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# Foreign lawyers and the practise of foreign law in Australia

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A Law Council of Australia information paper

15 September 2008

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## **Disclaimer**

This information paper has been prepared by the Law Council of Australia and translated into the Chinese language with the aim of helping to strengthen bilateral understanding and professional links in the law. The information paper is intended as a guide only. While the information is believed to be accurate at the time of preparation, no reliance should be placed on the information, which may change without notice. Before taking any action in regard to legal practice in Australia, the Law Council (which is not a regulatory body) strongly recommends that contact be made with the relevant regulator(s) of legal practice in the Australian States and Territories. Contact details are listed at the end of this information paper.

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## Background

Regulation of the legal profession in Australia has traditionally been a matter of each state and territory developing its own regulatory system according to its particular legal, economic and social environment and norms. These individual regulatory systems have had varying degrees of involvement by government, the courts and the legal profession of each State and Territory. (The Commonwealth of Australia does not have the constitutional power to regulate the legal profession, apart from its ability to do so in the territories by overriding territory legislation.)

It was recognised in the early 1990s that the differences in regulatory approaches that had developed within the individual states and territories over time needed to change. The drivers of change included:

- public policy embracing the concepts of open markets and competition;
- demand for a national legal services market from consumers of legal services who operate on a national or interstate basis;
- growth in demand for international legal services to underpin businesses operating globally; and
- globalisation of legal practice and internationalisation of the law.

## A national approach to the legal profession and the delivery of legal services

As the movement towards globalisation gained momentum, the need to address disparities in jurisdictional approaches in Australia became more pressing.

The Law Council of Australia, which represents the interests of the legal profession on national issues through its constituent bodies (the law societies and bar associations of the states and territories) has from the outset been involved in developing the framework for a more open, streamlined and jurisdictionally consistent legal services market, a fundamental tenet of which is that a lawyer admitted to practice in any state or territory should be able to practise law throughout Australia without further restriction.

In 2004 the Standing Committee of Attorneys-General (a Committee consisting of the Commonwealth Attorney-General and the Attorney-General of each State and Territory) formally agreed to develop and implement consistent standards for the regulation of the legal profession in Australia. It was agreed that these consistent standards would be in the form of model legislation and regulations to be made, amended and implemented under processes established by agreement between the Attorneys-General.

A significant milestone was achieved in August 2006, when in the Model Legal Profession Bill was publicly released. Supporting Model Legal Profession Regulations have also been developed.

The Model legislation bears directly on foreign lawyers practising foreign law in Australia.

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The development and implementation of the model legislation and regulations has involved the Law Council of Australia and its constituent bodies working in consultation with the Commonwealth, State and Territory governments. The model reforms are designed to deliver the following benefits:

- facilitation of the provision of multi-jurisdictional legal advice and the promotion of the liberalisation of international trade in legal services;
- removal of potential regional restrictions which contravene Australia's legal obligations under the General Agreement on Trade in Services (GATS) of the World Trade Organisation (WTO);
- ensuring foreign practitioners who are registered in Australia meet consistent standards of the highest level of training and experience;
- removal of any remaining barriers to the practice of law across borders;
- provision of an appropriate level of consumer protection for clients in Australia of Australian-registered foreign lawyers;
- provision of greater flexibility for Australian legal practitioners and their employers, if and when they wish to provide services relating to the practice of foreign law; and,
- facilitation of an integrated and competitive national market for legal services.

## **Implementation in the Australian jurisdictions**

Each State and Territory has agreed to use its best endeavours to implement legislation and regulations to give effect to the Model. To facilitate this, provisions in the Model legislation relating to foreign lawyers practising foreign law in a jurisdiction have been designated as 'core' provisions, i.e. provisions that have been agreed need to be enacted by each jurisdiction using either the same words or substantially similar words.

At the time this publication was developed legislation to give effect to the Model had not yet been enacted in every State and Territory. It is also important to bear in mind that there will be some differences in the scope, terminology used and form of the legislation enacted in each jurisdiction to give effect to the Model where it is necessary, for example, to clarify the interaction between the Model and local legislation.

A foreign lawyer contemplating the practice of foreign law in Australia will therefore need to obtain specific advice from the appropriate regulatory or registration authority in the jurisdiction in which he or she intends to practise.

Appendix 1 provides information about the applicable legislation and regulatory or registration authority in each jurisdiction in Australia.

