

WESTERN AUSTRALIA

Legal Profession Uniform Law WA (Uniform Law)

Part 3.7

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

At least 14 days before an incorporated 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.

Section A – Details of the Incorporated Legal Practice (ILP)

1	Name of the ILP:	_____
2	Australian Company Number:	_____
3	Date of incorporation:	/ /
4	Practice Name:	_____
5	Street address:	_____

6	Postal address (if different):	_____

7	Telephone number: <i>(include STD code)</i>	()
8	Email address:	_____

Section B – Commencement of providing legal services in WA

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

Section C – Legal Practitioner Director(s)

12 Please fill in the following with the name and residential address of each legal practitioner director of the ILP

Full name	Residential address

If insufficient space, please attach an extra sheet

Section D – Other Directors and Officeholders of the ILP

13 Please fill in the following with the name and residential address of each director or officeholder of the ILP who is not an Australian legal practitioner

Full name	Residential address

If insufficient space, please attach an extra sheet

Section E – Employed legal practitioners of the ILP

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

Full name	Residential address

If insufficient space, please attach an extra sheet

Section F – ILP’s Trust Account

15	Does the ILP 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 ILP: see rule 28 of the *Legal Profession Uniform General Rules 2015 (Uniform Rules)*.

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

incorporated legal practice means a corporation that satisfies the following criteria—

(a) it is—

(i) a company within the meaning of the Corporations Act; or

(ii) a corporation, or a corporation of a kind, approved by the 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 corporation or a related entity;

(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;

Obligations

Under section 104(1) of the Uniform Law, an ILP 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 ILP 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 ILP must also ensure that they hold the appropriate practising certificate and hold or be covered by an approved insurance policy.

Whilst the ILP 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 ILP 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 ILP 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.

Section H – Instructions to complete this form

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

- Documentary evidence, from the Australian Securities and Investments Commission (ASIC) or other authority with whom the corporation is registered, of the directors and office holders of the ILP;
- Certified copies of the current practising certificates of all interstate principals of the law practice;
- If the ILP has more than one office, a separate page providing details for each office; and
- For an interstate ILP only, a current insurance certificate of currency and a copy of the professional indemnity insurance policy

Section I – Certification

This must be signed by a legal practitioner director of the ILP

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:
