

Application for issue of an Unrestricted Practising Certificate for an In-House Lawyer

THIS IS AN APPLICATION FOR AN A.C.T. PRACTISING
CERTIFICATE AS A SOLICITOR BY:

(Print your full name in block letters)

FOR THE YEAR ENDING 30 JUNE 2011

Please tick the box indicating whether you are in category A, B or C.

A: Application for the RENEWAL of an ACT Unrestricted Practising Certificate

If you currently hold an ACT unrestricted practising certificate or have held an ACT unrestricted practising certificate within the last 5 years, and you would like to hold an unrestricted practising certificate entitling you to practise as an in-house lawyer for the year ending 30 June 2011, complete **Parts 1 and 2**.

B: Application for a FIRST ACT Unrestricted Practising Certificate

If you have not previously held an ACT unrestricted practising certificate and would like to hold an unrestricted practising certificate entitling you to practise as an in-house lawyer for the year ending 30 June 2011, complete **Parts 1 and 3**.

C: Application for an ACT Unrestricted Practising Certificate if your previous ACT Unrestricted Practising Certificate EXPIRED 5 years ago or longer.

If you held an ACT unrestricted practising certificate that expired 5 years ago or longer and you would like to hold an unrestricted practising certificate entitling you to practise as an in-house lawyer for the year ending 30 June 2011, complete **Parts 1 and 3**.

the law society of the australian capital territory
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a member of the law council of Australia

Note: unless otherwise specified, section numbers refer to the *Legal Profession Act 2006* and *Legal Profession Regulation 2007*.

PART 1 – ALL APPLICANTS TO COMPLETE

Title	Full name (please print)	Member ID:	<input type="text"/>
1. I,	<input type="text"/>	<input type="text"/>	
of (residential address):	<input type="text"/>		
Suburb	<input type="text"/>	State	<input type="text"/>
		Postcode	<input type="text"/>
Phone No: (BH)	<input type="text"/>	(AH)	<input type="text"/>
		(Mobile)	<input type="text"/>
Email: (Work)	<input type="text"/>		
Email: (Home)	<input type="text"/>		
Postal address (if differs from residential/office address):	<input type="text"/>		
<input type="text"/>			

apply for the issue of an **Unrestricted Practising Certificate** under the *Legal Profession Act 2006* authorising me to engage in legal practice for the year ending 30 June 2011.

- I am admitted as an Australian lawyer (ss 7 and 41(1)).
- If I am successful in this application, I will not hold a practising certificate in another State or Territory from the time I am granted this certificate until this certificate expires or is surrendered (ss 35(3)).

4. I practise / will practise as an employee of:

The physical address(es) at which I practise / will practise principally is / are

The postal address (if different) is

 DX

TRUST MONEY AND TRUST ACCOUNT AUDIT

5. (a) I did not at any time in the year ended 31 March 2010 receive or hold trust money or controlled money. [redacted] (applicant to initial);

OR

- (b) I received or held trust money or controlled money at some time in the year ended 31 March 2010. My law practice appointed an external examiner to examine the trust records and gave the ACT Law Society written notice of this appointment (s 241 and Regulation 66).

[redacted] (applicant to initial);

6. I understand that it is a condition of this practising certificate that I will not, at any time during the year ending 30 June 2011, receive or hold trust money or controlled money (s 47).

CONDITION REGARDING IN-HOUSE PRACTISE

7. I do not intend to and will not engage in legal practice otherwise than:

(i) as an in-house lawyer providing in-house legal services to a corporation that is not an incorporated legal practice; and/or

(ii) for the ACT Law Society's Legal Advice Bureau; and/or

(iii) for any "complying community legal centre" as defined in s 208; and/or

(iv) in any other capacity that is specifically approved by the ACT Law Society.

I understand that it is a condition of this practising certificate that I practise only in the capacities stated at (i) to (iv) (s 47).

OTHER NOTIFIABLE INFORMATION

8. I understand that it is a condition of this practising certificate that I must notify the ACT Law Society as soon as is reasonably practicable every time my practice details change (s 47).
9. I understand that it is a condition of this practising certificate that I must notify the ACT Law Society in writing within 7 days if I am charged with a "**serious offence**" (defined in the Dictionary to the Act) or convicted of any offence that would require disclosure under the admission rules in relation to an application for admission to the legal profession under the Act. (s51)
10. I understand that I must **attach** to this application a written statement about any "**show-cause events**" (defined in the Dictionary to the Act) that have occurred in relation to me since my admission to the legal profession and that have not been previously notified to the ACT Law Society. The written statement must explain why, despite the show-cause event or events, I consider myself to be a fit and proper person to hold a practising certificate (s60). Should a "**show-cause event**" occur while I am holding this practising certificate, I must give the ACT Law Society written notice within 7 days of the event and further information within 28 days (s 61).

11. I understand that the ACT Law Society cannot grant me a practising certificate unless satisfied that I am a 'fit and proper person' to hold the certificate (ss 44(3) and (4)). Sections 11 and 36 contain criteria that are relevant to whether a person is a 'fit and proper person'.

(a) This application form contains all relevant information as to whether I am a 'fit and proper person';

OR

(b) I have **attached** a statement containing all additional relevant information.

12. I understand that subject to s 47(8)(a)(i):

(a) it is a condition of this practising certificate that I must complete 7 CPD units **between 1 July 2010 and 31 March 2011** in accordance with the Law Society's guide - *A Continuing Professional Development Scheme for Canberra's Solicitors* ("MCPD Guidelines"); and

(b) it will be a condition of future practising certificates in respect of **periods commencing on or after 1 July 2011** that I must complete 10 CPD units between 1 April and 31 March in accordance with the MCPD Guidelines.

Note – A copy of the MCPD Guidelines is available in the "member services" section at <http://www.actlawsociety.com.au>.

PART 2 – RENEWAL APPLICANTS ONLY TO COMPLETE

13. I currently hold, or within the last five years held, an ACT unrestricted practising certificate issued by the ACT Law Society [redacted] (applicant to initial).

PART 3 – PLEASE COMPLETE IF THIS IS YOUR FIRST ACT UNRESTRICTED PRACTISING CERTIFICATE OR IF YOUR PREVIOUS ACT UNRESTRICTED PRACTISING CERTIFICATE EXPIRED FIVE YEARS AGO OR LONGER

Insert category

14. (a) I currently hold a [redacted] practising certificate issued by [redacted] **Unless issued by ACT Law Society, you must attach a copy;**

OR

(b) I do not currently hold a practising certificate. I was originally admitted as a [redacted] of the Supreme Court of [redacted] on [redacted] Roll No: [redacted] **(Please attach a copy of your Admission Certificate)**

15. I previously held an ACT practising certificate from until
(Please complete only if you have previously held an ACT practising certificate).
16. (a) I have **attached** my Practice Management Course Certificate;
OR
(b) I undertake to complete an approved Practice Management Course within a time frame set by the ACT Law Society should I leave employment in the in-house sector to commence employment in the private sector. It is a condition of my practising certificate that I fulfill this undertaking (s47).
17. The table in Regulation 10 sets out criteria that must be met by applicants for an unrestricted practising certificate. The **attached** statutory declaration identifies the item number and reasons that I believe I am **qualified** under that regulation.

Applicant's Signature: Dated: