

# **GUIDELINES FOR AUSTRALIAN JURISDICTIONS**

## ***MUTUAL RECOGNITION (QUEENSLAND) ACT 1992* GUIDELINES FOR REGISTRATION – LEGAL PRACTITIONERS**

Section 39 of the *Mutual Recognition Act* requires guidelines and information regarding the operation of the Act to be made available. Guidelines in relation to admission as a Legal Practitioner approved by the Judges of the Supreme Court on 24 June 2004 are as follows:-

1. The written notice required by s 19 of the Act must be lodged with the Registrar of the Supreme Court and may be in accordance with the attached form. (See Annexure A)
2. The statements and other information in the notice must be verified by statutory declaration.
3.
  - (a) The applicant must pay to the Legal Practitioners Admissions Board the fee prescribed under the *Legal Profession Regulation 2004* and a copy of the receipt therefore shall be delivered by the applicant to the Registrar with the s 19 notice.
  - (b) The applicant must pay to the Registrar any prescribed court fees.
4. The s 19 notice must be accompanied by a certificate (original or certified copy) by the proper officer of the Supreme Court of the State/Territory which evidences the person's existing registration from which the entitlement to registration pursuant to the Act is derived. The certificate must have been issued not more than one month before the day of lodgement of the notice.
5. The documents may be lodged personally, by agent, or by post; lodgement by fax is not acceptable. The Registrar's postal address is: PO Box 15167, City East, Qld, 4002.
6. A postal address for service of the applicant within Australia must be given.
7. A copy of the notice and accompanying documents must also be lodged at the time of lodgement of the original documents.
8. Upon receiving the s 19 notice the Registrar shall forward the copy thereof together with a copy of all accompanying documents to the Legal Practitioners Admissions Board.
9. The Board shall consider whether an applicant should be granted registration, with or without condition, or whether registration should be postponed or refused pursuant to the provision of ss 21, 22 and 23 of the Act and shall transmit its recommendation to the Registrar within 21 days of the date of lodgement of the s 19 notice by the applicant.
10. If the Registrar, after considering the recommendation of the Board, decides to grant registration with or without condition, the Registrar shall record the person's name on the Roll of Legal Practitioners and furnish to the applicant a certificate of registration.
11. If the Registrar, after considering the recommendation of the Board, decides to postpone or refuse registration, the Registrar shall notify the applicant of that decision by posting written notice thereof to that person at the address for service provided.
12. The Registrar may exercise the powers and perform the duties of the Court under the *Mutual Recognition Act*.

Notwithstanding anything contained in Rule 791 of the Uniform Civil Procedure Rules or in any other rule, no order or decision of a Registrar in exercising the powers or performing the duties of the Court under the *Mutual Recognition Act* shall be subject to appeal or review by the Court.

**Note:**

Statements and other information in this notice must be verified by statutory declaration

**SUPREME COURT OF QUEENSLAND**

**REGISTRY: BRISBANE  
NUMBER:**

**NOTICE FOR REGISTRATION AS A LEGAL PRACTITIONER**

**Pursuant to the *MUTUAL RECOGNITION (QUEENSLAND) ACT 1992***

NOTICE BY .....  
TO BE REGISTERED AS A LEGAL  
PRACTITIONER UNDER THE  
MUTUAL RECOGNITION  
(QUEENSLAND) ACT 1992.

1. I, \_\_\_\_\_ of \_\_\_\_\_, a barrister\*, solicitor\* or legal practitioner\* of the Supreme Court of \_\_\_\_\_ hereby give notice of my application for registration as a legal practitioner of the Supreme Court of Queensland in accordance with the mutual recognition principle.

2. I was first admitted to practice in Australia as a barrister\*, solicitor\* or legal practitioner\* of the Supreme Court of \_\_\_\_\_ on (date).

3. I am also admitted to practice in Australia as a barrister\*/solicitor\*/legal practitioner\* in the following States/Territories

<b>State/Territory</b>	<b>Date of admission/registration</b>
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4. I conduct my principal practice as a barrister\*/solicitor\*/legal practitioner\* from (address).

5. My right to practise as a barrister\*/solicitor\*/legal practitioner\* of any court in Australia is not suspended and has not been cancelled.

6. My conduct as a barrister\*/solicitor\*/legal practitioner\* is not the subject of disciplinary proceedings in any State or Territory (including any preliminary investigations or action that might lead to disciplinary proceedings).

7. I am not otherwise prohibited from carrying on the practice of a barrister\*, solicitor\* or legal practitioner\*, and I am not subject to any special conditions in carrying on that practice, as a result of criminal, civil or disciplinary proceedings in any State or Territory.

8. I give consent to the making of inquiries of, and the exchange of information with, the authorities of any State or Territory regarding my activities in legal practice or otherwise regarding matters relevant to this notice.

9. Annexed to this notice is a certificate by the proper officer of the Supreme Court of evidencing my existing registration.

10. I know of no other matter which might bear on my fitness to be registered in Queensland as a legal practitioner or to practise in Queensland as such.

Signature:

Date:

\* Delete if inappropriate

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NOTICE: The information collected in this form is necessary to allow a determination of your application under the legislation. Once lodged in the office of the Supreme Court it is a public record of the court and able to be inspected by any member of the public.

**Please note: This publication was produced prior to the current government.**