



ABN 84 008 481 258

## APPLICATION FOR RENEWAL

Of

## BARRISTER PRACTISING CERTIFICATE

Pursuant to s45 of the *Legal Profession Act 2006 (ACT)*

**PART 1**

**Bar ID:**

The Australian Capital Territory Bar Association

11<sup>th</sup> Floor, 1 Hobart Place, Canberra ACT 2601

GPO Box 789, Canberra ACT 2601

DX 5654 (CANBERRA) | telephone 02 6257 1437 | facsimile 02 6257 6090 E: [ceo@actbar.com.au](mailto:ceo@actbar.com.au) | web: [www.actbar.com.au](http://www.actbar.com.au)

Approved Form AF2014-25 made under the Legal Profession Act 2006, s587

Authorised by the ACT Parliamentary Counsel—also accessible at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)

## 1. PERSONAL AND PRACTICE DETAILS

Before completing this form you should familiarize yourself with the relevant provisions of the *Legal Profession Act 2006* and *Legal Profession Regulation 2007*. The information requested on this form will be used to process your application for renewal of your practising certificate and to maintain the register of holders of ACT practising certificates required by s79 of the *Legal Profession Act 2006* as well as to carry out the Association's functions under the Act and Regulations. The register includes the name of the legal practitioner, contact details of the office of the practice (street address, postal address and DX) and certain conditions imposed on the practising certificate. The Register is available for inspection by the public.

Title Full name (please print)

I,

of (residential address):

Suburb  State  Postcode

Phone No: (BH)  (AH)  (Mobile)

Email: (Work)  Email: (Home)

apply for the issue of a renewed **Barrister Practising Certificate** under the *Legal Profession Act 2006* (the Act) and the *Legal Profession Regulation 2007* authorising me to practise as a Barrister at the Private Bar for the year ending 30 June 2015.

## 2. I practise / will practise at the Private Bar:

### Name of Chambers

### Business Address (post office box is not a practice address)

DX:

OR

### 2.1 [as an employee of AGS, GSO, OPC, PCO, DPP, Defence Legal](#) (Please specify)

The physical address(es) at which I practise / will practise principally is / are

3. Is the Australian Capital Territory currently your principal place of practice?

YES  NO

If "NO", please provide details: \_\_\_\_\_

4. Have you been admitted to practice in any other country since your last application?

YES  NO

If "YES", please specify: \_\_\_\_\_

5. Do you expect to be engaged in legal practice principally in The Australian Capital Territory during the currency of the practising certificate applied for?

YES  NO

If "NO", please provide details: \_\_\_\_\_

6. I currently hold, an ACT Barrister Practising Certificate  
(applicant to initial).

7. Do you identify as an Aboriginal or Torres Strait Islander person?\* \*\*

YES  NO

*\*Please note this question is optional.*

*\*\* An Aboriginal person or Torres Strait Islander is a person who is of Aboriginal or Torres Strait Islander descent, identifies as an Aboriginal or Torres Strait Islander person, and is accepted by an Aboriginal or Torres Strait Islander community as an Aboriginal person or Torres Strait Islander.*

8. I understand that it is a condition of this practising certificate that I must notify the ACT Bar Association as soon as is reasonably practicable if and when my practice details change.

### **PROFESSIONAL INDEMNITY INSURANCE**

8. This barrister practising certificate is issued on the basis that I am, or will be, the holder of an approved policy of Professional Indemnity Insurance, minimum cover \$1.5 million for the duration of this practising certificate pursuant to s312(1)(a) and (b)(i) of the Act. Accordingly, I have effected Professional Indemnity Insurance through:

**Date PII Cover Bound:**

*This is usually the date when premium is paid.*

*Please attach a copy of the certificate of currency for your PII for the practice year 2014/15. If certificate is currently not available, please provide copy at your earliest opportunity.*

## **OTHER NOTIFIABLE INFORMATION**

9. I understand that I must notify the ACT Bar Association in writing within 7 days if I am charged with a “**serious offence**” (defined in the Dictionary to the Act) or if I am convicted of any offence that would require disclosure under the admission rules in relation to an application for admission to the legal profession under the Act (s51).
10. I understand that I must **attach** to this application a written statement about any “**show-cause events**” (defined in the Dictionary to the Act) that have occurred in relation to me since my admission to the legal profession and that have not been previously notified to the ACT Bar Association. The written statement must explain why, despite the show-cause event or events, I consider myself to be a fit and proper person to hold a practising certificate (s60). Should a “**show-cause event**” occur while I am holding this practising certificate, I must give the ACT Bar Association written notice within 7 days of the event and further information with 28 days (s 61). Please complete Part 3 of this application.
11. I understand that the ACT Bar Association cannot grant me a barrister practising certificate unless satisfied that I am a ‘fit and proper person’ to hold the certificate pursuant to ss45(3)(b) and (4)(b) of the Act.

Sections 11 and 36 contain criteria that are relevant to whether a person is a ‘fit and proper person’.

(a) This application form contains all relevant information as to whether I am a ‘fit and proper person’; **OR**

(b) I have attached a statement containing all additional relevant information.

Applicant’s Signature: ..... Dated: .....

