunal by an information filed under section 167 of the Act.

“Council” means either the Council of the Law Society of New South Wales or the Council of the New South Wales Bar Association.

4 The Tribunal will maintain a seal, in accordance with section 162 (4) of the Act, which will include the words “Legal Services Tribunal” and will be kept in the custody of the Registrar.

5 The Tribunal may at any time and on terms that it determines:

- (a) exempt a person from compliance with a rule, in whole or in part; or
- (b) abridge or extend the time prescribed for compliance with a rule.

6 The Tribunal may give such directions, and may make such orders (including orders as to the time for doing any act) as it considers necessary for the just and orderly conduct of the proceedings before it.

6A Division 2 and 4 of these rules apply to proceedings instituted by the Property Services Council in respect of a licensed conveyancer in accordance with Part 6 of the Conveyancers Licensing Act 1995 and Part 10 of the Legal Profession Act 1987, on the basis that, in Division 2, the word "Informant" includes the Property Services Council and the words "licensed conveyancer" are substituted, when appropriate, for the words "legal practitioner".

Division 2 Proceedings under Part 10

7 An Information intended to institute proceedings in the Tribunal in respect of a complaint of unsatisfactory professional conduct or professional misconduct, as required by section 167 of the Act, must be drawn in accordance with, or to the effect of, Form 1.

8 [1] When an Informant files an Information, it must at the same time file with the Tribunal an affidavit sworn by a competent person on its behalf containing particulars which are sufficient to:

- (a) identify the author of the complaint to which the Information relates and describe briefly the allegations of unsatisfactory professional conduct or professional misconduct on which the complaint is based;
- (b) describe briefly the action taken by the Informant to investigate the complaint;
- (c) identify—
 - (i) any person who investigated the complaint, or matters associated with it, and on whose evidence the Informant relies; and
 - (ii) the reports or other documents relating to the investigation which the Informant intends to tender in evidence
- (d) establish, for the purposes of section 128 of the Act, that the person who is the subject of the complaint was a legal practitioner, to whom Part 10 of the Act applies, at the time when the alleged professional misconduct, or unsatisfactory professional conduct, occurred.

[2] The Informant must file with the Information and the affidavit required by subrule [1]:

- (a) true copies of the reports and other documents, if any, referred to in subrule [1] (c) (ii), identified as exhibits to that affidavit; or
- (b) an affidavit by the person who conducted the relevant investigation annexing copies of the reports and other documents.

9 The Informant must, as soon as practicable after the filing of the Information and related affidavits, reports, or other documents, serve complete copies of each, authenticated by the Tribunal's seal or other endorsement, on the legal practitioner personally.

10 [1] If the Informant proves to the satisfaction of the Tribunal that it is impracticable to serve the legal practitioner personally with the Information and related affidavits, reports, or other documents, the Tribunal may by order direct that instead of personal service the Informant take such action as the order specifies for the purpose of bringing the Information and related affidavits, reports, or other documents, to the notice of the legal practitioner.

[2] When the Tribunal makes an order under subrule [1] the Tribunal may also order that the Information and related affidavits, reports, or other documents, will be taken to have been served on the happening of any specified event or the expiry of any specified time.

11 The Informant must, as soon as practicable after it has served the Information and related affidavits, reports, or other documents, on the legal practitioner personally or complied with an order of the Tribunal under rule 10, file with the Tribunal an affidavit verifying service or compliance with the Tribunal's order.

12 [1] The legal practitioner in respect of whom an Information is filed must file a Reply, as required by section 167 of the Act, and complying with subrule [2], within 21 days of the day on which the Information and related affidavits, reports or other documents are served or, when an order has been made under rule 10, within 21 days of the day on which the Information and related affidavits, reports or other documents are taken to have been served in accordance with that order.

[2] The Reply must be drawn in accordance with, or to the effect of, Form 2 and must traverse each allegation in the Information with which the legal practitioner takes issue and must state in summary form any material facts and circumstances on which the legal practitioner relies.

[3] If the legal practitioner fails to file a Reply complying with subrule [2], within the time specified by subrule [1] or such further time as the Tribunal allows, the legal practitioner may not, on the hearing of the Information, without the leave of the Tribunal, lead evidence in relation to any matter of which notice should have been given in a Reply.

13 A legal practitioner who has filed a Reply must, as soon as practicable thereafter, serve on the Informant a complete copy of the Reply authenticated by the Tribunal's seal or other endorsement and then file with the Tribunal an affidavit verifying service.