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## **National (model) legal profession legislation: key features for foreign lawyers practising foreign law in Australia**

### Overview

The main provisions dealing with the practice of foreign law in Australia by foreign lawyers are contained in Part 2.8 of the Model legislation. The objective of these provisions, as stated in the Model legislation is:

“...to encourage and facilitate the internationalisation of legal services and the legal services sector by providing a framework for the regulation of the practice of foreign law in [a State or Territory] jurisdiction by foreign lawyers as a recognised aspect of legal practice in [that] jurisdiction.”

Under the Model legislation, a foreign lawyer is defined as a person who is admitted to the legal profession in their home country, which, in general terms, includes any jurisdiction other than Australia. An Australian-registered foreign lawyer may carry out work, the nature of which would ordinarily be done or transacted by an Australian legal practitioner, but only in relation to the law of the country in which the lawyer is formally qualified to practise. The eventual adoption of the Model standard (or ‘core’) provisions throughout all Australian jurisdictions will ensure that foreign legal practitioners are regulated by the same terms and conditions, regardless of which jurisdiction they practise foreign law in Australia.

The subject matters covered by the Model legislation relating to the practice of foreign law include:

- requirements for foreign practitioner registration in Australia and rules for “fly-in, fly-out” rights for foreign lawyers without registration;
- permissible scope of practice (including employment issues) of an Australian-registered foreign lawyer;
- form of practice of an Australian-registered foreign lawyer;
- designation requirements of an Australian-registered foreign lawyer;
- matters regulated similarly as for Australian legal practitioners;
- matters to be prescribed by subordinate legislation;
- how to apply for registration;
- grant or renewal of registration (including criteria to be considered);
- refusal to grant or renew registration;
- amendment, suspension or cancellation of registration;
- conditions on registration;
- status of interstate-registered foreign lawyers; and
- miscellaneous matters.

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## **Additional explanations and information**

### Requirement for foreign practitioner registration in Australia/“fly-in, fly-out” rights of foreign lawyers

The Model imposes a general prohibition on the practice of foreign law in Australia unless the practitioner is an Australian-registered foreign lawyer or an Australian legal practitioner.

However, an overseas-registered foreign lawyer will not be subject to the general prohibition on practising foreign law in Australia provided the lawyer:

- practises foreign law in Australia for one or more periods that do not aggregate exceed 90 days in any period of 12 months, or is subject to a restriction under the *Migration Act 1958* of the Commonwealth of Australia that has the effect of limiting the period during which work may be done, or business transacted, in Australia, and
- does not maintain a legal office for the purpose of practising foreign law or does not become a partner or director of a law practice in Australia.

The practical consequence of coming within the scope of the “fly-in, fly-out” rule is that a foreign lawyer would be entitled to come to Australia with his or her clients and act for them, (for example in commercial negotiations or international arbitrations) within the need to first become an Australian-registered foreign lawyer.

Once registered, an Australian-registered foreign lawyer is permitted to practise the law of those foreign jurisdictions in which the lawyer is appropriately qualified without having to satisfy Australian admission requirements. An Australian-registered foreign lawyer may voluntarily enter into commercial associations with host country lawyers and law firms and has the right to use his or her own firm name while practising in Australia.

### Granting of registration to foreign lawyers

Registration is granted by the relevant state or territory authority and may include conditions or restrictions as deemed appropriate. Under the Model legislation, in order to become an Australian-registered foreign lawyer:

- the foreign lawyer must be entitled to practise law in a foreign jurisdiction, in that the lawyer is properly registered to engage in legal practice in (that) foreign country by the foreign registration authority for the country;
- the jurisdiction in question must have an effective system of regulating the practice of law; and
- the lawyer must be a fit and proper person to be registered as an Australian-registered foreign lawyer.

In determining the fitness of an applicant for registration, the registration authority may consider a range of matters set out in the model legislation.

The actual procedure for making an application to become an Australian-registered foreign lawyer is set out in the Model legislation. These provisions are to be supplemented by subordinate legislation (Regulations) which will deal with such matters as prescribing application fees.

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## Permissible scope of practice (including employment issues) of an Australian-registered foreign lawyer

There are limitations on the scope of practice by an Australian-registered foreign lawyer.

