

Application by Foreign Lawyer for Grant of Registration to Practise Foreign Law in Queensland



Queensland | *Legal Profession Act 2007* ('LPA') | subsection 181(1)(a)

version 3
QLS FORM 28 (LPA)

Before an overseas-registered foreign lawyer (who is not also an Australian legal practitioner) first practises foreign law in Queensland, he or she must apply to Queensland Law Society ('QLS') for registration using this form (ss165 and 181 of the LPA) unless they are already registered in another State or Territory.

The registration must be renewed every financial year using QLS Form 34 (LPA) – Application by Foreign Lawyer for Renewal of Registration to Practise Foreign Law in Queensland (s178 of the LPA).

If there is insufficient space in any section of the form, please attach an additional page. Only complete the relevant parts of this form.

<p>1 Personal details</p> <p><i>* mandatory fields</i></p>	<p>* Surname:</p> <p>* First name:</p> <p>* Middle names (if any):</p> <p>* Title: <i>Mr Ms Mrs Miss Dr Other (please specify)</i></p> <p>* Date of birth:</p> <p>* Residential street address:</p> <p>.....</p> <p>* Private postal address:</p> <p>.....</p> <p>* Address for service in Queensland (must be a street address):</p> <p>.....</p> <p>* Preferred telephone number: ()</p> <p>* Preferred facsimile number: ()</p> <p>* Preferred email address:</p> <p>* Educational qualifications relevant to legal practice:</p> <p>* Professional qualifications relevant to legal practice:</p> <p>.....</p> <p>* Are you an Australian legal practitioner (as defined in LPA s6(1))?</p> <p><input type="checkbox"/> yes <input type="checkbox"/> no</p> <p>* I intend practising the law of</p> <p>..... (insert name of country or countries)</p> <p>in Queensland and I wish to commence on</p> <p>..... (insert date or 'as soon as possible').</p>
<p>2 Details of admission and registration in a foreign country</p> <p><i>If you are registered in more than two foreign countries, please attach a separate page.</i></p> <p><i>* mandatory fields</i></p>	<p>* I am currently registered to engage in legal practice by the following foreign registration authorities in the following foreign countries (LPA 182(2)):</p> <p>1.....</p> <p>2.....</p>

<p>* mandatory fields</p>	<p>* Date of each admission as a lawyer:</p> <p>1.....</p> <p>2.....</p>
<p>* mandatory fields</p>	<p>* Place of each admission (include country and state):</p> <p>1.....</p> <p>2.....</p>
<p>* mandatory fields</p>	<p>* Place of each current registration as a lawyer (include country and state):</p> <p>1.....</p> <p>2.....</p>
<p>* mandatory fields</p>	<p>* Date of expiry of each current registration as a lawyer:</p> <p>1.....</p> <p>2.....</p>
<p>* mandatory fields</p>	<p>* Postal address of each foreign registration authority:</p> <p>1.....</p> <p>2.....</p>
<p>* mandatory fields</p>	<p>* Telephone number of each foreign registration authority (include country code):</p> <p>1 ().....</p> <p>2 ().....</p>
<p>* mandatory fields</p>	<p>* Facsimile number of each foreign registration authority (include country code):</p> <p>1 ().....</p> <p>2 ().....</p>
<p>* mandatory fields</p>	<p>* Email address of each foreign registration authority:</p> <p>1.....</p> <p>2.....</p>
<p>* mandatory fields</p>	<p>* Website address of each foreign registration authority:</p> <p>1.....</p> <p>2.....</p>
<p>3 Queensland law practice/ employment details</p> <p>* mandatory fields</p>	<p>* Name of law practice/employer:</p> <p>* Business street address:</p> <p>* Business postal address:</p> <p>* Business telephone number: ()</p> <p>* Business facsimile number: ()</p> <p>* Business email address:</p>

