

Legal Profession Uniform Law (WA) (Uniform Law)

General FAQ's

- 1. How will the change to Uniform Law affect my application for admission to the Australian Legal Profession as an Australian lawyer?**

Application for Admission

If you have applied to the Supreme Court of Western Australia for admission to the Australian Legal Profession as an Australian lawyer prior to commencement day and no decision about your admission has been made, then your admission application will still be valid and is taken to be an application for admission under the Uniform Law.

Already Admitted

If you have already been admitted to the Australian Legal Profession as an Australian lawyer, then your admission is still valid after commencement day. It is not the legislation that admits you, but the Supreme Court of the jurisdiction in which you were admitted.

- 2. What do I do if I have a current practising certificate that will expire after the commencement day?**

If you have applied to renew your practising certificate effective 1 July 2022 that application will remain valid.

If you hold a practising certificate effective 1 July 2022 it will still be valid on commencement day. You will not need to do anything until it comes time to renew your practising certificate. At that time, it is anticipated there will be changes to the application process. The Board will be working to make sure all practitioners are aware of the changes and their obligations.

- 3. Will I need to re-apply for my practising certificate when the Uniform Law commences?**

You will not be required to re-apply for a practising certificate. As above, any current practising certificate you have will remain valid until it expires, is modified or a new one is granted. The renewal process will still apply under the Uniform Law.

- 4. Should I delay applying for a practising certificate until after the commencement day?**

That decision is entirely up to you. As long as you ensure that you do not engage in legal work without holding a current valid practising certificate.

- 5. I have heard that there will be lots of changes to practising certificates, the Conduct Rules, Complaints, Trust Account Audits and Professional Indemnity Insurance. Where can I find information about all this?**

The Legal Practice Board has created FAQ's for each of the changes and are available on the website, [click here](#).

FAQ's are focussed on informing lawyers, law practices, clients and consumers of legal services. We will continue to participate in, and conduct, training and information sessions on changes. You can also contact the Legal Practice Board on uniformlaw@lpbwa.com if your

query is urgent. Provisions have been made in the *Legal Profession Uniform Law Application Act 2022* to accept the transitional provisions detailed in the Uniform Law, as well as creating Western Australian specific transitional provisions.

These provisions cover:

- Current practising certificate holders;
- Foreign lawyers with registration certificates;
- Government lawyers;
- Persons engaging in exempt legal work;
- Incorporated legal practices;
- Multi-disciplinary practices; and
- External examiners.

As well as other provisions.

6. Will my CPD requirements change?

CPD requirements will continue while you hold a current practising certificate. Points earned prior to 1 July 2022 will carry over under the Uniform Law.

7. What will happen to my supervised practice requirements?

Your supervised legal practice requirements associated with your practising certificate will remain unchanged while you hold your current practising certificate. In the unlikely event that anything changes the Legal Practice Board will be in touch with you to discuss the changes.

8. Will my Insurance change or need to be changed?

You will still need to be covered by an insurance policy applicable to requirements in Western Australia. You will not need to modify your coverage for the remainder of the practising certificate year. If you have an exemption prior to commencement day the exemption will still be valid until it expires.

Applications for exemption under the Uniform Law will be managed by the Legal Practice Board and not Law Mutual (WA).

9. What will happen if I have an outstanding complaint about me or my law practice?

Any complaint or investigation that commenced before 1 July 2022 will continue to be handled under the *Legal Profession Act 2008*. The *Legal Profession Uniform Law Application Act 2022* includes transitional provisions to cover these matters. Post 1 July 2022, new complaints will be handled under the UL Act generally, even where they are about conduct that happened before 1 July 2022.

10. What is the commencement day for Uniform Law?

The Uniform Law commences on 1 July 2022.