POLICY

PC Renewal Late Fee Policy

POLICY NUMBER	VERSION NUMBER	APPROVED BY	APPROVAL DATE
R0425-POL	1.00	Funds Management Committee	18/08/2026

1. Introduction

Section 51 of the *Legal Profession Act 2006* (the Act) sets out the requirements for the making of an application for the grant or renewal of a local practising certificate. It includes the requirement that the application be accompanied by the fee prescribed by the regulations (section 51(1)(c)). Section 52 (1) of the Act sets out the timing for making an application for the renewal of a local practising certificate as being the period prescribed by the *Legal Profession Regulations 2007* (the Regulations) as either the "standard renewal period" or the "late fee period". Regulation 10 of the Regulations specifically provides for the timing of an application for renewal of a local practising certificate as follows:

> **10 Timing of application for renewal of local practising certificate**
>
> For section 52(1) of the Act, the prescribed periods for the renewal of a local practising certificate which commences on 1 July of a particular year are as follows:
>
> (a) the standard renewal period is the period from 1 April to 31 May of that year;
>
> (b) the late fee period is the period from 1 June to 30 June of that year.

Section 53 of the Act states:

> **53 Late Fee**
>
> (1) Subsection (2) applies if an application for renewal of a local practising certificate is made during the late fee period prescribed by the regulations.
>
> (2) Payment of the late fee may, if the Law Society considers it appropriate, be required as a condition of acceptance of the application.

The amount of the late fee is also prescribed in the Act as being 100 revenue units (see Schedule 3 and Regulation 91 of the Regulations together with section 53(2) of the Act).

2. Purpose

The purpose of this policy is to provide guidance in relation to the applicability of the PC renewal late fee as prescribed by the Act and the Regulations. The policy also addresses the potential to waive the late fee.

3. Policy

PC Renewal Period

1. The PC renewal period commences 1 April each year and ends on 31 May of each year or the next working day if 31 May falls on a weekend or public holiday.

2. In early April of each year the Society will advise all current NT legal practitioners when the PC renewal period has commenced. The advice will include detailed instructions on how to apply and the information and documents which must be submitted to support a PC renewal application to ensure the application is fully compliant by the due date of 31 May. The advice will remind practitioners of the PC renewal late fee that will be incurred if a PC renewal application is either not submitted or not fully compliant by the due date of 31 May. The Society's messaging will be that it may determine to accept as a renewal application, a PC renewal application made during the late fee period but that the standard is that the late fee is applicable and must be paid.

3. Throughout the PC renewal period and to assist practitioners to meet the PC renewal time-frame, the Society will also publish reminders in the fortnightly e-newsletter *The Practitioner* and will send targeted email reminders to practitioners who have not submitted a PC renewal application or whose PC renewal application is not fully compliant.

PC renewal late fee period

1. The PC renewal late fee period is from 1 June to 30 June of each year.

2. If a practitioner submits a PC renewal application or a PC renewal application only becomes fully compliant during the PC renewal late fee period then the Society may:

    1) accept the application as a renewal application on the condition that the late fee is paid before 30 June; or

    2) if the late fee is not paid by the 30 June, reject the application as a PC renewal application.

3. If the Society rejects the application, the practitioner will be formally advised that their application will not be considered as a PC renewal application and they will need to apply for a new PC. This will result in the practitioner not being able to practice from 1 July until such time as any new practising certificate has been issued.

4. As an alternative applicable in unique circumstances, the Society may accept the application as a renewal application on the condition that the late fee is waived (see Section 4 below).

4. Waiver of the Late Fee

The Act does not provide any express power for the Society to waive the late fee. There may be an implied power for the Funds Management Committee (FMC) which administers the Legal Practitioners Fidelity Fund (LPFF) (which receives the payment of the late fee), to waive the requirement for a practitioner to pay the late fee in certain circumstances. The FMC has appointed the Chief Executive

Officer of the Society as its agent for the purposes of determining applications for the waiver of late fees which may be made from time to time by individual practitioners or on their behalf by their employer. When considering a late fee waiver application, the CEO will take into account:

a. The practitioner's history of compliance i.e. is the practitioner disorganised and late every year;

b. Whether the practitioner has demonstrated that they have taken reasonable care to apply and become compliant in a timely manner;

c. To what extent was the practitioners late/non-compliant renewal application due to circumstances outside of the practitioner's control.

A late fee waiver application may be accepted by the CEO in circumstances that a practitioner has delayed or been tardy in making their application for renewal for reasons such as:

a. Ill health;

b. International travel including where internet access is limited;

c. Family carer responsibilities including for sick or injured close relatives;

d. Job uncertainty or changes to roles during or around the renewal period;

e. Professional indemnity insurance placement issues; or

f. Other discretionary reasons or circumstances warranting special consideration.

Should the CEO refuse a practitioner's late fee waiver application, the CEO may, where considered appropriate, invite the practitioner to apply for a review of the CEO's decision. An application for a review of the CEO's decision will be placed before the FMC to determine afresh.

In the event that a practitioner or employer delays paying the applicable late fee(s) until after 30 June due to having made an application for waiver which does not succeed, the Society may, in circumstances it considers appropriate, still treat an application for renewal as a renewal.

5. Authorisation

APPROVER: Ayshea McIntyre, pursuant to FMC approval on 18/8/26.

POSITION: CEO

SIGNATURE OF APPROVER:

DATE: 30/10 / 2026