

PRACTICE DIRECTION NUMBER 5 of 2017

LAND COURT OF QUEENSLAND

REPRESENTATION BY AGENTS

1. The purpose of this Practice Direction is to facilitate representation by agents other than legal practitioners and to enhance the information available to their principals.
2. The procedures set out in this Practice Direction may be varied by direction of the Court.
3. By the time of their first appearance, an agent who is not a legal practitioner, appearing in that capacity, must file written authority of their engagement to act in the approved form signed by their principal. Any limitation of their authority must be recorded on the form.
4. The principal must confirm they have read the following information by signing the approved form:-

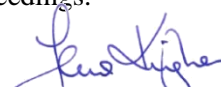
Parties appearing in the Land Court often engage the services of a lawyer to represent them. Lawyers offer clients professional skill and expertise. They are accountable to their professional bodies and to the Court. They are also covered by insurance for any potential liability claims made against them by their clients.

However, a party may choose to represent themselves or be represented by an agent.

Before deciding to be represented by an agent, you should give careful consideration to the suitability and skill of the agent. You should be aware that agents (unlike lawyers) are not required to have professional indemnity insurance cover when representing clients before the Land Court. If you hire an agent and they have no professional indemnity insurance, you may find it difficult to get compensation if serious errors are made by the agent.

In some proceedings in the Land Court, costs are awarded against the unsuccessful party. If the winning party has engaged an agent to represent them, then it is unlikely the agent's fees can be recovered from the unsuccessful party.

You may be asked by your agent to sign a waiver to remove your right to make a claim against the agent if you're unhappy with outcome of the proceedings. You should be aware that you are engaging an agent who may not have to accept any responsibility for the outcome of the proceedings.



Fleur Kingham
President

22/03/2017