



New South Wales

Legal Profession Amendment (Costs) Regulation 2000

under the

Legal Profession Act 1987

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Legal Profession Act 1987*.

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Attorney General

Explanatory note

Division 2 of Part 7 of the *Legal Profession Regulation 1994* (the Regulation) fixes costs payable for certain legal and other services (for example, services provided in workers compensation and probate matters).

The object of this Regulation is to provide for the amount of GST that is payable in respect of such a service to be added to those costs.

This Regulation is made under the *Legal Profession Act 1987*, and, in particular, under sections 196 (1) and 216 (the general regulation-making power).

2000 No 295

Clause 1 Legal Profession Amendment (Costs) Regulation 2000

**Legal Profession Amendment (Costs) Regulation
2000**

1 Name of Regulation

This Regulation is the *Legal Profession Amendment (Costs) Regulation 2000*.

2 Commencement

This Regulation commences on 1 July 2000.

3 Amendment of Legal Profession Regulation 1994

The *Legal Profession Regulation 1994* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 3)

Clause 24A

Insert after clause 24:

24A GST may be added to costs

- (1) Despite the other provisions of this Division, a cost fixed by this Division may be increased by the amount of any GST payable in respect of the legal or other service to which the cost relates, and the cost as so increased is taken to be the cost fixed by this Division.
- (2) This clause does not permit a legal practitioner to charge or recover, in respect of GST payable in respect of a legal or other service, an amount that is greater than:
 - (a) 10% of the maximum amount payable to the legal practitioner in respect of the legal or other service apart from this clause, or
 - (b) the amount permitted under the New Tax System Price Exploitation law,whichever is the lesser.
- (3) In this clause:

GST has the same meaning as in the *A New Tax System (Goods and Services Tax) Act 1999* of the Commonwealth.

New Tax System Price Exploitation law means:

 - (a) the New Tax System Price Exploitation Code, as applied as a law of New South Wales by the *Price Exploitation Code (New South Wales) Act 1999*, or
 - (b) Part VB of the *Trade Practices Act 1974* of the Commonwealth.