

**WESTERN AUSTRALIA**

*Legal Profession Uniform Law WA (Uniform Law)*

Part 3.7

**Notice of an unincorporated legal practice's intention to start providing legal services in Western Australia**

*At least 14 days before an unincorporated legal practice starts to provide legal services in Western Australia it must use this form to give the Legal Practice Board notice of its intention to do so.*

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**Section A – Details of the Unincorporated Legal Practice (ULP)**

1	Name of the ULP:	_____
2	Australian Business Number:	_____
3	Practice Name:	_____
4	Street address:	_____ _____
5	Postal address (if different):	_____ _____
6	Telephone number: <i>(include STD code)</i>	(    ) _____
7	Email address:	_____

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**Section B – Commencement of providing legal services in WA**

<b>9</b>	What is the proposed start date your ULP intends to commence providing legal services in WA?	
<b>10</b>	Has the ULP already commenced providing legal services in WA?	<input type="checkbox"/> No. <input type="checkbox"/> Yes. Please provide the date of commencement below.  _____ _____
<b>11</b>	Will the proposed ULP be taking over an existing practice?	<input type="checkbox"/> No. <input type="checkbox"/> Yes. Please provide name of the existing law practice below.  _____ _____

**Section C – Legal Practitioner Partner(s)**

**12** Please fill in the following with the name and residential address of each legal practitioner partner of the ULP

Full name	Residential address

If insufficient space, please attach an extra sheet

**Section D – Non Legal Practitioner Partner(s)**

13 Please fill in the following with the name and residential address of each non legal practitioner partner of the ULP

Full name	Residential address

If insufficient space, please attach an extra sheet

**Section E – Employed legal practitioners of the ULP**

14 Please fill in the following with the name and residential address of each of the employed Australian legal practitioners of the ULP (other than those named above)

Full name	Residential address

If insufficient space, please attach an extra sheet

**Section F – ULP’s Trust Account**

15	Does the ULP receive trust money?	<input type="checkbox"/> No
		<input type="checkbox"/> Yes – please fill in below
16	Name of account:	_____
17	Name of bank:	_____
18	BSB number:	_____
19	Account number:	_____
20	Date Account Opened:	_____
21	External Examiner’s name	_____
22	External Examiner’s firm:	_____
23	External Examiner’s address:	_____

### Section G – For your information

You are required to complete this form and provide it to the Legal Practice Board at least 14 days before starting to engage in legal practice as an ULP: see rule 28 of the *Legal Profession Uniform General Rules 2015 (Uniform Rules)*.

Section 6 of the Uniform Law defines an ULP as follows:

**unincorporated legal practice** means an unincorporated body or group that satisfies the following criteria—

(a) it is—

(i) a partnership; or

(ii) an unincorporated body or group, or an unincorporated body or group of a kind, approved by the Legal Services Council under section 114 or specified in the Uniform Rules for the purposes of this definition;

(b) it has given notice under section 104 that it intends to engage in legal practice in Australia and that notice is still operative;

(c) the legal services it provides or proposes to provide are not limited to either or both of the following services—

(i) in-house legal services for the unincorporated body or group;

(ii) services that are not legally required to be provided by an Australian legal practitioner and that are provided by an officer or employee who is not an Australian legal practitioner;

(d) it is not excluded by the Uniform Rules from being an unincorporated legal practice— but does not include—

(e) a law firm; or

(f) a community legal service; or

(g) an incorporated legal practice.

#### Obligations

Under section 104(1) of the Uniform Law, an ULP must give the Board written notice of its intention to engage in legal practice in this jurisdiction before it commences to do so.

Pursuant to section 105 of the Uniform Law, an ULP must have at least one authorised principal.

Section 6 of the Uniform Law defines a *principal* as follows:

*principal* of a law practice is an Australian legal practitioner who—

(d) in the case of an incorporated legal practice or an unincorporated legal practice—

(i) holds an Australian practising certificate authorising the holder to engage in legal practice as a principal of a law practice; and

(ii) is—

(A) if the law practice is a company within the meaning of the Corporations Act—a validly appointed director of the company; or

(B) if the law practice is a partnership—a partner in the partnership; or

(C) if the law practice is neither—in a relationship with the law practice that is of a kind approved by the Legal Services Council under s.40 or specified in the Uniform Rules for the purposes of this definition.

All other legal practitioners within the ULP must also ensure that they hold the appropriate practising certificate and hold or be covered by an approved insurance policy.

Whilst the ULP continues to provide legal services it must notify the Legal Practice Board of any change in any of the information given in or with this notice

The ULP itself must hold an approved insurance policy for this jurisdiction and the policy must cover the legal practice in which it is engaged.

An interstate ULP seeking to be registered in WA, must provide with this form a current insurance certificate of currency and a copy of the professional indemnity insurance policy.

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**Section H – Instructions to complete this form**

**24** Please ensure that you have completed all sections of this form and attach:

- Certified copies of the current practising certificates of all interstate principals of the ULP;
- If the ULP has more than one office, a separate page providing details for each office; and
- For an interstate ULP only, a current insurance certificate of currency and a copy of the professional indemnity insurance policy

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**Section I – Certification**

**This must be signed by a legal practitioner partner of the ULP**

I certify that the information set out in this form is true and correct and I have not omitted any relevant information

**Signed:**

\_\_\_\_\_

**Full name:**

\_\_\_\_\_

*(printed)*

**Date:**

\_\_\_\_\_