

EXPLANATORY STATEMENT

No. 15 of 1980

Australian Capital Territory

Legal Aid (Amendment) Ordinance 1980

The Ordinance amends the Legal Aid Ordinance 1976 to provide that a legal practitioner in private practice who performs a legal service for a person granted assistance under the Ordinance may not exact any payment in respect of that service other than the payment to which he is entitled from the Legal Aid Commission in accordance with the Legal Aid Ordinance. The provision is similar in general terms to provisions in the Legal Aid legislation of Victoria and Western Australia and is intended to protect the interest of a person receiving legal aid.

It also provides that new provisions now included in the Legal Practitioners Ordinance 1970 which require a solicitor in private practice to hold compulsory professional indemnity insurance do not apply to officers of the Legal Aid Commission who are, under the terms of the Legal Aid Ordinance, deemed to be solicitors in private practice. The Legal Aid Ordinance already provides indemnity for liability incurred by those officers in the performance of their duty.

The amendments are expressed to operate from 30 June 1980 which is the day from which the provisions relating to indemnity insurance under the Legal Practitioners Ordinance came into operation.

Ord. No. 20/80 Cat No.