

Australian Capital Territory

## **Legal Profession (Barristers and Solicitors Practising Fees) Determination 2006 (No 2)**

**Disallowable Instrument DI 2006- 186**

made under the

**Legal Profession Act 2006, Section 84(1) – Determination of fees by law society council and bar association council**

### **EXPLANATORY STATEMENT**

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Section 84(1)(a) empowers the law society council to determine fees in relation to applications for the grant or renewal of barrister practising certificates.

Section 84(1)(b) empowers the law society council to determine fees in relation to the services it provides as the licensing body in relation to an application for the grant or renewal of an application for the grant or renewal of barrister practising certificates.

Clause 3 of this instrument determines fees for applications for the grant or renewal of a restricted or unrestricted practising certificate. In relation to an application for the grant or renewal of an unrestricted practising certificate, the fee payable by a government lawyer or in-house lawyer is lower than the fee for other applicants. This is because those lawyers are not required to contribute to the fidelity fund.

For applications for the grant or renewal of a restricted practising certificate, all applicants pay the same fee.

Fees paid by credit or debit card will attract a surcharge of 2%.

The Law Society may, on application by the person applying for a practising certificate, waive all or part of a fee determined by clause 3 of this instrument.

Clause 4 determines a fee for the services that the law society council provides as the licensing body in relation to the grant or renewal of barrister practising certificates. The fee applies to each application for the grant or renewal of a barrister practising certificate, but may be imposed only once in a financial year for each person who applies.

Clause 6 of this instrument notes that the Commonwealth has exempted these fees from payment of GST under the determination titled *A New Tax System (Goods and Services Tax) (Exempt Taxes, Fees and Charges) Determination 2005*, dated 1 July 2005.

This determination revokes Disallowable Instrument number 2006 - 151.