14 An Information, a Reply or any application or other initiating document filed with the Tribunal must contain an address for service in respect of the party by whom the document is filed and that address must include a place and telephone number in New South Wales.

15 After the expiry of 28 days from the day on which an Information is filed the Registrar may give notice to the Informant and the legal practitioner named in the Information to attend on the Tribunal for directions as to the hearing of the Information and related matters.

16 The Informant and the legal practitioner must each file with the Tribunal, and serve on the other, a notice drawn in accordance with, or to the effect of Form 3 and containing the information specified in the form not less than 7 days before the day appointed by the Registrar under rule 15 for a directions hearing.

17 At a directions hearing the Tribunal may make orders in relation to the conduct and hearing of the proceedings which may include orders to the effect of the following:

- (a) that discovery and examination of all relevant documents be completed by a specified date;
- (b) that affidavits or statements of evidence of the intended witnesses be filed and served by a specified date;
- (c) that each party serve on the other and file with the Tribunal by a specified date a notice indicating the names of those witnesses whom the party requires to attend at the hearing for cross-examination;
- (d) that particulars of any claim for compensation and of the means by which it is intended to prove the claimed loss be filed and served by a specified date;
- (e) that the hearing of the Information will take place on a specified day or on specified days; and
- (f) that the parties attend before the Tribunal on a day prior to the appointed hearing for any directions necessary to ensure their readiness for the hearing.

18 The Tribunal may list an Information for hearing and may proceed to conduct a hearing, despite the legal practitioner's failure to appear, if it is proved to the satisfaction of the Tribunal that:

- (a) (i) the Information, related affidavits, reports and other documents have been served on the legal practitioner; or

- (ii) the Informant has complied with an order made by the Tribunal under rule 10 and any event or time specified in the order, by which the Information, related affidavits, reports and other documents are to be taken to have been served, has happened or expired;
- (b) the time limited for the filing of a Reply, or any extension of that time ordered by the Tribunal, has expired;
- (c) the time specified by the Tribunal for compliance with any direction given by it to the parties has expired; and
- (d) when it proceeds to conduct a hearing, that sufficient notice has been given to the legal practitioner of the date of the hearing.

18A [1] This rule applies when a party to proceedings before the Tribunal under Part 10 of the Act seeks from the Tribunal an order under section 171E for payment of the party's costs to the proceedings.

[2] (a) A party seeking an order for costs must notify the Tribunal and the other party of the intended application before the Tribunal concludes its hearing of the proceedings.

(b) If the parties then agree that the amount of the costs intended to be claimed is fair and reasonable and the parties inform the Tribunal that they are willing to consent to an order for costs in the amount claimed, the Tribunal may, upon completing its determination of the complaint, make an order for costs in the amount, and on the terms, agreed.

(c) In default of any such agreement by the parties prior to the conclusion of the proceedings the following provisions apply.

[3] Within 21 days of the day on which the Tribunal delivers its determination in respect of the relevant complaint, the party seeking an order for payment of costs must serve on the other party a statement containing the following information:

- (a) the total amount of the costs and disbursements claimed;
- (b) the basis on which the costs are calculated;
- (c) details of the work to which the costs relate;
- (d) the identity and qualifications of the person or persons who did the work;
- (e) details of each disbursement including the date and amount of payment and the identity of the payee; and
- (f) particulars of any special circumstances relied upon to justify the costs claimed as fair and reasonable.

[4] If the party served with a statement under subrule [3] objects to the costs and disbursements claimed, in whole or in part, that party must, within 21 days of receiving the statement, serve on the party applying for the costs order a statement containing particulars of the objections.

[5] After 21 days from the day on which the statement required by subrule [3] is served, the party applying for the costs order must file with the Tribunal either:

- (a) a statement signed by each of the parties, their solicitors or counsel, indicating their consent to a costs order in an amount specified in the statement; or
- (b) true copies of
 - (i) the statement of costs and disbursements served on the other Party;
 - (ii) any statement of objections received from the other party; and
 - (iii) any response made to the statement of objections and served on the objector.

[6] The Tribunal, after receipt of the documents referred to in subrule [5] (a) or (b), may proceed to make an order for costs as it may determine on the basis of the evidence before it, or it may invite such further submissions from the parties or give such directions as it may see fit.

[7] If a party, having given notice of an intention to apply for a costs order, fails to comply with subrule [3] or subrule [5], the Tribunal may give such directions and make such orders for the resolution of the matter as it may see fit.

