

TASMANIA

LEGAL PROFESSION AMENDMENT BILL 2018

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LEGAL PROFESSION AMENDMENT BILL 2018

This Public Bill originated in the House of Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

SHANE DONNELLY, *Clerk of the House*
26 September 2018

*(Brought in by the Minister for Justice, the Honourable Elise
Nicole Archer)*

A BILL FOR

An Act to amend the *Legal Profession Act 2007*

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

1. Short title

This Act may be cited as the *Legal Profession Amendment Act 2018*.

2. Commencement

This Act commences on the day on which this Act receives the Royal Assent.

3. Principal Act

In this Act, the *Legal Profession Act 2007** is referred to as the Principal Act.

*No. 24 of 2007

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4. Section 458 amended (Application against determinations)

Section 458 of the Principal Act is amended by inserting after subsection (3) the following subsections:

- (4) The Supreme Court may determine its own practice and procedure for determining an application made to it under this section.
- (5) The Tribunal may determine an application, made to it under this section, in accordance with Part 4.7, other than sections 464, 466(7)(b), 467(5)(b) and 468, as if the application were an application made under Division 2 of that Part.
- (6) For the avoidance of doubt –
 - (a) an application made under this section, that was made before the commencement of the *Legal Profession Amendment Act 2018*, is taken to have been validly made if the application was accepted by the Tribunal or Court to which it was made; and
 - (b) the determination of an application under this section by the Tribunal, before the commencement of the *Legal Profession Amendment Act 2018*, is not invalid solely on the

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grounds that the application was determined in accordance with Part 4.7.

5. Repeal of Act

This Act is repealed on the three hundred and sixty fifth day from the day on which it commences.