

# Legal Profession (Society Rules) Amendment Notice (No. 1) 2017

Explanatory notes for SL 2017 No. 128

made under the

*Legal Profession Act 2007*

## General Outline

### Short title

Legal Profession (Society Rules) Amendment Notice (No. 1) 2017.

### Authorising law

Section 696 of the *Legal Profession Act 2007* (Act) allows the Queensland Law Society (QLS) to make rules for various purposes, including: to define, and carry out, the objects of the QLS; and to fix fees, levies and subscriptions in relation to QLS membership.

Under section 697(1) of the Act, QLS rules have no effect unless the Minister notifies the making of the rules. Under section 697(2) of the Act, the notice is subordinate legislation.

The rules made and notified to date under these sections are consolidated in the Legal Profession (Society) Rules 2007 (the Society Rules).

### Policy objectives and the reasons for them

The primary objective of this subordinate legislation is to amend the *Legal Profession (Society Rules) Notice 2017* to give notice of the Legal Profession (Society) Amendment Rule (No. 2) 2017 (Amendment Rule) made by the QLS Council under section 696 of the Act.

The Amendment Rule amends rule 35(1) of the Society Rules to postpone the day that the returning officer is required to open the ballot where a poll is to be taken for the election of QLS Council members. After nominations are received for the election of members of Council members, the returning officer must make the ballot available immediately after that day to persons entitled to vote at the election. The Amendment Rule will require that the ballot be open 14 days after the day of nomination to allow a period within which nominees may conduct their campaign.

The Amendment Rule also makes an editorial amendment in rule 57A(4).

### **Achievement of policy objectives**

The policy objectives are achieved by amending the *Legal Profession (Society Rules) Notice 2017* to give notice of the Amendment Rule.

### **Consistency with policy objectives of authorising law**

The notice is consistent with the policy objectives of the Act.

### **Inconsistency with policy objectives of other legislation**

The notice is not inconsistent with the policy objectives of other legislation.

### **Benefits and costs of implementation**

There are no costs associated with the implementation of the notice.

### **Consistency with fundamental legislative principles**

The notice is consistent with fundamental legislative principles.

### **Consultation**

The notice is being made at the request of the QLS.