

Legal Practitioners Admissions Board

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BRISBANE QLD 4001
[all mail to above address]

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OVERSEAS LEGAL QUALIFICATIONS ADMISSION TO THE LEGAL PROFESSION IN QUEENSLAND

The following information deals with an application to the Supreme Court for admission as a lawyer in Queensland.

By way of preliminary comment, it should be noted that advice about immigration topics is NOT available from the Legal Practitioners Admissions Board ('the Admissions Board'). The function of the Admissions Board relates to matters associated with the requirements and procedures for admission to the legal profession in Queensland. Questions relating to immigration are to be addressed to the Department of Home Affairs.

Legislative provisions pursuant to the *Legal Profession Act 2004* came into effect in Queensland as from 1 July 2004 resulting in a 'fused' legal profession as part of a move away from the traditional English model of a profession divided between 'barristers' and 'solicitors'. The provisions of the 2004 Act were subsequently superseded by the *Legal Profession Act 2007* which came into effect from 1 July 2007. As a result of the legislative provisions, a practitioner can only be admitted to the legal profession under the *Legal Profession Act 2007* ('the Act') and, once admitted, is entered onto the Roll of Lawyers. All overseas practitioners are strongly encouraged to peruse the legislative requirements contained in the Act as well as those contained in the *Supreme Court (Admission) Rules 2004* (current as at 2 November 2015) ('the Rules'), both of which are available on the Internet at www.legislation.qld.gov.au.

It should also be noted that, in this jurisdiction, applicants are admitted as a lawyer on an order made by the Supreme Court which, under the Act and Rules, is the admitting authority. The role of the Admissions Board includes making a recommendation to the Supreme Court in respect of each application in the form of a Certificate of Compliance with the Rules. The Admissions Board does NOT approve admission to the legal profession nor can it be described as the 'admitting authority'. It would, of course, be completely inappropriate for the Admissions Board to pre-empt any decision of the Court in relation to admission to the legal profession.

Eligibility for admission entails compliance with both academic and practical legal training requirements. Applicants also need to satisfy the Admissions Board and the Court of their "fitness to practise", and that they are "suitable" and "of good fame and character", which matters may involve, for example, questions relating to character and the provision of additional documentation, such as certificates of good standing and police history checks, from overseas jurisdictions. There are also a number of procedural and administrative tasks which must be completed in the period immediately prior to admission, for example, advertising, filing and lodging notices, submission of affidavits, etc.

Assessing academic qualifications and practical legal training

Approved academic qualifications (Form 12 Application)

Applicants are required to successfully complete 'approved academic qualifications' which are mandatory in this jurisdiction and are identified as lacking in their academic qualifications obtained overseas.

In order to assess overseas academic qualifications, under Rule 8, the Board must have regard to admission guidelines issued by the Chief Justice of Queensland under Rule 9AA(c), i.e. the '*Uniform Principles for Assessing Qualifications of Overseas Applicants for Admission to the Australian Legal Profession*' ('the Uniform Principles'); a copy of which is available on the Queensland Law Society website at

[http://www.qls.com.au/For the profession/Your legal career/Become a solicitor](http://www.qls.com.au/For_the_profession/Your_legal_career/Become_a_solicitor) (Guidelines for assessing overseas applications issued under Rule 9AA(1)(c)) as well as the Law Council of Australia website at <https://www.lawcouncil.asn.au/resources/law-admissions-consultative-committee>. The Uniform Principles have been adopted by all Australian Admitting Authorities and the Board places significant weight on the principles.

In order to apply for an academic assessment, an applicant needs to submit a completed application form (Form 12) as well as a certified copy of their academic transcript. In addition, they need to provide certified copies of relevant documents depending on the Category of their application (refer page 2 of the application form). You should note that if you have not completed a law degree that normally leads to admission in the jurisdiction in which your law degree was completed and that is substantially the equivalent to a 3-year full-time course leading to admission in Australia, you are **not eligible** to have your academic qualifications assessed – see clause 2.2 of the Uniform Principles). In order to show that your qualifications lead to admission in the jurisdiction in which they are completed, you are required to provide with your application either evidence of this from the relevant admitting authority in the relevant jurisdiction OR a statutory declaration declaring that your qualifications normally lead to admission in the relevant jurisdiction.

Applicants should also be aware that they are also required to provide a certified copy of their passport ID page and any documents which provided are required to be translated into English, where relevant, and include an appropriate certification from a registered translator. All certifications need to be completed either by a Justice of the Peace, Legal Practitioner, Commissioner of Declarations or a Public Notary. In addition, the Board will not accept scanned copies of documents via email; all documents to be provided in 'hard' copy only. **(Please note: failure to provide any of the required documents may result in your application being delayed).**

An application, along with two extra copies of all documents, should then be forwarded to:

Legal Practitioners Admissions Board
GPO Box 1785
BRISBANE QLD 4001

From 1 July 2022, the fee for an assessment of academic qualifications is \$AUD131.00. Payment of fees can only be accepted by cheque, money order or credit card (over the phone). All cheques and money orders should be made payable to the 'Legal Practitioners Admissions Board'.

Applicants will be considered to have satisfied 'approved academic qualifications' upon completion of any supplementary academic qualifications corresponding to the areas of knowledge specified in the assessment. In order to complete any supplementary academic qualifications, applicants should contact the universities in Queensland, whose details are as follows:

1. Bond University
GOLD COAST 4229 AUSTRALIA
Internet: www.bond.edu.au/law
2. School of Law
Griffith University (Nathan Campus)
NATHAN 4111 AUSTRALIA
Internet: www.griffith.edu.au/criminology-law/griffith-law-school
3. Faculty of Law
Queensland University of Technology
BRISBANE 4001 AUSTRALIA
Internet: www.law.qut.edu.au
4. James Cook University
TOWNSVILLE 4811 AUSTRALIA

Internet: www.jcu.edu.au

5. School of Law
University of Southern Queensland
TOOWOOMBA 4350 AUSTRALIA
Internet: www.usq.edu.au
6. Student Admissions
Central Queensland University
BRISBANE 4000 AUSTRALIA
Internet: www.cqu.edu.au/about-us/university-contacts
7. Faculty of Arts and Business – School of Law
University of the Sunshine Coast
SIPPY DOWNS 4556 AUSTRALIA
Internet: www.usc.edu.au/help/contact-usc

Approved practical legal training (Form 13 Application)

The practical legal training requirements may be satisfied only after completion of 'approved practical legal training requirements'. Again, in order to assess overseas practical legal training and experience in practice, under Rule 9, the Board must have regard to admission guidelines issued by the Chief Justice of Queensland under Rule 9AA(c), i.e. the Uniform Principles.

In order to for an applicant to have their practical legal training assessed, they must be admitted in an overseas jurisdiction. The Admissions Board considers the extent to which an applicant's legal training and the length of their legal practice in a foreign country satisfies the minimum criteria for admission in Queensland. In this way, the Board is able to determine whether to approve overseas legal training and practice as 'approved practical legal training' or to require an applicant to supplement their legal training and practice with additional legal training undertaken within Queensland.

If the Admissions Board determines that an applicant is required to complete supplementary practical legal training, it can be completed, firstly, by working as a supervised trainee for a minimum of one year with a firm. The trainee needs to be supervised by one or more eligible supervisor/s who are persons who have engaged principally in legal practice in Queensland for either 3 (sole practitioners or partners) or 5 years (an Australian legal practitioner or government legal officer), and who have not been disqualified or suspended from practice during the past 5 years.

Alternatively, applicants may satisfy the practical legal training requirements by attending a practical legal training course (usually 6 months full-time) at one of the accredited educational providers in this jurisdiction. Course details are available directly from the educational institutions concerned (as detailed below).

