

Issued to Australian legal practitioner practising as counsel only.

### 1. Applicant details (please print)

*I apply to the Law Society Northern Territory (the Society) for the issue of an barrister local practising certificate under the Legal Profession Act 2006 (LPA), authorising me to engage in legal practice for the period ending **30 June 2017**. I am aware of the Society's policy regarding what constitutes the work of a barrister engaging in legal practice as a barrister only.*

Surname:  Title:

Given name:  Middle name:

Preferred name:  Gender:  Date of birth:

Do you identify as being of Aboriginal and/or Torres Strait Islander heritage?\*  Yes  No

\*This question is optional. Please refer to the Society's Privacy Policy.

Residential street address:

Suburb/town:  State/territory:  Post code:

Personal postal address (if different from residential):

Home phone:  Mobile:

Email home:

### Office use only

Renewal / new / upgrade / first		PII effective date		Practitioner no.	
Certified cert. of admission.		Payment amount \$		Practising cert. no.	
Cert. of fitness		CC / cheque / cash / finance / EFT		PC, letter, membership card	
Notifiable information		Invoice no.		Entered in database	
CPD compliance		Compliance date		Entered in Outlook	
Surrendered interstate PC		Authorised		Regulation	

## 2. Admission

I was first admitted as an Australian lawyer on:

in:

I am admitted in the following jurisdictions:  NSW  ACT  TAS  WA  
 QLD  VIC  SA  NT

## 3. Requirement to hold only one current Australian practising certificate

*If you currently hold a practising certificate in another Australian jurisdiction you will need to surrender that certificate before this certificate can be granted. It is a statutory condition that the holder of a local practising certificate must not hold another local practising certificate or an interstate practising certificate during the currency of the first-mentioned practising certificate (LPA s. 45(3)).*

Do you hold a current practising certificate in another Australian jurisdiction as at the date of this application?

NO - **Go to question 4**  YES - *If yes, state the jurisdiction and the expiry date:*

## 4. This application is for – please choose A, B, C or D

- A.**  A **renewal** of a Northern Territory practising certificate in this category expiring on 30 June. **Go to question 5.**
- B.**  My **first** application for a Northern Territory practising certificate. **Please see notes 1 and, if applicable, 2 below.**
- C.**  A **new** Northern Territory practising certificate and since I last held a Northern Territory practising certificate.
- I have not practised in any jurisdiction. **Go to question 5**  
**OR**  
 I have practised outside the Northern Territory. **Please see note 2 below.**
- D.**  An **upgrade/change** from a current Northern Territory practising certificate in another category. **Go to question 5.**

**Note 1:** Attach a certified copy of **each** of your admission certificate(s).

**Note 2:** Attach the original certificate(s) of fitness from each jurisdiction in which you are admitted or have held a practising certificate outside of the Northern Territory.

## 5. Employment details

The date I commenced is:

Firm/organisation name:

Street address(es) at which I work is:

Suburb/town:

State/territory:

Post code:

Postal address:

Suburb:

State/territory:

Post code:

Business phone:

Business fax:

Business email:

## 6. Fidelity fund contribution

I am exempt from paying the s. 393 annual contribution:

NO

YES - **Go to question 7**

I attach the s. 393 annual contribution:

NO

YES

## 7. Trust account

I hold a trust account:

NO - **Go to question 8**

YES

I have previously notified the Society of the details of my trust account:

NO

YES

A copy of the external examiners report has been provided to the Society:

NO

YES

## 8. Continuing professional development (CPD)

*All practitioners are required to provide an annual CPD certificate by 31 March each year. See checklist of attachments. You should ensure you have retained a copy of your completed annual CPD certificate and supporting documentation in case of audit.*

I have provided my annual CPD certificate for the period ending 31 March 2016:

NO  YES

## 9. Professional indemnity insurance (PII)

I am required to hold professional indemnity insurance:

NO  YES - **See checklist of attachments**

## 10. Disclosure requirements

*Section 4 of the LPA includes definitions of 'serious offence' and 'show cause event', ss. 4, 11 and 47 of the LPA contain information and criteria about matters relevant to whether a person is a 'fit and proper person'.*

### 10.1. Conviction or serious offence charge

*I understand that I must notify the Society in writing within 7 days if I am convicted of any offence that would require disclosure under the admission rules or if I am charged with a 'serious offence' (s. 76).*

I have been convicted of an offence:

NO  YES - *If yes, details to be attached, unless you have previously provided them to the Society.*

I have been charged with a serious offence:

NO  YES - *If yes, details to be attached, unless you have previously provided them to the Society.*

## 10.2. Show cause event

I have been the subject of any show cause event/s:

NO

YES - *If yes, details to be attached, unless you have previously provided them to the Society.*

*You must attach to this application a written statement about any 'show cause events' (e.g. bankruptcy) that have occurred in relation to you before or after your admission to the legal profession that have not been previously notified to the Society.*