**(PLEASE COMPLETE PARTS 2, 3, 4 and sign Declaration)**

## **CONTINUING PROFESSIONAL DEVELOPMENT (CPD)**

### **ACT Bar Association Bar Council's resolution of 1 July 2013 pursuant to Rule 113 of the *Legal Profession (Barristers) Rules 2008***

Holders of The Australian Capital Territory barristers' practising certificates are required to have obtained **10 CPD** points for the period 1 April to 31 March, with at least one point in each of the four strands\* namely:-

- a) Ethics and Regulation of the Profession;
- b) Substantive Law, Practice and Procedure;
- c) Advocacy, Alternative Dispute Resolution, research skills and other skills related to barristers' work as set out in the *Legal Profession (Barristers) Rules 2008*.

#### **Exemptions or Reductions in Required CPD Points**

A barrister who, at 31 March in a given CPD year, has held a practising certificate for a period of time less than from the preceding July has their CPD points requirement reduced as indicated below:-

August	-	6 points	September	-	5 points
October	-	4 points	November	-	3 points
December	-	2 points	January/February	-	1 point
March, April, May and June	-	0 points			

**12.** Have you obtained the requisite CPD points in the period 1 April 2013 to 31 March 2014?

YES     NO\*

**\*If you have answered "NO", please attach a written statement of reasons for not accumulating the requisite CPD points.**

\*For details of the four strands, see information about CPD at [www.actbar.com.au](http://www.actbar.com.au)

**Please ensure that you have kept a written record of how these CPD points have been accumulated as you may be required to produce this. Any questions regarding CPD should be directed to the Chief Executive Officer:**

**Tel: (02) 6257 1437; Fax: (02) 6257 6090 or e-mail: [ceo@actbar.com.au](mailto:ceo@actbar.com.au) or [actbar@netspeed.com.au](mailto:actbar@netspeed.com.au)**

**PART 3**

**DISCLOSURE OF OFFENCES AND BANKRUPTCY MATTERS**

Sections 60 and 61 of the *Legal Profession Act 2006* require disclosure to the Bar Council of show cause events (serious offences, tax offences and certain bankruptcy matters) and convictions (other than for an 'excluded offence'). Barristers must also notify Council if charged with a serious offence.

Note: disclosure/notification is not required if you have previously disclosed the information to the Bar Council.

Please answer **ALL** questions.

- 13.** Have you been convicted (conviction includes a finding of guilt or the acceptance of a guilty plea, whether or not a conviction recorded) of a **serious offence** or a **tax offence** that you have not previously disclosed to the Bar Council?

YES\*    NO

- 14.** Have you been convicted (conviction includes a finding of guilt or the acceptance of a guilty plea, whether or not a conviction recorded) of **any offence** (other than an excluded offence) that you have not previously disclosed to the Bar Council?

YES\*    NO

- 15.** Have you become bankrupt, been served with a notice of a creditor's petition or had happen in relation to you any of the show cause events set out in the *Legal Profession Act 2006* that you have not previously disclosed to the Bar Council?

YES\*    NO

- 16.** Have you been charged with a serious offence that you have not previously disclosed to the Bar Council?

YES\*    NO

**\*If you have answered 'YES' to any question in Part 3, please attach a written statement detailing the matters including the precise provision under which you have been convicted or charged.**

**PART 4**

**FITNESS AND PROPRIETY**

Please answer **ALL** questions.

9. Have you done anything likely to adversely affect your good fame and character that you have not previously disclosed to the Bar Council?

YES\*     NO

10. Are you aware of any facts or circumstances that you have not previously disclosed to the Bar Council which might affect your fitness to remain a legal practitioner, including non compliance with any obligation under the *Income Assessment Act 1936*?

YES\*     NO

**\*If you have answered 'YES' to any question in Part 3, please attach a written statement detailing the matters.**

If you do not provide the information requested we may be unable to process your application to renew your practising certificate. Also, the information regarding your practice details published on the Bar Association's 'find a barrister' database on the website may be incomplete. If you do not provide information which is required by law to include on the Register, we may be unable to issue you with a practising certificate until that information is provided.

**DECLARATION**

**I declare that the contents of this application are true and correct.**

Signed.....

Dated.....



## **Checklist:**

Please return all of the following to the CEO, ACT Bar Association, GPO Box 789, Canberra City ACT 2601; DX 5654 Canberra:

- Duly Completed Practising certificate renewal form. Ensure that ALL questions have been answered and any required written statements have been attached.
- Include Payment of Fees for your Practising Certificate, membership and TPD Insurance (if applicable).
- Copy of the certificate of currency for your professional indemnity insurance.

**If there is a delay in receiving the certificate of currency from your insurer, the practising certificate renewal form and fee payment should still be forwarded to the Association before the due date. However, a practising certificate will not be issued until proof of insurance has been received by the Association. It is the barrister's responsibility to arrange for this documentation to be provided to the Association.**

## **LATE FEE**

**Applications and payments received between 16 June 2014 and 30 June 2014 will incur a late fee of 10% of the practising certificate fee.**

**Applications for a Practising Certificate *cannot be processed* until ALL of the above have been received and payment of the appropriate fee has cleared**