



Queensland

Supreme Court (Admission) Amendment Rule (No. 1) 2015

Subordinate Legislation 2015 No. 124

made under the

Supreme Court of Queensland Act 1991

Contents

		Page
1	Short title	3
2	Rules amended	3
3	Amendment of r 3 (Overview)	3
4	Amendment of r 4 (Definitions)	3
5	Amendment of r 6 (Approved academic qualifications—Australian course)	3
6	Amendment of r 7 (Approved practical legal training requirements—Australian course)	3
7	Replacement of r 7A (Other approved practical legal training requirements—Australia)	4
	7A Other approved practical legal training requirements—Australia	4
8	Amendment of r 8 (Approved academic qualifications—foreign country)	4
9	Amendment of r 9 (Approved practical legal training requirements—foreign country)	5
10	Insertion of new r 9AA	5
	9AA Admission guidelines	5
11	Amendment of r 9G (Period within which training must be completed)	6
12	Amendment of r 9M (Supervisor to give statement about training)	6
13	Replacement of r 9P (Approved supplementary training)	7

Contents

	9P	Approved supplementary training.	7
14		Amendment of r 11 (Application and affidavit of compliance to be filed in court)	7
15		Amendment of r 12 (Notice of intention to apply)	7
16		Insertion of new rr 12A and 12B.	7
	12A	Publication of notice about admission matters on relevant websites	8
	12B	Publication of notice about admission matters in relevant newspapers	8
17		Amendment of r 13 (Documents and fee to be given to board) . .	9
18		Amendment of r 14 (Objection to admission)	9
19		Omission, amendment and conversion of editor's notes	10
20		Insertion of new pt 9.	10
	Part 9	Transitional provisions for Supreme Court (Admission) Amendment Rule (No. 1) 2015	
	57	Definitions for pt 9.	11
	58	Former rules continue until admission guidelines issued	11
	59	Approved academic qualifications and practical legal requirements—Australia.	11
	60	Approved academic qualifications and practical legal requirements—foreign country.	12
	61	Timeframes for admission sittings held before 1 November 2015	13
21		Amendment and renumbering of sch 2 (Dictionary).	14
22		Omission of attachments 1 and 2.	14

1 Short title

This rule may be cited as the *Supreme Court (Admission) Amendment Rule (No. 1) 2015*.

2 Rules amended

This rule amends the *Supreme Court (Admission) Rules 2004*.

3 Amendment of r 3 (Overview)

Rule 3(3A)—

relocate and *renumber* as rule 3(2A).

4 Amendment of r 4 (Definitions)

Rule 4, ‘schedule 2’—

omit, insert—

schedule 1

5 Amendment of r 6 (Approved academic qualifications—Australian course)

(1) Rule 6(3)(b), from ‘mentioned’—

omit, insert—

set out in the admission guidelines for approving academic qualifications.

(2) Rule 6(5), including editor’s note—

omit.

6 Amendment of r 7 (Approved practical legal training requirements—Australian course)

Rule 7(3) to (5)—

omit, insert—

(3) The course must provide the required understanding and competence.

[r 7]

7 Replacement of r 7A (Other approved practical legal training requirements—Australia)

Rule 7A—

omit, insert—

7A Other approved practical legal training requirements—Australia

- (1) The requirements of supervised workplace experience that provides the required understanding and competence are also approved practical legal training requirements for admission to the legal profession under the *Legal Profession Act 2007*.
- (2) The requirements of supervised workplace experience and approved supplementary training that together provide the required understanding and competence are also approved practical legal training requirements for admission to the legal profession under the *Legal Profession Act 2007*.
- (3) In this rule—
supervised workplace experience means supervised workplace experience that satisfies the compliance requirements stated in part 2A, division 1.

8 Amendment of r 8 (Approved academic qualifications—foreign country)

(1) Rule 8(2)—

omit, insert—

- (2) However, subrule (1) does not apply if the person applying for admission is not able to satisfy the board's requirements about proficiency in the English language.

(2) Rule 8—

insert—

- (4) When deciding whether to approve academic qualifications for this rule, or deciding requirements about proficiency in the English language for subrule (2), the board must have regard to the admission guidelines for assessing overseas applications.

9 Amendment of r 9 (Approved practical legal training requirements—foreign country)

- (1) Rule 9(2)—

omit.

- (2) Rule 9(3)—

renumber as rule 9(2).

- (3) Rule 9(4)—

omit, insert—

- (3) When deciding whether to approve legal training requirements for this rule, the board must have regard to the admission guidelines for assessing overseas applications.