Division 3 Proceedings under Part 3A

19 An application by a Council under section 48I or section 48J must be drawn in accordance with, or to the effect of, Form 4.

20 [1] When a Council files an application under section 48I or 48J it must at the same time file with the Tribunal an affidavit, made by a competent person on its behalf, containing particulars which are sufficient to:

- (a) describe briefly the action taken by the Council to investigate the relevant conduct of the person in respect of whom the application is made; and
- (b) identify:
 - (i) any person who investigated the relevant conduct on behalf of the Council and on whose evidence the Council relies; and
 - (ii) the reports and other documents relating to the investigation which the Council intends to tender in evidence.

[2] The Informant must file with the affidavit required by sub-rule [1]:

- (a) true copies of the reports and other documents, referred to in subrule [1] (b) (ii), identified as exhibits to that affidavit; or
- (b) an affidavit by the person who conducted the relevant investigation annexing copies of the reports and other documents.

21 A Council must, as soon as practicable following the filing of an application under section 48I or 48J and related affidavits, reports, or other documents, serve complete copies of each, authenticated by the Tribunal's seal or other endorsement, on the person in respect of whom the application is made (referred to in the rules following in this Division as the "Respondent,').

22 [1] If a Council proves to the satisfaction of the Tribunal that it is impracticable to effect personal service of an application and related affidavits, reports, or other documents, the Tribunal may by order direct that instead of personal service the Council take such action as the order specifies for the purpose of bringing the application and related affidavits, reports or other documents, to the notice of the Respondent.

[2] When the Tribunal makes an order under subrule [1] the Tribunal may also order that the application and related affidavits, reports or other documents, will be taken to have been served on the happening of any specified event or the expiry of any specified time.

23 A Council must, as soon as practicable after it has served an application under section 48I or 48J and related affidavits, reports, or other documents, or complied with an order of the Tribunal under rule 22, file with the Tribunal an affidavit verifying service or compliance with the Tribunal's order.

24 [1] A Respondent to an application under section 48I or 48J who intends to appear on the hearing of the application' must file with the Tribunal a Reply to the application, complying with subrule [2], within 21 days of the day on which the application and related affidavits, reports or other documents are served or are taken to have been served pursuant to an order made under rule 22.

[2] The Reply must be drawn in accordance with, or to the effect of, Form 5 and must traverse each allegation in the application, with which the Respondent takes issue, and must state in summary form any material facts and circumstances on which the Respondent relies.

[3] If a Respondent fails to file a Reply complying with subrule [2], within the time specified by subrule [1] or such further time as the Tribunal allows, the Respondent may not, on the hearing of the application, without the leave of the Tribunal, lead evidence in relation to any matter of which notice should have been given in a Reply.

25 A Respondent, who has filed a Reply to an application under section 48I or 48J, must, as soon as practicable thereafter, serve on the relevant Council a complete copy of the Reply, authenticated by the Tribunal's seal or other endorsement, and then file with the Tribunal an affidavit verifying service.

26 An application under section 48I or 48J and a Reply to an application must contain an address for service in respect of the party by whom the document is filed and that address must include a place and telephone number in New South Wales.

27 After the expiry of 28 days from the day on which an application under section 48I or 48J is filed the Registrar may give notice to the Applicant-Council and the Respondent to attend on the Tribunal for directions as to the hearing of the application and related matters.

28 At a directions hearing the Tribunal may make orders in relation to the conduct and hearing of the proceedings which may include orders to the effect of those specified in rule 17 to the extent that they may be appropriate.

29 The Tribunal may list an application under section 48I or 48J for hearing and may proceed to hear the application, despite the failure of the Respondent to appear, if it is proved to the satisfaction of the Tribunal that:

- (a) (i) the application and related affidavit have been served on the Respondent; or
- (ii) the applicant has complied with an order of the Tribunal under rule 22 and any event or time specified in the order, by which the application, related affidavits, reports and other documents are to be taken to have been served, has happened or expired;
- (b) the time limited for the filing of a Reply, or any extension of that time ordered by the Tribunal, has expired;
- (c) the time specified by the Tribunal for compliance with any direction given by it to the parties has expired; and
- (d) when it proceeds to conduct a hearing, sufficient notice has been given to the Respondent of the date of the hearing.

