



New South Wales

Legal Profession Amendment (Practising Certificates) Regulation 2001

under the

Legal Profession Act 1987

Her 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 extend, from 1 July 2001 to 1 September 2001, the period in which certain practising certificates remain in force. The practising certificates to be extended are practising certificates issued to insurable solicitors that are in force immediately before 1 July 2001. The extension will apply only if an approved professional indemnity insurance policy is in place with respect to the solicitor by 1 July 2001 or if the company that manages the Solicitors' Mutual Indemnity Fund can lawfully use the Fund for the purposes of indemnifying insurable solicitors for the extension period.

This Regulation is made under the *Legal Profession Act 1987*, including section 36 and section 216 (the general regulation-making power).

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Clause 1 Legal Profession Amendment (Practising Certificates) Regulation 2001

**Legal Profession Amendment (Practising
Certificates) Regulation 2001**

1 Name of Regulation

This Regulation is the *Legal Profession Amendment (Practising Certificates) Regulation 2001*.

2 Commencement

This Regulation commences on 30 June 2001.

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 Amendments

(Clause 3)

[1] Clause 6A

Insert after clause 6:

6A Duration of certificate: section 36

Schedule 1A has effect.

Note. Schedule 1A provides for an extension of the duration of certain practising certificates that were issued for the 2000-2001 practising period.

[2] Schedule 1A

Insert after Schedule 1:

Schedule 1A Duration of practising certificates issued for 2000–2001

(Clause 6A)

1 Extension of practising certificates held by insurable solicitors

- (1) For the purposes of section 36 (4) (b) of the Act, the common date for the duration of current practising certificates that, immediately before 1 July 2001, are held by insurable solicitors (that is, the *relevant date* for the purposes of that section) is 1 September 2001.
- (2) As a result, those current practising certificates remain in force until immediately before 1 September 2001, subject to section 36 (3) of the Act.
- (3) This clause applies in respect of a current practising certificate held by an insurable solicitor only if:
 - (a) before 1 July 2001, the Attorney General approves a policy of indemnity insurance under section 41 (2) of the Act that provides indemnity insurance for the extension period to all insurable solicitors who, immediately before 1 July 2001, hold current practising certificates, or

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Schedule 1

Amendments

(b) the company can lawfully make payments from the Solicitors' Mutual Indemnity Fund for the purposes of indemnifying insurable solicitors for the extension period.

(4) In this clause:

company has the meaning given by section 39 of the Act.

current practising certificate means a practising certificate in force immediately before 1 July 2001.

extension period means the period from 1 July 2001 to immediately before 1 September 2001.

insurable solicitor has the meaning given by section 39 of the Act.

Note. See clause 15 for the meaning of "insurable solicitor".

BY AUTHORITY