Applicant's attention is also drawn to the provisions contained within the Uniform Principles which relate to 'Experienced Practitioners' (clause 5 and schedule 5). If an applicant intends relying on these provisions as part of an application, they need to ensure they provide sufficient evidentiary material to support this component of their application. It should be noted that Form 13 does not, at present, allow applicants to rely on the 'Experienced Practitioner' provisions and therefore, applicants seeking exemption based on relevant, significant and current experience should do so as an addendum to their Form 13 application.

Once again, for an applicant to have their practical legal training assessed, they need to submit a completed application form (Form 13) along with a certified copy of their certificate of admission in another jurisdiction and a certified copy of their transcript of results. In addition, an applicant needs to provide certified copies of various documents depending on the Category of their application (refer page 2 of the application form).

In addition, an applicant is also required to provide a certified copy of their passport ID page and any documents which provided are required to be translated into English, where relevant, and include an appropriate certification from a registered translator. All certifications need to be completed either by a Justice of the Peace, a Legal Practitioner, a Commissioner of Declarations or a Public Notary. In addition, the Board will not accept scanned copies of documents via email; all documents to be provided in 'hard' copy only.

Please note, no applicant will be granted an exemption in relation to:

Trust and Office Accounting
Ethics and Professional Responsibility

Once an applicant has obtained the relevant material, an application, along with two extra copies of all documents, should be forwarded to:

Legal Practitioners Admissions Board
GPO Box 1785
BRISBANE QLD 4001

From 1 July 2022, the fee for an assessment of practical legal training is \$AUD272.00. Payment of fees can only be accepted by cheque, money order or credit card (over the phone). All cheques and money orders should be made payable to the 'Legal Practitioners Admissions Board'.

Applicants will be considered to have satisfied 'approved practical legal training' upon completion of any supplementary practical legal training specified in the assessment. In order to complete any supplementary practical legal training, an applicant can complete a supervised traineeship with a law firm or alternatively contact the practical legal training providers in Queensland, whose details are as follows:

1. Legal Skills Centre
Bond University
GOLD COAST 4229 AUSTRALIA
Internet: www.bond.edu.au/law
2. Legal Practice Unit
Queensland University of Technology
GPO Box 2434
BRISBANE 4001 AUSTRALIA
Internet: www.law.qut.edu.au
3. College of Law Queensland
Level 5, Wesley House
140 Ann Street
BRISBANE 4000 AUSTRALIA
Internet: www.collaw.edu.au

Suitability

In addition to completing the academic and practical legal training requirements for admission, applicants are required to show the Admissions Board and the Court they are suitable for admission having regard to issues of 'good fame' and the statutory matters detailed in section 9 of the Act.

All lawyers who are admitted overseas are required to provide, **at the time of applying for admission** in Queensland, original certificates of good standing from each jurisdiction in which they have been admitted and/or practiced and/or been employed in a law firm as well as original police history checks from every jurisdiction in which

they have resided. Certificates of good standing from each jurisdiction need to be dated not more than 2 months old at the date of admission in this jurisdiction, and police history checks need to be dated not more than 6 months old at the date of admission in Queensland. These certificates are to be provided in conjunction with a detailed affidavit including a chronology of the applicant's residential, occupational, and practicing history in all jurisdictions. Applicants should be aware the affidavit is required to incorporate details of where and for what duration they have resided overseas, and the occupations in which they engaged in whilst in each jurisdiction.

Admission

Once the Admissions Board has considered an application for admission, it will make a recommendation to the Supreme Court in relation to the application.

After admission

Once applicants are admitted to the legal profession, they need to obtain a practising certificate from either the Queensland Law Society ('QLS') (to practice as a 'Solicitor') or Queensland Bar Association ('QBA') (to practice as a 'Barrister') before commencing actual practice. Relevant details may be obtained from the QLS or QBA.