The permissible services are:

- doing work, or transacting business, concerning the law of a foreign country where the lawyer is registered by the foreign registration authority for the country;
- legal services (including appearances) in relation to arbitration proceedings of a kind prescribed under the regulations;
- legal services (including appearances) in relation to proceedings before bodies other than courts, being proceedings in which the body concerned is not required to apply the rules of evidence and in which knowledge of the foreign law of the country in which the foreign lawyer is registered is essential; and
- legal services for conciliation, mediation and other forms of consensual dispute resolution of a kind prescribed under the regulations.

The Model legislation prohibits an Australian-registered foreign lawyer from appearing in any court (except on his or her own behalf) and from practising Australian law in Australia except when the lawyer is advising on the effect of an Australian law where the giving of such advice is “necessarily incidental to the practice of foreign law” and the “advice is expressly based on advice given on the Australian law by an Australian legal practitioner who is not an employee of the foreign lawyer”.

An Australian-registered foreign lawyer is permitted to employ one or more Australian legal practitioners but such employment does not allow the foreign lawyer to practise Australian law in Australia. In addition, the Australian legal practitioners so employed (unless employed in a law firm with an Australian-registered foreign lawyer as a partner with at least one other partner an Australian legal practitioner) must not provide advice on Australian law to, or for use by, the foreign lawyer or practise Australian law in Australia in the course of that employment.

Employment of an Australian legal practitioner by an Australian-registered foreign lawyer cannot be used to satisfy any requirement imposed by a condition on an Australian practising certificate for that Australian legal practitioner to complete a period of supervised legal practice.

## Form of practice of an Australian-registered foreign lawyer

In general terms, an Australian-registered foreign lawyer may engage in the practice of foreign law in the following ways (subject to any conditions imposed on his or her registration):

- on his or her own account;
- in partnership with one or more Australian-registered foreign lawyers and/or one or more Australian legal practitioners;

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- as a director or employee of an incorporated legal practice or as a partner or an employee of a multi-disciplinary partnership (provided legal practice in that form is permitted by the relevant state or territory);
  - as an employee of an Australian legal practitioner or law firm; or
  - as an employee of an Australian-registered foreign lawyer.

Practice in any of these arrangements does not permit the foreign lawyer to practise Australian law in Australia.

### Professional ethical and practice standards

Australian-registered foreign lawyers are subject to the same ethical and practice standards (and complaints and disciplinary procedures) in the way they practise foreign law in Australia as those applicable to an Australian legal practitioner practising Australian law.

### Designation requirements of an Australian-registered foreign lawyer

An Australian-registered foreign lawyer, in describing his or her professional status, is limited to specific designations, for example:

- the lawyer's own name;
- a title or business name the lawyer is authorised to use in a foreign country where he or she is registered;
- the name of a foreign law practice with which the lawyer is affiliated or associated (although the principals of that firm need not be Australian-registered foreign lawyers).

There are other permitted designations. For example, where the foreign lawyer is a principal of a law practice in Australia whose principals include both one or more Australian-registered foreign lawyers and one or more Australian legal practitioners. These designations may be used on letterhead, business cards and other "identifying documents" but it is a requirement that an Australian-registered foreign lawyer must state on all public documents the fact that he or she is an Australian-registered foreign lawyer and is restricted to the practice of foreign law.

### Matters regulated similarly as for Australian legal practitioners

- In general terms, Australian-registered foreign lawyers are subject to the same regulatory regime as Australian legal practitioners in the following matters, as provided for in the provisions referred to:
  - a. Advertising. For example, advertising which might reasonably be regarded as suggesting that an Australian-registered foreign lawyer is an Australian legal practitioner is expressly proscribed. (In general terms, Australian-registered foreign lawyers are prohibited from advertising in the same way as Australian legal practitioners and which might reasonably be regarded as "false, misleading or deceptive".)
  - b. Trust moneys and trust accounts. (The Model legislation specifically provides that a reference to money is not limited to money in the relevant Australian jurisdiction).

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## Professional indemnity insurance for foreign lawyers

The Model legislation provides a number of options for foreign lawyers in respect of their obligations relating to professional indemnity insurance:

- he or she must hold professional indemnity insurance that conforms with the requirements for professional indemnity insurance applicable for Australian legal practitioners in any jurisdiction; or,
- he or she must have professional indemnity insurance that covers the practice of foreign law in this jurisdiction and that complies with the relevant requirements of a foreign law or foreign registration authority, and, if the insurance is for less than \$1.5 million (inclusive of defence costs), he or she must provide a disclosure statement to each client disclosing the level of cover; or
- if they do not satisfy either of the two above options, the foreign lawyer must provide a disclosure statement to each client stating that the lawyer does not have complying professional indemnity insurance.