10 Insertion of new r 9AA

Part 2—

insert—

9AA Admission guidelines

- (1) The Chief Justice may issue the following guidelines—
- (a) guidelines for approving academic qualifications that set out areas of knowledge for courses for rule 6;
 - (b) guidelines for approving practical legal training requirements that set out skills, values and practice areas, and performance criteria for elements for the skills, values and practice areas—

[r 11]

- (i) for courses for rule 7; or
- (ii) against which approved practical legal training requirements are decided;
- (c) guidelines for assessing overseas applications that set out the matters the board must have regard to when—
 - (i) approving academic qualifications for rule 8; or
 - (ii) deciding requirements about proficiency in the English language for rule 8, including how the proficiency may be satisfied and the required level of proficiency; or
 - (iii) approving legal training requirements for rule 9.

- (2) In issuing guidelines under subrule (1), the Chief Justice must have regard to any relevant recommendations of the Law Admissions Consultative Committee.

11 Amendment of r 9G (Period within which training must be completed)

Rule 9G(2), including editor's note—

omit, insert—

- (2) However, approved supplementary training must be completed within 3 years before the person's application for admission.

12 Amendment of r 9M (Supervisor to give statement about training)

Rule 9M(2), from 'satisfied', including editor's note—

omit, insert—

met the required understanding and competence.

13 Replacement of r 9P (Approved supplementary training)

Rule 9P—

omit, insert—

9P Approved supplementary training

The board must require the registrar to arrange publication on the court's internet website of a current list of all approved supplementary training.

14 Amendment of r 11 (Application and affidavit of compliance to be filed in court)

(1) Rule 11(1), '21'—

omit, insert—

28

(2) Rule 11(2), '12'—

omit, insert—

14

15 Amendment of r 12 (Notice of intention to apply)

(1) Rule 12(2), '21'—

omit, insert—

28

(2) Rule 12(3)—

omit, insert—

(3) The person must also arrange for the notice to be published once in a publication approved by the Chief Justice under a practice direction.

16 Insertion of new rr 12A and 12B

After rule 12—

insert—

12A Publication of notice about admission matters on relevant websites

- (1) The board must arrange to be published, on the relevant websites, a notice stating—
 - (a) how to find out who is applying for admission at upcoming admission sittings; and
 - (b) how to make an objection to a person's admission, or inquiries about a person's admission, to the board.
- (2) In this rule—

relevant websites means the internet websites of the court, the bar association, the law society and the Incorporated Council of Law Reporting for the State of Queensland.

12B Publication of notice about admission matters in relevant newspapers

- (1) The board must, at least 21 days before each admission sittings of a court, arrange to be published, in each relevant newspaper, a notice stating—
 - (a) how to find out who is applying for admission at the sittings; and
 - (b) how to make an objection to a person's admission, or inquiries about a person's admission, to the board.
- (2) This rule expires 2 years after the commencement.
- (3) In this rule—

relevant place means Rockhampton, Townsville or Cairns.

relevant newspaper means—

- (a) for all applications—a newspaper published in, and circulating throughout, Brisbane; and
- (b) for an application for admission to the legal profession made to the court at a relevant place—a newspaper published in, and circulating throughout, the place.

17 Amendment of r 13 (Documents and fee to be given to board)

- (1) Rule 13(2), ‘21’—

omit, insert—

28

- (2) Rule 13(2)(e), from ‘, for a skill’, including editor’s note—

omit, insert—

received by the applicant;

- (3) Rule 13(2)(f), from ‘, for a skill’—

omit, insert—

received by the applicant;

- (4) Rule 13(2)(h)—

omit, insert—

- (h) if the applicant is a trainee, a statement that the applicant has satisfactorily completed the programmed training required under rule 9O(1);

- (5) Rule 13(3), ‘12’—

omit, insert—

14

18 Amendment of r 14 (Objection to admission)

Rule 14—

[r 19]

insert—

- (4A) The board may ask the objector for further information necessary for the board to confirm the person about whom the objector has an objection is the applicant.

19 Omission, amendment and conversion of editor’s notes

- (1) The editor’s note in rule 29(2) is omitted.
- (2) The editor’s notes in the provisions mentioned in column 1 are amended by omitting the words in column 2 and inserting the words in column 3—

Column 1	Column 2	Column 3
rule 3(2)	<www.justice.qld.gov.au>	the department’s website
rule 9B(b)	(Early consideration of suitability)	in relation to early consideration of suitability
rule 42(c)	is set out in attachment 2	was set out in attachment 2 of these rules before the attachment was omitted by the Supreme Court (Admission) Amendment Rule (No. 1) 2015

- (3) The editor’s notes in the following provisions are converted into notes by omitting ‘Editor’s note’ and inserting ‘Note’—
- rule 3(2)
 - rule 6(1)
 - rule 7(1)
 - rule 9B(b)
 - rule 24(1)
 - rule 42(c).