To have academic qualifications or practical legal training assessed, an applicant MUST submit an application form along with the required documentation. The Admission Board's staff are not able to perform an assessment, and are unable to provide advice in relation to the Uniform Principles for Assessing Qualifications of Overseas Applicants for Admission to the Australian Legal Profession.

MELISSA TIMMINS
Secretary to the Legal Practitioners Admissions Board

FORM 12
Legal Profession Act 2007 (Qld) Section 30(1)(b)
[Supreme Court (Admission) Rules 2004 Rule 8]

APPLICATION FOR ASSESSMENT OF OVERSEAS ACADEMIC QUALIFICATIONS

(Please note: If you have not completed a law degree that normally leads to admission in the jurisdiction in which your law degree was completed and that is substantially the equivalent to a 3-year full-time course leading to admission in Australia, you are not eligible to have your academic qualifications assessed – see clause 2.2 of the Uniform Principles)

To the Legal Practitioners Admissions Board:

1. I, _____ *Insert your full name*
of _____ *Insert your residential address*
(A certified copy of my passport ID page is attached)

am applying for an assessment of my overseas academic legal qualifications pursuant to rule 8 of the *Supreme Court (Admission) Rules 2004* and the Uniform Principles for assessing Qualifications of Overseas Applicants for admission to the Australian legal profession.

2. I have completed academic legal qualifications outside Australia (Category 1 application) *(complete section 3 ONLY);*
 been admitted in an overseas jurisdiction (Category 2 application) *(complete sections 3 and 4A);*
 been admitted in an overseas jurisdiction and practiced as a legal practitioner (Category 3 application) *(complete sections 3, 4A and 4B)*
(Tick one box only)

3. I have completed the following academic legal qualifications:

(Provide details of ALL academic legal qualifications completed both within and outside Australia)#

_____ *(Specify the qualification)*
at _____ *(Specify name of foreign university)*
on _____ *(Specify the date completed)*
_____ *(Specify the qualification)*
at _____ *(Specify name of foreign university)*
on _____ *(Specify the date completed)*

and I request the Board assess my academic legal qualifications under rule 8 and the Uniform Principles.

4A. I am admitted in the following foreign jurisdiction/s#:

(List your ORIGINAL jurisdiction of admission FIRST and include the date of each admission)

(List ALL foreign jurisdictions in which you are currently admitted to practice including the date you were admitted to practice)

4B. I have practiced as an overseas legal practitioner for the following period/s:

_____ years *(Insert number of years)* in _____ *(Jurisdiction)*

NOTE: If you intend to rely on the 'Experienced Practitioner' provisions of the Uniform Principles (clause 5 and schedule 5), you should attach a separate addendum providing the required information and material as set out in clause 5 and schedule 5.

Documentary evidence to be provided with application (Tick ALL relevant boxes for your category)

- A certified copy of passport ID page

Category 1 application:

- a certified copy of original transcript of academic record in Law as well as the relevant University Assessment Criteria (see example Assessment Criteria **attached**) **marked "A"**;
- a certified copy of official descriptions of academic law subjects (course outlines) **marked "B"**;
- certified documentary evidence (or a statutory declaration) that the completed academic qualifications would qualify for admission in the jurisdiction in which the qualification was completed **marked "C"**.

Category 2 application:

- a certified copy of original transcript of academic record in Law **marked "A"**;
- a certified copy of official descriptions of academic law subjects (course outlines) **marked "B"**;
- certified evidence of admission as a lawyer (an original certificate from admitting authority) **marked "C"**.

Category 3 application:

- a certified copy of original transcript of academic record in Law **marked "A"**;
- a certified copy of official descriptions of academic law subjects (course outlines) **marked "B"**;
- certified evidence of admission as a lawyer (an original certificate from admitting authority) **marked "C"**;
- separate addendum providing relevant information and material required in support of an application under the Experienced Practitioner provisions in clause 5 and schedule 5 of the Uniform Principles **marked "D"**.

