

Legal Profession (Society Rules) Amendment Notice (No. 2) 2020

Explanatory notes for SL 2020 No. 140

Made under the

Legal Profession Act 2007

General Outline

Short Title

Legal Profession (Society Rules) Amendment Notice (No. 2) 2020

Authorising law

Section 697 of the *Legal Profession Act 2007* (the Act).

Policy objectives and the reasons for them

Section 696 of the Act provides for the Queensland Law Society (QLS) to make society rules for various purposes, including: to define, and carry out, the objects of the QLS; for the regulation and good government of the QLS and its members; to regulate meetings of the QLS Council and the conduct of business at the meetings; and to fix fees, levies and subscriptions in relation to QLS membership and to recover unpaid fees, levies and subscriptions.

Under section 697(1) of the Act, society 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 sections 696 and 697 of the Act are consolidated in the Legal Profession (Society) Rules 2007 (the Society Rules).

The purpose of the *Legal Profession (Society Rules) Amendment Notice (No. 2) 2020* (the Notice) is to give notice of the making of the Legal Profession (Society) Amendment Rule (No. 2) 2020 (the Amendment Rule) by the QLS Council.

The Amendment Rule amends the Society Rules to:

- provide that notice of an annual general meeting must include information about attending the meeting by audio visual link;
- include a new definition of 'present' for the purposes of general meetings to allow a member to be present by audio visual link;

- provide that a member may be present at a general meeting by audio visual link for the purpose of constituting a quorum; and
- clarify that the QLS may sue for, and recover, unpaid annual subscriptions owed by existing members.

Achievement of policy objectives

The Notice gives effect to 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

The benefit of the Notice is that it gives effect to the mentioned amendments to the Society Rules. 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.