

WESTERN AUSTRALIA

Legal Profession Uniform Law (WA)
Sections 6 and 49
Legal Profession Uniform General Rules 2015
Rule 14

To: Legal Practice Board
PO Box 5720
St Georges Terrace
Perth WA 6831

**Application to Amend Australian Practising Certificate to Remove Supervised
Legal Practice Condition and/or Application for Exemption**

Statutory Declaration by Applicant

I (insert your full name): _____

of (address): _____

_____ Australian legal practitioner, sincerely declare that:

- | |
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| <p>1 I am requesting the amendment of my local practising certificate, under s 74(1) of the Uniform Law, to remove a supervised legal practice condition, and/ or am applying under s 49(4) of the Uniform Law for an exemption from the requirement to engage in supervised legal practice only.</p> <p>2 I have attached my original current Australian practising certificate, unless I have advised the Board that I am unable to locate my current Australian practising certificate, or I do not hold a current Australian practising certificate.</p> <p>3 I have completed the following period of supervised legal practice:</p> <ul style="list-style-type: none"><input type="checkbox"/> Two years supervised legal practice under s 49(1)(b) of the Uniform Law (I completed an approved practical legal training course accredited by the Board to qualify for admission to the Australian legal profession);<p style="text-align: center;">OR</p><input type="checkbox"/> 18 months supervised legal practice under s 49(1)(a) of the Uniform Law (I completed supervised legal training in a workplace for a period of not less than 12 months under a training plan approved by the Board to qualify for admission to the Australian legal profession);<p style="text-align: center;">OR</p> |
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- 12 months supervised legal practice (The Board approved a reduction in my required experience to 12 months under s 49(4) of the Uniform Law, or the Board imposed a 12 month supervised legal practice condition under s 53 of the Uniform Law);

OR

- Other period of supervised legal practice approved by the Board (give details):

- 4** I have engaged in legal practice under the supervision of the Australian legal practitioner as follows:

From date:	To date:	Employer:	Supervisor:	Full time or hours per week	Full weeks completed

Please **attach** an annexure if insufficient space. Include all periods of legal practice undertaken since your admission, whether or not the legal practice will count towards your required experience, and attach a letter from your supervisor for each period. Only complete the “*Full weeks completed column*” if the period can be counted towards your required period [Refer to the Board’s Supervised Legal Practice Guidelines for further information].

- 5** To the best of my knowledge, each of the above supervisors held an unrestricted Australian practising certificate during the relevant period.
- 6** I **attach** or have previously provided signed letters from each of my supervisors, confirming the period I was employed under supervision, whether the employment was full-time or part-time, and whether I took leave in excess of usual entitlements. If the supervisor was not a local WA legal practitioner, the letter includes evidence that the supervisor held an unrestricted Australian practising certificate for the relevant period.
- 7** The legal work undertaken was not primarily of a quasi-legal nature, e.g. paralegal work; policy work; or working as a judge’s associate, a settlement agent, migration agent or tax agent. All of the supervised legal practice was undertaken on a full-time basis, except as shown in the table above. I understand that part-time employment will not count towards my supervised legal practice period unless it has previously been approved by the Board.

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- 8** With the exception of supervised legal practice completed on a volunteer basis at a community legal centre, all of the supervised legal practice was undertaken in Australia as a paid employee.
- 9** In the event that any of my periods of supervised legal practice were completed in a capacity not included in the meaning of “*supervised legal practice*” under s 6 of the Uniform Law, then I apply under s 49(4) of the Uniform Law for an exemption from the requirement to engage in supervised legal practice only, and request that the Board’s records are amended accordingly.

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.

I will provide the Board with the supporting documents and information I have undertaken herein to provide.

This declaration is made under the *Oaths, Affidavits and Statutory Declarations Act 2005* (WA):

at: _____ (place)

on: _____ (date in full)

by: _____ (signature of declarant)

In the presence of:

Witness’ signature: _____

Witness’ full name: _____ (please print)

Qualification of witness: _____

As authorised under the *Oaths, Affidavits and Statutory Declarations Act 2005* (WA).

Authorised witnesses:

Extract of section 12 of the *Oaths, Affidavits and Statutory Declarations Act 2005 (WA)*.

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.

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