

# **Legal Profession (Society Rules) Amendment Notice (No. 2) 2021**

Explanatory notes for SL 2021 No. 100

Made under the

*Legal Profession Act 2007*

## **General Outline**

### **Short Title**

*Legal Profession (Society Rules) Amendment Notice (No. 2) 2021*

### **Authorising law**

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

### **Policy objectives and the reasons for them**

Section 696(1) of the Act allows the Queensland Law Society (QLS) to make society rules for prescribed purposes, including to provide for the way of electing or appointing presidential or other members to the Council of the QLS (the Council).

Pursuant to section 697(1) of the Act, society rules have no effect unless the Minister notifies the making of the rules. Section 697(2) of the Act provides that notice of the rules 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) 2021* (the Notice) is to give notice of the making of the Legal Profession (Society) Amendment Rule (No. 2) 2021 (the Amendment Rule) by the QLS Council.

The Amendment Rule amends rules 30, 31 and 35 of the Society Rules to reduce the minimum period for the election of members of the Council. The amendment to rule 30(2) reduces the notice period for the nomination of candidates from a minimum of 14 days to seven (7) days. The amendment to rule 31(1) reduces the withdrawal from nomination period for candidates from seven (7) days to five (5) days. Under the amendment to rule 35(1), access to the ballot must be provided seven days (rather than 14 days) after the day of nomination. The total number of days for the election will be reduced from 35 to 21

days if the minimum period is utilised, with the potential maximum period of 63 days remaining.

## **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.

The Office of Productivity and Red Tape Reduction has not been consulted because the Notice is excluded from regulatory impact analysis under the *Queensland Government Guide to Better Regulation* as a regulatory proposal of a machinery nature.