- Cheque, money order or credit card (over the phone). All cheques should be made payable to the 'Legal Practitioners Admissions Board' for \$AUD131.00**

- TWO COPIES OF ALL DOCUMENTS PLUS this ORIGINAL**

(Tick ALL relevant boxes)

- I consent to the Legal Practitioners Admissions Board (Qld) ('the Board') providing any documents relating to my application for assessment of my qualifications and experience for admission to the legal profession, including, but not limited to, any documents provided to the Board by me and records of deliberations and decisions of the Board, to any Australian admitting authority.

I certify that, to the best of my knowledge, the information in this application is correct.

Dated this day of, 20....

.....
Applicant

.....
Email Address

** delete if inapplicable*

add rows or attach a schedule where required

Collection Notice

The Legal Practitioners Admission Board ('the Board') collects personal information to assess whether overseas qualifications meet the criteria for admission to the legal profession in Queensland, update and maintain admission records including supervised traineeship records, where relevant; and conduct research and collate statistical data for release to third parties such as interstate admitting authorities, the Law Admissions Consultative Committee. Information collected within this form may be accessed under Right to Information processes.

The Board may provide personal information to other organisations such as interstate and/or foreign admitting authorities and legal regulation bodies, the Legal Services Commission (Qld), the Queensland Law Society, and the Queensland Bar Association in accordance with the Board's obligations and duties under the *Legal Profession Act 2007* and other legislation.

If personal or sensitive information is not provided, or if the information is incomplete or inaccurate, the Board may be unable to properly consider an application for admission. If a decision not to provide information for one or more of the above purposes is made, the Secretary to the Board should be advised in writing, c/- the Queensland Law Society, GPO Box 1785, Brisbane, Qld, 4001.

Further details about the Board's Privacy Statement, Privacy Plan, and Code of Practice and the collection of personal information may be found on the Queensland Law Society's website, www.qls.com.au under the tabs 'About QLS', 'Our Structure', and 'Related Organisations'.

FORM 13
Legal Profession Act 2007 (Qld) Section 30(1)(b)
[Supreme Court (Admission) Rules 2004 Rule 9]

APPLICATION FOR ASSESSMENT OF OVERSEAS PRACTICAL LEGAL TRAINING

(Please note: If you have not been admitted in a foreign jurisdiction, you are not eligible to have your practical legal training assessed – see clause 4.4 of the Uniform Principles)

To the Legal Practitioners Admissions Board:

1. I, _____ *Insert your full name*
of _____ *Insert your residential address*
(A certified copy of my passport ID page is attached)

am applying for an assessment of my overseas practical legal training pursuant to rule 9 of the *Supreme Court (Admission) Rules 2004* and the Uniform Principles for assessing Qualifications of Overseas Applicants for admission to the Australian legal profession.

2. I have been admitted in an overseas jurisdiction (Category 1 application) *(complete sections 3A, 4A and/or 4B)*
(Tick one box been admitted and practiced as a legal practitioner in an overseas jurisdiction (Category 2 application) *(complete sections 3A, 3B, 4A and/or 4B)*

3A. I am admitted in the following foreign jurisdiction/s#:
(List your ORIGINAL jurisdiction of admission FIRST and include the date of each admission)

(List ALL foreign jurisdictions in which you are currently admitted to practice including the date you were admitted to practice)

3B. I have practiced as an overseas legal practitioner for the following period/s:

_____ years *(Insert number of years)* in _____ *(Jurisdiction)*
_____ years *(Insert number of years)* in _____ *(Jurisdiction)*
_____ years *(Insert number of years)* in _____ *(Jurisdiction)*

NOTE: (i) if you have been admitted overseas for less than 5 years, you need to have been in active practice since being admitted;
(ii) if you have been admitted overseas for 5 years or more, you need to have been in active practice for some or all of the preceding 2 years **AND** you must not have been absent from active practice for more than 5 years in the 10 years before applying for admission in Australia – see clause 4.5(a) and (b) of the *Uniform Principles*.

