



New South Wales

Legal Profession Amendment (Indictable Offences) 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*.

BOB DEBUS, M.P.,

Attorney General

Explanatory note

The object of this Regulation is to require applicants for practising certificates to disclose to the Bar Council or Law Society Council any indictable offence with which the applicant has been found guilty.

This Regulation is made under the *Legal Profession Act 1987*, including sections 30 and 216.

2000 No 644

Clause 1 Legal Profession Amendment (Indictable Offences) Regulation 2000

**Legal Profession Amendment (Indictable Offences)
Regulation 2000**

1 Name of Regulation

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

2 Amendment of Legal Profession Regulation 1994

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

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 2)

[1] Clause 6 Information in application: section 30

Insert after clause 6 (1) (c):

- (d) if the practitioner has been found guilty of any indictable offence—the nature of the offence.

[2] Clause 6 (1A)

Insert after clause 6 (1):

(1A) Subclause (1) (d):

- (a) applies to any indictable offence whether or not committed in the course of practice as a legal practitioner, and
- (b) applies to any finding of guilt of an indictable offence whether or not the court proceeded to a conviction for the offence, and
- (c) applies to an indictable offence committed in New South Wales or to an offence committed outside New South Wales (so long as it would have been an indictable offence if committed in New South Wales), and
- (d) applies to a finding of guilt even if other persons are prohibited from disclosing the identity of the offender, and
- (e) applies to an indictable offence committed before the commencement of subclause (1) (d) (and so applies whether the finding of guilt was made before or after that commencement), and
- (f) does not apply to a finding of guilt previously disclosed in an application for a practising certificate.

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Schedule 1 Amendments

[3] Clause 10 Information included

Insert at the end of clause 10:

- (2) The appropriate Council is not to include in a register information supplied under clause 6 (1) (d).

[4] Clause 12 Notification of change in particulars

Insert after clause 12 (3):

- (4) For the purposes of this clause, a change in particulars includes a change in the information required to be disclosed under clause 6 (1) (d).

BY AUTHORITY