30 A person who has been convicted of an indictable offence and who seeks the approval of the Tribunal under section 48K (2) of the Act, in order to be an “associate” [as defined in section 48K (7)] of a solicitor or barrister, must file with the Tribunal:

- (a) an application drawn in accordance with, or to the effect of Form 6; and
- (b) an affidavit by the applicant containing particulars of the relevant offence and conviction; an explanation of the circumstances in which the approval is required and the grounds on which the applicant relies to justify the grant of the approval sought.

31 [1] An applicant under section 48K (2) must, as soon as practicable after filing the application and related affidavit, serve a complete copy of each document, authenticated by the Tribunal’s seal or other endorsement, on the relevant Council and then file with the Tribunal an affidavit verifying service of the documents on the Council.

[2] For the purposes of this rule “the relevant Council” means the Council of the Law Society of New South Wales, if the applicant is seeking the Tribunal’s approval to be an associate of a solicitor, or the Council of the New South Wales Bar Association, if the applicant is seeking the Tribunal’s approval to be an associate of a barrister.

32 If a Council wishes to appear on the hearing of an application under section 48K (2) it must file with the Tribunal a notice drawn in accordance with, or to the effect of, Form 7 and then serve on the applicant a complete copy of the notice authenticated by the Tribunal’s seal or other endorsement.

33 After the expiry of 21 days from the day on which an applicant under section 48K (2) files with the Tribunal an affidavit verifying service of the application and related affidavit on the relevant Council, the Tribunal may proceed to hear and determine the application.

Division 4 General

34 [1] A summons to be issued under section 171 of the Act requiring a person to appear at a hearing to give evidence and produce documents [if required] must be drawn in accordance with, or to the effect of Form 8.

[2] The party, at whose request a summons is issued, must, at the time the summons is served, cause to be paid or tendered to the person named in the summons a sum of money sufficient to meet the person’s reasonable expenses of complying with the summons.

35 [1] A notice to be issued under section 171A of the Act requiring a person of produce documents must be drawn in accordance with, or to the effect of, Form 9.

[2] The party, at whose request a notice to produce documents is issued, must, at the time the notice is served, cause to be paid or tendered to the person named in the notice a sum of money sufficient to meet the person's reasonable expenses of complying with the notice.

36 The Tribunal may adjourn the hearing of any proceedings before it for such time and on such terms as it may determine and the Tribunal may by order direct that any document filed with the Tribunal may be amended subject to any conditions which the Tribunal imposes.

37 Any application to the Tribunal for which there is no specific provision in the rules may be drawn in accordance with, or to the effect of, ***Form 10***.

38 The powers of the Tribunal to give directions as to the procedures to be followed by the parties to any proceedings before it, or to order the adjournment of any proceedings, may be exercised on its behalf by a solicitor or barrister member of the Tribunal or the Registrar subject to review by the Tribunal on the application of any affected party.

FORM 1 Rule 7

INFORMATION UNDER S.167 LEGAL PROFESSION ACT 1987

LEGAL SERVICES TRIBUNAL No. ____ of 199 ____

re:

[name of legal practitioner]

and Part 10 of the Legal Profession Act 1987

INFORMATION

The Council of the _____/Legal Services Commissioner informs the Tribunal that as a result of the Council's/Commissioner's investigation of a complain/complaints made under Part 10 of the Legal Profession Act 1987 against *[name]*, a legal practitioner within the meaning of S.128 of the Act, the Council/Commissioner claims that (the legal practitioner) while practising as a solicitor/barrister was guilty of unsatisfactory professional conduct/professional misconduct on the grounds that:

- 1.
- 2.
- 3.

Particulars of the legal practitioner's unsatisfactory professional conduct/professional misconduct are stated in the first schedule.

[name] the/a complainant claims to be entitled to an order for compensation under S.171D of the Act against the legal practitioner. Particulars of the grounds on which compensation is claimed, and the nature and amount of the compensation sought, are stated in the second schedule.

The Council/Commissioner requests the Tribunal to make the orders stated in the third schedule.

The Schedules

1.
2.
3.

Signed by or on behalf of the
Council/Commissioner

The address of the Informant for the service of all notices and documents is as follows:

**NOTE TO BE ENDOWED ON INFORMATION
UNDER S.167 OF THE LEGAL PROFESSION ACT**

To:

[name of legal practitioner]

If you wish to be heard on the hearing of this Information you must file in the registry of the Tribunal at Level 15, 111 Elizabeth Street, Sydney a Reply to the allegations of unsatisfactory professional conduct/professional misconduct made against you.

