

Australian Capital Territory

Legal Profession (Bar Council Fees) Determination 2014 (No 1)

Disallowable instrument DI2014–57

made under the

Legal Profession Act 2006, section 84(2) – Determination of fees by law society council and bar council)

EXPLANATORY STATEMENT

Section 84(2)(a) of the *Legal Profession Act 2006* empowers the bar council to determine fees in relation to applications 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 barrister practising certificate. The fee payable in Column 2 of the Schedule attached to the instrument is determined according to the level of seniority of the applicant, as described in Column 1 of the Schedule. The fees have been increased in line with the Consumer Price Index to keep pace with inflation. As a result, the fees for 3 levels of seniority have increased in the following proportions:

1. the practicing certificates fee for Silks has increased from \$2,897 in 2012 to \$3,297 in 2014;
2. the practicing certificates fee for junior barristers of 13+ years since joining the Bar has increased from \$2,378 in 2012 to \$2,628 in 2014;
3. the practicing certificates fee for junior barristers of 6 – 12 years since joining the Bar has increased from \$1,987 in 2012 to \$2,187 in 2014;

The fees for the remaining seniority levels remain at 2012 levels. Membership fees are now included in the instrument in Column 3 and have increased according to the CPI index.

Clause 4 of the instrument states that fees are payable by the applicant to the ACT Bar Association, and that payments may be made by instalments with the written agreement of the Association.

Clause 5 of the instrument notes that the Commonwealth has exempted practising certificate 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. Clause 6 revokes the existing determination of fees for applications for the grant or renewal of a barrister practising certificate, DI2011-276.

This determination takes effect on the day after its notification