20 Insertion of new pt 9

After part 8—

insert—

Part 9 **Transitional provisions
for Supreme Court
(Admission)
Amendment Rule
(No. 1) 2015**

57 Definitions for pt 9

In this part—

amendment rule means the *Supreme Court (Admission) Amendment Rule (No.1) 2015*.

former, for a provision of these rules, means the provision as in force before the commencement.

58 Former rules continue until admission guidelines issued

- (1) The former rule mentioned in column 1 continues to apply in relation to a matter until the admission guidelines mentioned in column 2 are issued—

Column 1

former rule 6

former rules 7 and 7A

former rules 8 and 9

Column 2

guidelines under rule 9AA(1)(a)

guidelines under rule 9AA(1)(b)

guidelines under rule 9AA(1)(c)

- (2) For the purposes of applying subrule (1), these rules apply with necessary changes.

59 Approved academic qualifications and practical legal requirements—Australia

- (1) The amendment of these rules by the amendment rule does not affect—
- (a) an approval of a tertiary course under former rule 6; or

- (b) an approval of a course under former rule 7.
- (2) Also, former rule 7A continues to apply in relation to—
 - (a) a person who, at the commencement, has started but not completed supervised workplace experience or approved supplementary training under the rule; and
 - (b) a person who, at the commencement, has completed supervised workplace experience or approved supplementary training mentioned in the rule but has not been admitted to the legal profession under the *Legal Profession Act 2007*.
- (3) For the purposes of applying subrule (1) or (2), these rules apply with necessary changes.
- (4) In this rule—

commencement means—

 - (a) if, at the commencement of this rule, former rule 7A continues to apply under rule 58(1)—the day former rule 7A stops applying under rule 58(1); and
 - (b) otherwise—the commencement of this rule.

60 Approved academic qualifications and practical legal requirements—foreign country

- (1) The amendment of these rules by the amendment rule does not affect—
 - (a) an approval of academic qualifications under former rule 8; or
 - (b) an approval of legal training requirements under former rule 9.
- (2) Also, when deciding whether to approve academic qualifications for rule 8(1), in relation to a person who has started but not completed

academic qualifications in a foreign country at the commencement, the board may take into account matters the board could have taken into account under former rule 8(2).

- (3) Further, when deciding whether to approve legal training requirements for rule 9(1), in relation to a person who has started but not completed legal training requirements in a foreign country at the commencement, the board may take into account the matters the board could have taken into account under former rule 9(2).
- (4) For the purposes of applying subrule (1), (2) or (3), these rules apply with necessary changes.
- (5) In this rule—

commencement means—

 - (a) if, at the commencement of this rule, former rules 8 and 9 continue to apply under rule 58(1)—the day former rules 8 and 9 stop applying under rule 58(1); and
 - (b) otherwise—the commencement of this rule.

61 Timeframes for admission sittings held before 1 November 2015

- (1) Former rules 11 and 12(2) continue to apply to admission sittings held before 1 November 2015.
- (2) Rule 13 applies to admission sittings held before 1 November 2015 as if—
 - (a) the reference in rule 13(2) to 28 days were a reference to 21 days; and
 - (b) the reference in rule 13(3) to 14 days were a reference to 12 days.

Note—

See also rule 59(3).

- (3) This rule expires on 1 November 2015.

[r 21]

21 Amendment and renumbering of sch 2 (Dictionary)

- (1) Schedule 2, definitions *approved supplementary training* and *Law Admissions Consultative Committee Report*—
omit.
- (2) Schedule 2—
insert—

admission guidelines means guidelines issued by the Chief Justice under rule 9AA.

approved supplementary training means the requirements of—

- (a) a part of a course that is approved practical legal training under rule 7; or
- (b) a training course or program, or part of a training course or program, approved by the board;

that the board considers provides an understanding of, and competence in, a particular skill, value or practice area set out in the admission guidelines under rule 9AA(1)(b) at a level that meets the performance criteria mentioned in the guidelines for each element for the skill, value or practice area.

required understanding and competence means an understanding of, and competence in, the skills, values and practice areas set out in the admission guidelines under rule 9AA(1)(b) at a level that meets the performance criteria mentioned in the guidelines for each element for each skill, value or practice area.

- (3) Schedule 2—
renumber as schedule 1.

22 Omission of attachments 1 and 2

Attachments 1 and 2—

omit.

ENDNOTES

- 1 Made by the Governor in Council on 10 September 2015.
- 2 Notified on the Queensland legislation website on 11 September 2015.
- 3 The administering agency is the Department of Justice and Attorney-General.

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