Your Reply must comply with rule 12 and be drawn in accordance with or to the effect of Form 2 to the Rules and provide your address for service of documents. It must be filed within 21 days of the day on which you are served with a copy of the information. When you file your reply you must on the same day serve a copy of it on the informant.

Any application to extend the time for filing your reply must be made to the Tribunal in writing and served on the informant.

Dated:

Registrar

FORM 2 **Rule 12**

REPLY

LEGAL SERVICES TRIBUNAL No. ____ of 199 ____

re:

[name of legal practitioner]

and Part 10 of the Legal Profession Act 1987

REPLY

[name] of [address], the legal practitioner referred to in the Information filed in these proceedings, say in reply to each of the grounds of complaint of unsatisfactory professional conduct/professional misconduct and each claim for compensation made against me as follows:

Unsatisfactory professional conduct/professional misconduct

Ground 1

Ground 2

Ground 3

As to the claim/s for compensation:

1.

2.

3.

1997 No 316

Legal Services Tribunal Rules 1997

Dated: day of 199_____

Signed: *[legal practitioner]*

My address for service of all notices and documents in these proceedings is
as follows:

FORM 3 ***Rule 16***

LEGAL SERVICES TRIBUNAL **No. ____ of 199 ____**

re:

[name of legal practitioner]

and Part 10 of the Legal Profession Act 1987

To: The Registrar

1. I am/the solicitor for the informant/legal practitioner.
2. I have briefed *[insert name]* of counsel to appear on the hearing of the
 - (a) information.
or
 - (b) I have not yet briefed counsel.
3. The names and addresses of the deponents of affidavits filed or intended to be filed by me are:
4. The names and addresses of other witnesses whom I intend to call on the hearing are:
5. I have/have not inspected all documents in the possession of the other party which I believe may be relevant to the proceedings.
6. My request for production of documents by the other party has/has not been complied with.
7. My request of the other party for further particulars or other information has/has not been complied with.
8. I estimate the likely duration of the hearing to be *[insert number of days]*.

Dated: day of 199 ____

Signed:

FORM 4 Rule 19

APPLICATION BY A COUNCIL FOR AN ORDER UNDER
SECTION 48I OR SECTION 48J

LEGAL SERVICES TRIBUNAL **No. ____ of 199 ____**

re:

[name of Respondent]

and Part 3A of the Legal Profession Act 1987

***Section 48I/48J**

APPLICATION

The Council of the
applies to the Tribunal for an order prohibiting any barrister or solicitor
(without approval under section 48K of the Act) from—

*employing or paying (the Respondent) in connection with
the barrister's or solicitor's practice;

*being a partner of (the Respondent) in a business which
includes the barrister's or solicitor's practice;

*[*delete whichever does not apply]*

upon the grounds that:

- 1.
- 2.
- 3.

Particulars of the above grounds are stated in the Schedule.

The Schedule

Dated: day of 199_____

Signed:.....

for the Council of

The address of the Applicant Council for the service of all notices and documents is as follows:

.....

**NOTE TO BE ENDORSED ON APPLICATION
UNDER SECTION 48I OR SECTION 48J**

To:

[name of Respondent]

If you wish to be heard on the hearing of this application you must file in the registry of the Tribunal, Level 15, 111 Elizabeth Street, Sydney; a Reply to the application.

Your Reply must comply with rule 24 and be drawn in accordance with, or to the effect of, Form 5 to the rules and provide your address for service of documents. It must be filed within 21 days of the day on which you are served with a copy of the application. When you file your Reply you must on the same day serve a copy of it on the applicant.

Any application to extend the time for filing your Reply must be made to the Tribunal in writing and served on the applicant.

Dated:

Registrar

FORM 5 Rule 24
REPLY TO AN APPLICATION BY A COUNCIL UNDER
SECTION 48I OR SECTION 48J

LEGAL SERVICES TRIBUNAL **No.** of 199

re:

[name of Respondent]

and Part 3A of the Legal Profession Act 1987

***Section 48I/48J**

*[*delete whichever does not apply]*

REPLY

I, of, the Respondent to the application filed in these proceedings say, in reply to each of the grounds on which the application is based, as follows:-

- 1.
- 2.
- 3.