4A. I have completed the following practical legal training *(provide details of ALL practical legal training completed)*
(Specify the qualification)
_____ at _____ *(Specify name of foreign university/institution/provider)*
on _____ *(Specify the period in which the qualification was obtained)*

AND/OR

4B. I was an article clerk/trainee with:

(Specify the name and address of foreign law practice/office#)

from: _____ *(Insert date)#* to: _____ *(Insert date)#*

and I request the Board assess my practical legal training under rule 9 and the Uniform Principles

NOTE: If you intend to rely on the 'Experienced Practitioner' provisions of the Uniform Principles (clause 5 and schedule 5), you should attach a separate addendum providing the required information and material as set out in clause 5 and schedule 5.

Documentary evidence to be provided with application:

- A certified copy of my passport ID page

Category 1 application:

Official documentation in support of application:

- a certified copy of original certificate of admission in another jurisdiction (certificate from admitting authority) **marked "A"**;
- a certified copy of original transcript of results in an overseas practical legal training course **marked "B"**;
- a certified copy of official descriptions of practical legal training course subjects in an overseas jurisdiction **marked "C"**;
- A statement setting out, competency by competency, the details of your professional training including evidence of how you have acquired and demonstrated appropriate understanding and competence in the relevant Skill, Practice area or Value which will justify the exemption sought (*Please note, this statement requires some detail as the Board requires evidence of your work experience & understanding of different areas for which you are seeking an exemption. Outlining relevant areas of practice will be of assistance*) **marked "D"**.

Category 2 application:

Official documentation in support of application:

- a certified copy of original certificate of admission in another jurisdiction (certificate from admitting authority) **marked "A"**;
- a certified copy of original transcript of results in an overseas practical legal training course **marked "B"**;
- a certified copy of official descriptions of practical legal training course subjects in an overseas jurisdiction **marked "C"**;
- A statement setting out, competency by competency, the details of your professional training and experience including evidence of how you have acquired and demonstrated appropriate understanding and competence in the relevant Skill, Practice area or Value which will justify the exemption sought (*Please note, this statement requires some detail as the Board requires evidence of your work experience & understanding of different areas for which you are seeking an exemption. Outlining relevant areas of practice will be of assistance*) **marked "D"**;
- A curriculum vitae showing professional employment and the type of legal work undertaken with each employer and which will show how your practice has satisfied each relevant performance criterion set out for the relevant Skill, Practice area or Value for which exemption is sought **marked "E"**;
- References from professional supervisors or persons with whom the applicant has been associated in practice attesting to each of the matters referred to in documents marks "D" and "E" above **marked "F"**.
- Cheque, money order or credit card (over the phone). All cheques should be made payable to the 'Legal Practitioners Admissions Board' for \$AUD272.00**
- TWO COPIES OF ALL DOCUMENTS PLUS this ORIGINAL**

(Tick ALL relevant boxes)

- I consent to the Legal Practitioners Admissions Board (Qld) ('the Board') providing any documents relating to my application for assessment of my qualifications and experience for admission to the legal profession, including, but not limited to, any documents provided to the Board by me and records of deliberations and decisions of the Board, to any Australian admitting authority.

I certify that, to the best of my knowledge, the information in this application is correct.

Dated this day of, 20....

.....
Applicant

.....
Email Address

** delete if inapplicable*

add rows or attach a schedule where required

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The Board may provide personal information to other organisations such as interstate and/or foreign admitting authorities and legal regulation bodies, the Legal Services Commission (Qld), the Queensland Law Society, and the Queensland Bar Association in accordance with the Board's obligations and duties under the *Legal Profession Act 2007* and other legislation.

If personal or sensitive information is not provided, or if the information is incomplete or inaccurate, the Board may be unable to properly consider an application for admission. If a decision not to provide information for one or more of the above purposes is made, the Secretary to the Board should be advised in writing, c/- the Queensland Law Society, GPO Box 1785, Brisbane, Qld, 4001.

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