



AUSTRALIAN CAPITAL TERRITORY

Legal Practitioners (Amendment) Act 1995

No. 42 of 1995

An Act to amend the *Legal Practitioners Act 1970*

[Notified in ACT Gazette S274: 7 November 1995]

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Short title

1. This Act may be cited as the *Legal Practitioners (Amendment) Act 1995*.

Commencement

2. This Act commences on the day on which it is notified in the *Gazette*.

Principal Act

3. In this Act, “Principal Act” means the *Legal Practitioners Act 1970*.¹

Substitution

4. Parts III and IV of the Principal Act are repealed and the following Part is substituted:

“PART III—HER MAJESTY’S COUNSEL

Existing appointments

“5. (1) The repeal effected by section 4 of the *Legal Practitioners (Amendment) Act 1995* does not affect—

- (a) the appointment of a person under this Act as in force at any time before the commencement of this section to be one of Her Majesty’s Counsel for the Territory; or

- (b) the power of the Executive to revoke that person's commission of appointment.

“(2) Subsection 5 (3) of this Act as in force immediately before the commencement of this section continues (except as regards a right or privilege of precedence) to apply in relation to a person referred to in subsection (1).

Abrogation of royal prerogative

“6. (1) Any prerogative right or power of the Crown to appoint a person to be one of Her Majesty's Counsel for the Territory, or to grant letters patent of precedence to a barrister and solicitor, is abrogated.

“(2) Subsection (1) is not to be taken, by implication, to abrogate any prerogative right or power of the Crown to revoke an appointment referred to in that subsection.”.

NOTE

Principal Act

1. Reprinted as at 31 December 1993. See also Acts Nos. 38, 76 and 81, 1994.

[Presentation speech made in Assembly on 21 September 1995]

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