*The written statement must explain why, despite the show cause event or events, you consider yourself to be a fit and proper person to hold a practising certificate (s. 61(2)). Copies of approved forms are available from the Society.*

## 10.3. Fit and proper person, suitability matters

*I understand that the Society must not grant a practising certificate unless satisfied that I am a 'fit and proper person' to hold the certificate.*

*I understand that I must disclose to the Society any matter which is material to the question of whether I am a fit and proper person including 'suitability matters'. Section 47 lists matters that can be taken into account in determining if an applicant is a 'fit and proper person'. Suitability matters are defined in s. 11. By way of example, suitability matters include unresolved complaints or investigations in this or other jurisdictions, insolvency, or a material inability to practice, such as ill health.*

There is further information relevant to the question of whether I am a fit and proper person:

NO

YES - *If yes, details to be attached, unless you have previously provided them to the Society.*

## 11. Membership of the Society

*The membership fee is included with the practising certificate fee.*

I wish to become a member of the Society:

YES

NO

## 12. Privacy statement

The Society's statutory role as the licensing and regulatory body for the legal profession in the Northern Territory is set out in the LPA. Information contained in this application form is collected for the Society's licensing, regulatory and membership functions. Collection of personal information is required by the LPA. Failure to provide this information will result in a practising certificate not being issued. Under the LPA, the Society must keep a register of legal practitioners. Information on this register, including a legal practitioner's name, current practising certificate status and business contact details, is regularly provided to members of the public and other interested parties upon enquiry. The Society also provides information collected, including contact details, practising or admission details and complaint details, to corresponding regulatory authorities within Australia and overseas. From time-to-time contact details of current practitioners are also provided to the Law Council of Australia. The Society also utilises various third party providers such as online programs to assist in performing its licensing, regulatory and membership functions. Some of these providers are based overseas. Information such as practitioner names, firm details and email addresses may be provided to these third party providers from time-to-time. The Society's Privacy Policy is available from the Society's website, or a copy can be provided upon request. The Society's Privacy Policy contains information about accessing or seeking correction of personal information. **By signing this application form you are consenting to this use of information by the Society.**

## 13. Declaration

*If all relevant information is not provided and/or payment is not made to the Society a practising certificate cannot be issued.*

### I DECLARE THAT:

- The information contained in this application is true and correct;
- There is no further information relevant to the consideration of this application which has not previously been disclosed to the Society;
- I will not hold a practising certificate in another jurisdiction during the currency of this certificate;
- I have read and understood the Society's Barrister's Work policy. I agree to engage in legal practice as a barrister in accordance with that policy.
- I will notify the Society within 14 days of any change to my employment details or personal contact details; and
- I have included payment of the required fees by:
  - Cheque made payable to the legal practitioners fidelity fund
  - Credit card (signed authority form enclosed)
  - Application to Hunter premium financing
  - Direct deposit/EFT to legal practitioners fidelity fund
 BSB: 065 901. Account: 1110 0576. Please use your surname as a reference and advise of payment by email to [accounts@lawsocietynt.asn.au](mailto:accounts@lawsocietynt.asn.au)

\_\_\_\_\_  
Original signature of legal practitioner

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

## Barrister's work policy

**The work of a legal practitioner practising in the manner of a barrister (i.e. as a barrister only) should be confined to:**

- (a) appearing as an advocate;
- (b) preparing to appear as an advocate;
- (c) negotiating for the client with opponent to compromise the case;
- (d) representing the client in a mediation or case appraisal;
- (e) giving legal advice;
- (f) preparing or advising on documents to be used by the client or by others in the client's affairs;
- (g) acting as a referee, arbitrator or mediator; and
- (h) carrying out work properly incidental to the kinds of work referred to in (a)-(g).

**A barrister must not:**

- (a) act as a person's general agent or attorney in that person's business or dealings with others;
- (b) conduct contentious correspondence in the barrister's name on behalf of any person with others (including public authorities) with whom that person is dealing, otherwise than the opponent;
- (c) place herself or himself at risk of becoming a witness, by investigating facts for the purposes of appearing as an advocate or giving legal advice, otherwise than by:
  - (i) conferring with the client, the instructing solicitor, prospective witnesses or experts;
  - (ii) examining documents provided by the instructing solicitor or the client, as the case may be, or produced to the court;
  - (iii) viewing a place or things by arrangement with the instructing solicitor or the client, as the case may be; or
  - (iv) library research;
- (d) act as a person's only representative in dealings with any court, otherwise than when actually appearing as an advocate;
- (e) serve any process of any court;
- (f) conduct the conveyance of any property for any other person;
- (g) administer any trust estate or fund for any other person;
- (h) obtain probate or letters of administration for any other person;
- (i) incorporate companies or provide shelf companies for any other person;
- (j) prepare or lodge returns for any other person, unless the barrister is registered or accredited to do so under the applicable taxation legislation; or
- (k) hold, invest or disburse any fund for any other person, unless it is on the barrister's own behalf or as a private person and without fee for a member of the barrister's family or a friend of the barrister.