<p>* mandatory fields</p>	<p>* Employment status:</p> <p>(a) <input type="checkbox"/> private practice <input type="checkbox"/> partner <input type="checkbox"/> sole practitioner <input type="checkbox"/> employee <input type="checkbox"/> consultant <input type="checkbox"/> director</p> <p>(b) <input type="checkbox"/> community legal centre</p> <p>(c) <input type="checkbox"/> corporation (other than an incorporated legal practice)</p> <p>(d) <input type="checkbox"/> government <input type="checkbox"/> government department <input type="checkbox"/> government agency <input type="checkbox"/> local government</p> <p>(e) <input type="checkbox"/> locum tenens</p> <p>(f) <input type="checkbox"/> other(please specify)</p>
<p>(LPA s174) * mandatory fields</p>	<p>* Do you intend to receive trust monies in Queensland? <input type="checkbox"/> yes <input type="checkbox"/> no <i>(if 'yes', please complete the details below)</i></p> <p>Name of trust account:</p> <p>Name of bank where trust account is held:.....</p> <p>Street address of bank:</p> <p>BSB number:.....</p> <p>Account number:</p> <p>Date trust account was opened:.....</p>
<p>4 Professional indemnity insurance (LPA s175)</p> <p><i>If all your answers to (a) and (b) were 'no', you are required to provide a disclosure statement to each client stating that you do not have complying professional indemnity insurance (LPA s175(1)(c)).</i></p> <p>* mandatory fields</p>	<p>* (a) Do you have professional indemnity insurance that conforms with the requirements applicable for Australian legal practitioners in any jurisdiction? <input type="checkbox"/> yes <input type="checkbox"/> no</p> <p>* (b) If your answer to (a) was 'no', do you have professional indemnity insurance that covers the practice of foreign law in Queensland and complies with the relevant requirements of a foreign law or foreign registration authority? <input type="checkbox"/> yes <input type="checkbox"/> no</p> <p>(i) If 'yes', is the insurance for \$1.5 million or more per claim (including defence costs)? <input type="checkbox"/> yes <input type="checkbox"/> no</p> <p>(ii) If your answer to (i) was 'no', do you agree to provide a disclosure statement to each client disclosing the level of cover as required by s175(1)(b)(ii) of the LPA? <input type="checkbox"/> yes <input type="checkbox"/> no</p>
<p>5 Details of disciplinary proceedings and criminal history (LPA ss181(6), 182(2))</p> <p>* mandatory fields</p>	<p>* Are you the subject of any disciplinary proceeding in Australia or a foreign country (including any preliminary investigations or action that might lead to a disciplinary proceeding) in your capacity as –</p> <p>(i) an overseas-registered foreign lawyer; or</p> <p>(ii) an Australian-registered foreign lawyer; or</p> <p>(iii) an Australian lawyer? <input type="checkbox"/> yes <input type="checkbox"/> no</p> <p>Nature and particulars of the proceedings:.....</p> <p>Relevant jurisdiction (including country and state):</p> <p>Name and contact details of the investigating authority and/or disciplinary tribunal: </p>