## Fidelity cover for foreign lawyers

The Model legislation stipulates that the matter of fidelity cover is to be dealt with by subordinate legislation (i.e., in the regulations). The relevant regulations may provide that the provisions of the Model legislation pertaining to fidelity cover for Australian legal practitioners, with or without any modifications set out in those regulations, are to apply also to Australian-registered foreign lawyers.

## Applying for registration

An overseas-registered foreign lawyer is eligible to apply to the “domestic registration authority” for the grant or renewal of registration as a foreign lawyer. An application must be made in the approved form and accompanied by the required fees (which are not to be set so as to be greater than the maximum fees for a practising certificate in the relevant Australian jurisdiction). An applicant may also be required to meet any reasonable costs, for example, costs associated with making inquiries into the applicant’s qualifications, incurred by the domestic registration authority.

An application form may require an applicant to disclose matters that may affect his or her eligibility for registration and details of any criminal offences.

Various matters are to be included in an application for registration, for example:

- details of the applicant’s educational and professional qualifications;
- a statement that the applicant is registered to engage in legal practice by one or more specified foreign registration authorities in one or more foreign countries;
- a statement that the applicant, in his or her capacity as a lawyer, is not the subject of disciplinary proceedings in Australia or in a foreign country, including any preliminary investigations that might lead to disciplinary proceedings;

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- a statement whether the applicant has been convicted of an offence, in which case an applicant is required to provide certain details about that matter.

Further, applicants are required to give consent to the making of inquiries about the application and to provide supporting documentation, for example, original certificates together with translations into English.

### Grant or renewal of registration (including criteria to be considered)

A domestic registration authority must grant an application for registration as a foreign lawyer if it:

- is satisfied that the applicant is registered to engage in legal practice in one or more foreign countries and is not an Australian legal practitioner;
- considers that an effective legal system exists in that foreign country (or countries);
- considers that it would not be inappropriate to register the person as a result of foreign criminal, civil or disciplinary proceedings; and
- is satisfied that the applicant demonstrates an intention to commence practising foreign law in this jurisdiction within a reasonable period if the application is approved.

Residence or domicile in Australia is not a prerequisite or factor in determining entitlement for registration as an Australian-registered foreign lawyer.

### Refusal to grant or renew registration

A domestic registration authority may refuse to grant or renew registration on various grounds, for example, where the applicant has:

- submitted a defective application;
- contravened a provision of the Model Bill or of a corresponding law;
- contravened an order of a disciplinary tribunal or of a corresponding disciplinary body;
- contravened an order of a regulatory authority to pay a fine or costs;
- failed to comply with an obligation to pay moneys to a fidelity fund;
- contravened a requirement pertaining to professional indemnity insurance;
- failed to pay any expenses of receivership mandated by legislation in Australia or where the applicant's foreign legal practice is in receivership; or
- been refused registration in another jurisdiction or had his or her registration suspended or cancelled.

Further, the registration authority, after considering various matters relating to any offences for which the applicant has been convicted, may refuse registration where it is satisfied that the applicant is not a fit and proper person to be registered. A registration

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authority may also refuse registration on any of the grounds for which registration could be suspended or cancelled.

### Amendment, suspension or cancellation of registration

Firstly, in considering the core elements of the disciplinary regime for foreign lawyers, it should be noted that an Australian-registered foreign lawyer must not engage in any conduct that would, if engaged in by an Australian legal practitioner, constitute professional misconduct or unsatisfactory professional conduct, although in determining whether a foreign lawyer should face disciplinary proceedings for a breach of this prohibition, the professional standards of the legal profession where he or she is registered may be taken into account.

A domestic registration authority may amend, suspend or cancel the registration of an Australian-registered foreign lawyer where:

- that registration was obtained because of incorrect or misleading information;
- the person fails to comply with a requirement of legislation relating to legal practice in by foreign lawyers or with a condition imposed on the person's registration;
- the person becomes the subject of disciplinary proceedings, or has been convicted of an offence, in Australia or a foreign country;
- the person's registration is cancelled or currently suspended in any place as a result of any disciplinary action in Australia or a foreign country;
- the person does not meet the requirements relating to professional indemnity insurance; or
- there exists any other ground considered by the registration authority as sufficient.

The procedure for amending, suspending or cancelling registration may be briefly described as follows:

- The registration authority considers reasonable grounds exist for such an action.
- It gives the subject foreign lawyer a "show cause notice" which states the nature of the proposed action, the grounds, the facts and circumstances forming the basis for the authority's belief and invites the addressee to make written representations within a specified period.
- The authority considers any representations made.
- If the authority still believes grounds exist for the proposed action and so decides, it must give the respondent an "information notice" detailing the decision (which takes effect on the day that notice is supplied or on a later specified day).

In certain circumstances, the practitioner may apply to the Supreme Court for the grant of a stay.

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A somewhat similar procedure is followed when an Australian-registered foreign lawyer is involved in the occurrence of a “show cause” event. The essential difference is that there is no onus placed on the registration authority in the first place to give notice calling on the practitioner to make representations but, rather, he or she is, firstly, obliged to provide the authority with a statement about the event and then to explain why, despite the event, the applicant considers himself or herself to be a fit and proper person to continue to be registered. The procedure where the authority determines to suspend or cancel registration is largely similar to that described earlier.

Finally, action may be taken by a registration authority for the immediate suspension of a person’s registration if the authority considers it necessary in the public interest to do so.

### Conditions on registration

There are four categories of conditions which may be imposed on the registration of foreign lawyers, namely:

1. conditions imposed by the domestic registration authority;
2. statutory conditions imposed by legislation;
3. conditions imposed by or under the legal profession rules; and
4. conditions imposed under Chapter 4 (“Complaints and discipline”) of the Model Bill or under provisions in a corresponding law that match Chapter 4.

Conditions imposed by the registration authority must be “reasonable and relevant” and must not be more onerous than a condition that would be imposed on the practising certificate of a local legal practitioner registered in that jurisdiction in the same or similar circumstances.

There is a statutory condition requiring a foreign lawyer to notify the registration authority where he or she has been convicted of an offence that would have to be disclosed in relation to an application for registration as a foreign lawyer or has been charged with a serious offence.

### Status of interstate-registered foreign lawyers

The interstate registration of foreign lawyers is recognised in Australian jurisdictions and there appears to be no requirement that a foreign lawyer registered in one Australian state or territory must apply for registration in another if he or she seeks to practise foreign law in that other jurisdiction. However, further conditions, subject to certain limitations, may be imposed on the person’s right to practise by the registration authority in that other jurisdiction or under the legal profession rules applying there.

### Miscellaneous matters

The Model legislation also provides for the following:

- an Australian-registered foreign lawyer is not an officer of the Supreme Court in the jurisdiction in which he or she is registered;
- a domestic registration authority possesses appropriate investigative powers;

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- a domestic registration authority must keep a register of the names of foreign lawyers registered in its jurisdiction and may publish those names, in circumstances that it considers “appropriate”;
  - a domestic registration authority may exempt, on conditions or otherwise, an Australian-registered foreign lawyer from compliance with a specified provision of the legislation, of the regulations or of a rule; and
  - an Australian-registered foreign lawyer is not required to join (but may do so, if eligible) any professional association.

## **Contacts for further information**

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## **Appendix 1: Adoption of the national (model) legal profession legislation: status, applicable legislation and registration authorities**

The states and territories have been progressively introducing legislation to give effect to the Model. The current position is set out below.

### New South Wales

The State of New South Wales has enacted legislation to give effect to the Model.

The *Legal Profession Act 2004* is the primary legislation providing for the regulation of legal practice in New South Wales.

Part 2.8 of the *Legal Profession Act 2004* contains the primary provisions dealing with legal practice by foreign lawyers. Section 201 of the Act provides that an overseas-registered foreign lawyer may apply to a domestic registration authority for the grant or renewal of registration as a foreign lawyer under the Act. The relevant domestic registration authorities in New South Wales are the Bar Council of the New South Wales Bar Association (for barristers) and the Law Society Council of New South Wales (for solicitors and practitioners who practise as both barristers & solicitors). The contact information is:

The New South Wales Bar Association  
Selborne Chambers  
174 Phillip Street  
Sydney 2000

**Web site:**

[www.nswbar.asn.au](http://www.nswbar.asn.au)

The Law Society of New South Wales  
170 Phillip Street  
Sydney NSW 2000

**Web site:**

[www.lawsociety.com.au](http://www.lawsociety.com.au)

### Victoria

The State of Victoria has enacted legislation to give effect to the Model.

The *Legal Profession Act 2004* is the primary legislation providing for the regulation of legal practice in Victoria. Part 2.8 of that Act contains the primary provisions dealing with legal practice by foreign lawyers.

The Legal Services Board is the responsible authority in Victoria for administering the regulation of the legal system in Victoria, including the registration of foreign lawyers intending to practise foreign law in Victoria. The contact information is:

**Street address:**

Level 10, 330 Collins Street  
Melbourne 3000

**Postal address:**

GPO Box 4937 V V  
Melbourne VIC 3001  
DX 170 Melbourne

**Web site:**

[www.lsb.vic.gov.au](http://www.lsb.vic.gov.au)

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## Queensland

The State of Queensland has enacted legislation to give effect to the Model. The *Legal Profession Act 2007* is the primary legislation providing for the regulation of legal practice in Queensland. Part 2.8 of that Act contains the primary provisions dealing with legal practice by foreign lawyers in Queensland. The Law Society of Queensland is the registration authority in that State. The contact information is:

**Street address:**

Queensland Law Society  
179 Ann Street  
Brisbane Qld 4000

**Postal address:**

GPO Box 1785  
Brisbane Qld 4001

**Web site:**

[www.qls.com.au](http://www.qls.com.au)

## Australian Capital Territory

The Australian Capital Territory has enacted legislation to give effect to the Model.

The *Legal Profession Act 2006* is the primary legislation providing for the regulation of legal practice in the Territory. Part 2.7 of that Act contains the primary provisions dealing with legal practice by foreign lawyers. Section 170 of the Act provides that an overseas-registered foreign lawyer may apply to the licensing body for the grant or renewal of registration as a foreign lawyer under the Act.

The Council of the Law Society of the Australian Capital Territory is the licensing body in the Territory. The contact information is:

**Street address:**

The Law Society of the Australian Capital  
Territory  
Level 3 / 11 London Circuit  
Canberra ACT 2600

**Postal address:**

GPO Box 1562  
Canberra ACT 2601

**Web site:**

[www.lawsocact.asn.au](http://www.lawsocact.asn.au)

## South Australia

The State of South Australia has not yet enacted legislation to give effect to the Model. A Bill for a *Legal Profession Act* was introduced in Parliament on 12 September 2007, but has not been enacted. The *Legal Practitioners Act 1981* is currently the primary legislation currently regulating the legal profession in that State.

## Tasmania

The State of Tasmania has enacted the *Legal Profession Act 2007* to give effect to the Model, which is expected to commence on 1 July 2008. Currently, the *Legal*

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*Profession Act 1993*) contains provisions enabling a foreign lawyer to apply to the Council of the Law Society of Tasmania for approval to practise foreign law in that State.

**Street address:**

Law Society of Tasmania  
28 Murray Street  
Hobart TAS 7000

**Postal address:**

GPO Box 1133  
Hobart TAS 7001

**Web site**

[www.taslawsociety.asn.au](http://www.taslawsociety.asn.au)

Northern Territory

The Northern Territory has enacted legislation to give effect to the Model. The *Legal Profession Act 2006* is the primary legislation providing for the regulation of legal practice in the Territory. Part 2.7 of that Act contains the primary provisions dealing with legal practice by foreign lawyers. Section 187 of the Act provides that an overseas-registered foreign lawyer may apply to the Law Society Northern Territory for registration as a foreign lawyer under that Act. The contact information is:

**Street address:**

Law Society Northern Territory  
Suite G16, 1st Floor  
Paspalis Centrepoint  
48-50 Smith Street (Mall)  
Darwin NT 0800

**Postal address:**

GPO Box 2388  
Darwin NT 0801

**Web site:**

[www.lawsocnt.asn.au](http://www.lawsocnt.asn.au)

Western Australia

The State of Western Australia has enacted legislation to give full effect to the Model. The *Legal Profession Act 2008* is the primary legislation providing for the regulation of legal practice in that State. Part 8 of that Act deals with foreign lawyers and the practice of foreign law in that State. A foreign lawyer wishing to practise foreign law in Western Australia needs to be registered with the Legal Practice Board. The contact information is:

Legal Practice Board of Western Australia  
5<sup>th</sup> Floor Kings Building  
533 Hay Street  
PERTH WA 6000

**Web site:**

[www.lpbwa.org.au](http://www.lpbwa.org.au)