

Legal Profession Uniform Regulations 2015

under the

Legal Profession Uniform Law

The Attorneys-General of Victoria and New South Wales, being the Standing Committee under the *Legal Profession Uniform Law*, make the following Regulations under the *Legal Profession Uniform Law*.

GABRIELLE UPTON, MP

Attorney General of New South Wales

MARTIN PAKULA, MP

Attorney-General of Victoria

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Part 1 Preliminary

1 Name of Regulations

These Regulations are the *Legal Profession Uniform Regulations 2015*.

2 Commencement

These Regulations commence on the day on which they are published on the NSW legislation website.

3 Definition

In these Regulations—

the Law means the Legal Profession Uniform Law.

Part 2 Corresponding laws

4 Definition of “corresponding law”

For the purposes of paragraph (a) (iii) of the definition of *corresponding law* in section 6 (1) of the Law, the following are declared to be corresponding laws—

- (a) the *Trust Accounts Act 1973* and the *Legal Profession Act 2007* of Queensland;
- (b) the *Legal Practitioners Act 1981* of South Australia;
- (c) the *Legal Profession Act 2007* of Tasmania;
- (d) the *Legal Profession Act 2008* of Western Australia;
- (e) the *Legal Profession Act 2006* of the Australian Capital Territory;
- (f) the *Legal Profession Act* of the Northern Territory.

Part 3 Modification of applied Acts

5 Modification of applied Acts

- (1) The *Privacy and Personal Information Protection Act 1998* (the **PIIP Act**), as applied by section 416 of the Law, is modified as follows—
 - (a) the Legal Services Council and the Commissioner for Uniform Legal Services Regulation are taken to be public sector agencies;
 - (b) the PPIP Act applies to the Attorney General of New South Wales as if the Attorney General is the Minister, but only in relation to the application of the PPIP Act to the Legal Services Council or the Commissioner for Uniform Legal Services Regulation;
 - (c) the Attorney General of New South Wales is taken to be the Minister for the purposes of the preparation and making of a privacy code of practice in relation to the Legal Services Council and the Commissioner for Uniform Legal Services Regulation.
- (2) The *Government Information (Public Access) Act 2009* (the **GIPA Act**), as applied by section 416 of the Law, is modified as follows—
 - (a) the Legal Services Council and the Commissioner for Uniform Legal Services Regulation are taken to be agencies;
 - (b) the GIPA Act applies to the Attorney General of New South Wales as if the Attorney General is the Minister responsible for, or administering, the Legal Services Council or the Commissioner for Uniform Legal Services Regulation, but only in relation to the application of the Act to the Council or the Commissioner.
- (3) The *State Records Act 1998*, as applied by section 416 of the Law, is modified as follows—
 - (a) the Legal Services Council and the Commissioner for Uniform Legal Services Regulation are taken to be public offices;
 - (b) the *State Records Act 1998* applies to the Attorney General of New South Wales as if the Attorney General is the Minister responsible for the Legal Services Council and the Commissioner for Uniform Legal Services Regulation.
- (4) The *Ombudsman Act 1974*, as applied by section 416 of the Law, is modified as follows—
 - (a) the Legal Services Council and the Commissioner for Uniform Legal Services Regulation are taken to be public authorities;
 - (b) the *Ombudsman Act 1974* applies to the Attorney General of New South Wales as if the Attorney General is the responsible Minister in relation to the Legal Services Council and the Commissioner for Uniform Legal Services Regulation.
- (5) A court or the Civil and Administrative Tribunal of New South Wales, in determining any matter arising from the application of an Act that is modified by this clause, is to apply that Act as so modified.