<p>* mandatory fields</p>	<p>*Have you ever been convicted of an offence in Australia or a foreign country? <i>A conviction includes a finding of guilt or the acceptance of a guilty plea, whether or not a conviction is recorded (LPA s11(1)).</i></p> <p><input type="checkbox"/> yes <input type="checkbox"/> no</p> <p>Nature of the offence:</p> <p>Name and place of court:</p> <p>Date offence was committed:</p> <p>Your age when the offence was committed:</p>
<p>* mandatory fields</p>	<p>* Is your registration cancelled or currently suspended in any place as a result of any disciplinary action in Australia or a foreign country?</p> <p><input type="checkbox"/> yes <input type="checkbox"/> no <i>(if 'yes', provide full details)</i></p> <p>.....</p>
<p>* mandatory fields</p>	<p>* Are you:</p> <p>(i) otherwise personally prohibited from engaging in legal practice in any place or bound by any undertaking not to engage in legal practice in any place; or</p> <p>(ii) subject to any special conditions in engaging in legal practice in any place; as a result of any criminal, civil or disciplinary proceeding in Australia or a foreign country?</p> <p><input type="checkbox"/> yes <input type="checkbox"/> no <i>(if 'yes', provide full details)</i></p> <p>.....</p>
<p>* mandatory fields</p>	<p>* Are you subject to any special conditions imposed in Australia or a foreign country that restricts the legal practice you may engage in?</p> <p><input type="checkbox"/> yes <input type="checkbox"/> no <i>(if 'yes', provide full details)</i></p> <p>.....</p>
<p>* mandatory fields</p>	<p>Have you given any undertaking restricting your practice of law?</p> <p><input type="checkbox"/> yes <input type="checkbox"/> no <i>(if 'yes', provide full details)</i></p> <p>.....</p>
<p>6 Supporting documents</p>	<p>You are required to provide the following documents in support of your application:</p> <p>(a) an original instrument (or a certified copy) from each foreign registration authority mentioned above that:</p> <p>(i) verifies your educational and professional qualifications listed in part 1 above;</p> <p>(ii) verifies your registration by the authority to engage in legal practice in the foreign country, and the date of registration; and</p> <p>(iii) describes anything you have done in engaging in legal practice in that foreign country of which the authority is aware and which the authority believes has had or is likely to have had an adverse affect on your professional standing within the legal profession of that place (or states that you have not engaged in such conduct);</p> <p>(b) (if you answered 'yes' to either 4(a) or 4(b) above) proof of the insurance cover (eg, a copy of the current insurance policy or certificate of insurance); and</p> <p>(c) (if any of the documents accompanying this application are not in English) a certified or authenticated translation of each document in English.</p>

<p>7 Consent and certification</p> <p><i>* mandatory fields</i></p>	<p><i>I consent to the making of inquiries of, and the exchange of information with, any foreign registration authorities that Queensland Law Society considers appropriate regarding my activities in engaging in legal practice in the places concerned or otherwise regarding matters relevant to this application (LPA s182(2)(h)).</i></p> <p><i>I certify that the documents accompanying this application are the originals or complete and accurate copies of the originals.</i></p> <p><i>I certify that the information set out in this form is true and complete.</i></p> <p>* Signature:</p> <p>* Full name:</p> <p>* Date:</p>
<p>Privacy</p>	<p>Queensland Law Society ('the Society') is collecting the personal information in this form under ss181 and 182 of the LPA. We will use the information in the course of performing our regulatory and member services functions. The information may be provided to various organisations, such as the Legal Services Commission and corresponding interstate and overseas authorities, in accordance with the LPA. It may also be given to other parties, if required by law.</p> <p>If you do not wish your details to be used for any one or more of the above purposes, you should advise the Records section of the Society, GPO Box 1785, Brisbane Qld 4001 in writing.</p> <p>Further details about the Society's Privacy Statement, Plan and Code of Practice and the collection of personal information may be found on the Society's website, qls.com.au.</p>
<p>Payment</p>	<p>This application is accompanied by:</p> <p>Total registration fee \$</p> <p>You may make payment by:</p> <p><input type="checkbox"/> cash (made personally at 179 Ann Street, Brisbane)</p> <p><input type="checkbox"/> cheque made payable to Queensland Law Society Inc and stapled to this form</p> <p><input type="checkbox"/> credit card (Diners Club is not accepted)</p> <p style="margin-left: 20px;"><input type="checkbox"/> Visa <input type="checkbox"/> Mastercard <input type="checkbox"/> Amex</p> <p>card #</p> <p>cardholder name</p> <p>expiry date</p> <p>amount \$.....</p> <p>cardholder signature</p> <p><small><i>This document will be a tax invoice for GST purposes when you make payment. Please retain a copy of this for GST records. ABN 33 423 389 441.</i></small></p>
<p>Please send the completed application and the applicable fee to:</p>	<p>Queensland Law Society GPO Box 1785 Brisbane Qld 4001</p>