Dated: day of 199_____

Signed:

[Respondent]

My address for service of all notices and documents in these proceedings is as follows:

FORM 6 Rule 30

**APPLICATION BY A PERSON CONVICTED OF AN
INDICTABLE OFFENCE FOR APPROVAL UNDER
SECTION 48K (2)**

LEGAL SERVICES TRIBUNAL No. of 199 _____

re:

[name of Applicant]

and Part 3A of the Legal Profession Act 1987

Section 48K (2)

APPLICATION

I, of apply to the Tribunal for approval under section 48K (2) of the Legal Profession Act to be an associate (as defined by section 48K (7) of the Act) of a solicitor/barrister practising at Particulars of the arrangement under which, I seek to be an associate of are contained in the schedule.

THE SCHEDULE

Dated: day of 199 _____

Signed:.....
[Applicant]

The address of the applicant for the service of all notices and documents is as follows—

1997 No 316

Legal Services Tribunal Rules 1997

TO:

[the relevant Council]

If you wish to be heard on the hearing of this application you must file in the registry of the Tribunal, Level 15, 111 Elizabeth Street, Sydney, a notice in accordance with, or to the effect of, Form 7 and comply with rule 32.

Dated: day of 199

Registrar

FORM 7 Rule 32

**NOTICE BY A COUNCIL IN RESPONSE TO AN APPLICATION
UNDER SECTION 48K (2) BY A PERSON CONVICTED OF AN
INDICTABLE OFFENCE.**

LEGAL SERVICES TRIBUNAL No. ____ of 199 ____
re:

[name of Applicant]

and Part 3A of the Legal Profession Act 1987

Section 48K (2)

NOTICE TO THE TRIBUNAL AND APPLICANT

The Council of intends to appear on the hearing of the application filed in these proceedings.

The Council opposes the application on the grounds that:

- 1.
- 2.
- 3.

Dated: day of 199 ____

.....
for the Council of

The address of the Council of
for the service of all notices and documents in these proceedings is as follows:

FORM 8 ***Rule 34***

LEGAL SERVICES TRIBUNAL **No.____ of 199____**

re:

[name of legal practitioner]

and Part 10 of the Legal Profession Act 1987

SUMMONS TO ATTEND (s.171)

To:

[name and address]

You are required to appear before the Legal Services Tribunal on *[date]* at *[time]* at *[address]* to give evidence (and to produce the documents specified in the schedule below).

This summons is served under section 171 of the Legal Profession Act 1987 which provides that:

A person served with a summons to appear at a hearing to give evidence must not, without reasonable excuse:

- (a) fail to attend as required by the summons; or
- (a) fail to attend from day to day unless excused, or released from further attendance, by a member of the Tribunal.

You need not attend or produce any document or thing on any day unless your reasonable expenses of complying with the summons have been paid or tendered to you.

Maximum Penalty for non compliance with section 171 is: 20 penalty units.
[insert monetary amount]

Schedule of Documents

Date:

Signed:

Member or Registrar of the Legal Services Tribunal

1997 No 316

Legal Services Tribunal Rules 1997

Issued at the request of:

Name
Address
Telephone Number
Facsimile Number
Document Exchange Number

FORM 9 ***Rule 35***

LEGAL SERVICES TRIBUNAL, **No. ____ of 199 ____**

re:

[name of legal practitioner]

and Part 10 of the Legal Profession Act 1987

NOTICE TO PRODUCE DOCUMENTS (s.171A)

To:

[name and address]

You are required to attend before (a member of the Legal Services Tribunal or the Registrar of the Tribunal or a person authorised by the Tribunal) on *[date]* at *[time]* at *[address]* and to produce at that time and place the documents specified in the schedule below:

Instead of attending at the time specified above you may produce this notice and the documents specified to the Registrar at the place specified above so that they are received before the date on which you are required to attend.

This notice is served under section 171A of the Legal Profession Act 1987 which provides that:

A person must not, without reasonable excuse, refuse or fail to comply with a notice served on the person under this section.

You need not attend or produce any document on any day unless your reasonable expenses of complying with the notice have been paid or tendered to you.

Maximum Penalty for non compliance with section 171A is: 20 penalty units. *[insert monetary amount]*

Schedule of Documents

Date:

Signed:

Member or Registrar of the Legal Services Tribunal

Issued at the request of:

Name

Address

Telephone Number

Faxsimile Number

Document Exchange Number

FORM 10 Rule 37

LEGAL SERVICES TRIBUNAL No.____ of 199____

Part

Schedules

The Legal Profession Act 1987

APPLICATION

(name of applicant) apply for the following orders/directions:

- (a)
- (b)
- (c)

upon the following grounds:

- (I)
- (ii)
- (iii)

Dated: day of 199____

Signed:

The address of the Applicant for the service of all notices and documents is as follows:

To: