

Version 2.20160511
LPB FORM A11

WESTERN AUSTRALIA

Legal Profession Act 2008
[Section 168(1)]

Application for the Grant or Renewal of Registration as a Foreign Lawyer

To: Legal Practice Board of WA
Level 6
111 St Georges Terrace
Perth WA 6000

I, _____
(First names in BLOCK LETTERS)

(Surname in BLOCK LETTERS)

am applying for the

grant

OR

renewal

of registration as a foreign lawyer for the year ending 30 June 20____.

Section A – Personal Details

1. Title: _____ Date of Birth: _____ Gender: Male Female

2. Residential Address: _____

Post Code: _____

3. Phone Number: (Home) _____ (Mobile) _____

4. Email Address: _____

Section B – Educational and Professional Qualifications s169(1)

5. **[If this is an application for renewal, Go to Section C.]**

Details of legal academic qualification/s completed:

Primary qualification: _____

Jurisdiction in which qualification obtained: _____

Name of qualification: _____

Name of institution: _____

Year completed: _____

Other legal qualifications: _____

6. Jurisdiction in which first admitted or eligible to be admitted:

Admitted as: _____ Date admitted: _____:

Other jurisdictions in which admitted:

7. Details of post admission experience:

From	To	Capacity	Organisation	Jurisdiction
/ /	/ /			
/ /	/ /			
/ /	/ /			
/ /	/ /			
/ /	/ /			
/ /	/ /			
/ /	/ /			

(Attach annexure if insufficient space)

Section C – Foreign Registration s169(2)(a)-(h)

8. I am not an Australian legal practitioner
9. I am currently registered to engage in legal practice by the following foreign registration authority/ies:

Jurisdiction: _____

Registration Authority: _____

Registration current to: _____

Jurisdiction: _____

Registration Authority: _____

Registration current to: _____

10. I am not the subject of disciplinary proceedings in Australia or a foreign country (including any preliminary investigations or action that might lead to disciplinary proceedings) in my capacity as —
- (i) an overseas-registered foreign lawyer; or
 - (ii) an Australian-registered foreign lawyer; or
 - (iii) an Australian lawyer.

11. I have not been convicted of an offence in Australia or a foreign country. (Or, if so, attach details of the nature of the offence; how long ago the offence was committed and your age when the offence was committed).
12. My registration is not cancelled or currently suspended in any place as a result of any disciplinary action in Australia or a foreign country.
13. I am not 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.
14. I am not subject to any special conditions in engaging in legal practice in any place as a result of criminal, civil or disciplinary proceedings in Australia or a foreign country.
15. I am subject to the following special conditions imposed in Australia or a foreign country as a restriction on the legal practice engaged in by me; and/or by the following undertaking given by me, restricting my practice of law:
- _____
- _____
16. I give consent to the making of inquiries of, and the exchange of information with, any foreign registration authorities the Board considers appropriate regarding my activities in engaging in legal practice in the places concerned or otherwise regarding matters relevant to this application.
17. **[If this is an application for renewal – Go to Section D.]**
I attach an original instrument, or a copy of an original instrument, from each foreign registration authority in which I am registered, that —
- (a) verifies my educational and professional qualifications; and
 - (b) verifies my registration by the authority to engage in legal practice in the foreign country concerned, and the date of registration; and
 - (c) describes anything done by me in engaging in legal practice in that foreign country of which the authority is aware and that, in the opinion of the authority, has had or is likely to have had an adverse effect my professional standing within the legal profession of that place.
- Instruments from foreign registration authority/ies attached
(Not required for renewal)**

Section D – Practice in Western Australia s155

18. Details of my intended/ place of practice as a registered foreign lawyer in Western Australia:

Name of practice: _____

Capacity: _____
(eg on own account; in partnership; as a director; as an employee – refer s155)

Street Address: _____

Postal Address: _____

Phone: _____ Email: _____

Section E – Professional Indemnity Insurance s162(1)

19. With regard to the professional indemnity insurance requirements of s162(1) of the Act, an extract of which is attached to this form, I intend to rely on:

- s162(1)(a)
- s162(1)(b)(i)
- s162(1)(b)(ii)
- s162(1)(c)

I attach evidence of professional indemnity insurance and/or a draft disclosure statement.

Section F – Trust Account s161

20. I will/do accept trust monies.

- No – **Go to Section G**
- Yes: Applicants who intend to accept trust monies should refer to the Guidance Notes in the Trust Accounts area of the Board’s website and lodge the three required notifications.

Section G – Grant or Renewal of Registration Fee r25

21. I attach payment of the fee payable pursuant to Rule 25 and Schedule 1 of the *Legal Profession Rules 2009*.

(N.B. the standard fee for the grant of registration and renewal of registration is \$1,250)

Payment attached.

Section H – Statutory Declaration.

22. All attachments to this application are original documents or complete and accurate copies of original documents.

23. All attachments to this application are in English or are accompanied by an authenticated English translation.

This declaration is true and I know that it is an offence to make a declaration knowing that it is false in a material particular.

This declaration is made under
the *Oaths, Affidavits and Statutory
Declarations Act 2005* at

on by:

in the presence of:

Name: _____

Qualification as witness: _____

EXPLANATORY NOTES – LPB FORM 11

Question 19

Extract from *Legal Profession Act 2008*

s162. Professional indemnity insurance

- (1) An Australian-registered foreign lawyer must, at all times while practising foreign law in this jurisdiction, comply with one of the following —
 - (a) the foreign lawyer must have professional indemnity insurance that conforms with the requirements for professional indemnity insurance applicable for Australian legal practitioners in any jurisdiction;
 - (b) if the foreign lawyer does not have professional indemnity insurance that complies with paragraph (a) — the foreign lawyer —
 - (i) 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
 - (ii) if the insurance is for less than \$1.5 million (inclusive of defence costs) — must provide a disclosure statement to each client disclosing the level of cover;
 - (c) if the foreign lawyer does not have professional indemnity insurance that complies with paragraph (a) or (b) — the foreign lawyer must provide a disclosure statement to each client stating that the lawyer does not have complying professional indemnity insurance.

Authorised witness to signature

Extract of section 12 of the *Oaths, Affidavits and Statutory Declarations Act 2005*

12. Statutory declarations, how made

- (1) Unless another written law provides otherwise, a statutory declaration for any purpose in this State must be made in accordance with this section.
- (2) The statutory declaration must be in the form in Schedule 1.
- (3) The person who is making the statutory declaration must —
 - (a) sign or personally mark the statutory declaration;
 - (b) sign or initial any alteration, such as an insertion or erasure, that has been made to the statutory declaration; and
 - (c) in the presence of an authorised witness declare orally —
 - (i) that he or she is the person named as the maker of the statutory declaration;
 - (ii) that the contents of the statutory declaration are true;
 - (iii) that the signature or mark is his or hers; and
 - (iv) if necessary, that any attachment to the statutory declaration is the attachment referred to in it.
- (4) The requirements of subsection (3)(a) and (b) need not be complied with in the presence of an authorised witness.
- (5) After the maker has complied with subsection (3)(c), the authorised witness must —
 - (a) sign or personally mark the statutory declaration;
 - (b) sign or initial any alteration in the statutory declaration that has been signed or initialled by the maker; and
 - (c) imprint or clearly write his or her name and qualification as an authorised witness.
- (6) An authorised witness for a statutory declaration is —
 - (a) for a statutory declaration that is made at a place in Western Australia —
 - (i) any person described in the second column of Schedule 2; or
 - (ii) any person before whom, under the *Statutory Declarations Act 1959* of the Commonwealth, a statutory declaration may be made;
 - (b) for a statutory declaration that is made at a place outside Western Australia but within Australia —
 - (i) any person who, under the law of that place, has authority to take or receive a statutory, solemn or other declaration; or
 - (ii) any person before whom, under the *Statutory Declarations Act 1959* of the Commonwealth, a statutory declaration may be made;
 - (c) for a statutory declaration that is made at any other place —
 - (i) a prescribed consular official who is performing official functions at that place;
 - (ii) a person who is a justice or notary public under the law of that place;
 - (iii) a person who has authority under the law of that place to administer an oath to another person or to take, receive or witness a statutory, solemn or other declaration.
- (7) Regulations may amend Schedule 2 by adding a new item to it or by deleting or amending an item in it.

Level 6, 111 St Georges Terrace, PERTH WA 6000
Phone: (08) 6211 3600 Fax: (08) 6211 3650
A.B.N. 23 127 312 585

PAYMENT OPTIONS FORM

Your account may be paid by one of the following methods:

- Cash (*exact amount only*)
- Cheque
 - Payable to "Legal Practice Board"
- Credit Card
 - Please note the Legal Practice Board does not accept payment by Diners Club
- Electronic Funds Transfer
 - Please quote the firm name or practitioner's name in your bank's lodgement reference
- Overseas payments
 - The Board requires payment in **AUSTRALIAN CURRENCY ONLY**.
 - Bank cheque drawn on an Australian bank payable to "Legal Practice Board"
 - Please note if paying by Telegraphic Transfer the Australian Banking System may deduct fees from your payment. The Board has no control over this and requires payment in full.

Submit this form with your application or email to general@lpbwa.com when paying by Electronic Funds/Telegraphic Transfer or Credit Card.

1. FIRM NAME/PRACTITIONER'S NAME: _____

2. ELECTRONIC FUNDS TRANSFER/TELEGRAPHIC TRANSFER

National Australia Bank 50 St. Georges Terrace PERTH WA 6000	Account Name: BSB Number: Account Number:	Legal Practice Board WA 086-006 50-818-2001
Amount Transferred: \$ _____		Date of Transfer: _____

OR

3. CREDIT CARD
(*please tick*)

MasterCard: Visa: AMEX:

Cardholder Name: _____

Credit Card No: ____/____/____/____ Expiry: ____/____

Amount: \$ _____ Signature: _____

4. OFFICE USE ONLY

iMIS ID		Batch Number		Transaction No.	
Authorisation		Date Processed		Processed By	