

**Application for Practical Training Exemptions in Form 17
pursuant to Rule 98 of the Legal Profession Admission
Rules 2005**

The Practical Training Exemptions Sub-Committee will have regard to the 'Uniform Principles for Assessment of Overseas Applicants for Admission' in exercising its function and discretion under Rule 98.

Eligibility requirements

Please read the eligibility requirements below before proceeding.

An applicant will only be eligible to receive an exemption from acquiring and demonstrating an appropriate understanding of, and competence in, a skill, practice area or value in Australia if:

a) in the case of an applicant who has been admitted to legal practice overseas for less than five years, the applicant has constantly* been in active practice since being admitted;

or

b) in the case of an applicant who has been admitted to legal practice overseas for five years or more, the applicant:

- i. has been in active practice for some or all of the preceding 2 years, and
- ii. has not been absent from active practice for more than 5 years in the 10 years before applying for admission in Australia.

Definitions

The Board defines active practice as follows:

An applicant will be deemed to be in active practice, if the applicant:

a) immediately before coming to Australia, was practising as an admitted practitioner in the applicant's home jurisdiction for a period of at least 3 months, and

b) is employed in a legal firm, or the legal office of a corporation or government department, at a level and with responsibilities comparable to those of an Australian legal practitioner, and

c) is supervised at work by an Australian legal practitioner.

An applicant will be taken to have been in active practice, if the applicant has not been absent from practice for the purpose of moving countries, or changing employment, or illness or holidays, for more than a total of three months during the relevant period†.

No applicant is eligible to receive an exemption in relation to:

- Trust and Office Accounting
- Ethics and Professional Responsibility

When to apply

Last date to apply	Decision by Sub-Committee
28 Aug 09	29 Sep 09
30 Oct 09	1 Dec 09
4 Jan 10	2 Feb 10
26 Feb 10	30 Mar 10
6 Apr 10	4 May 10
21 May 10	22 Jun 10
16 Jul 10	17 Aug 10
3 Sep 10	5 Oct 10
29 Oct 10	7 Dec 10

Forward your application to:

C/- Team Leader, Professional Services
Legal Profession Admission Board

- GPO Box 3980 Sydney NSW 2001, **OR**
- DX 602 Sydney, **OR**
- By hand only:
Level 4, 37 Bligh Street, Sydney.

Instructions continued overleaf...

How to submit your application

* The Sub-Committee will exercise its discretion in this regard

† Does not apply to applicants admitted in own jurisdiction for 5 years or more.

To assist with processing your application, please place documents in the following order:

- Cheque / money order made payable to “Legal Profession Admission Board” (the current application fee is prescribed under the Board’s Third Schedule to the ‘Legal Profession Admission Rules 2005’ which are available on the Board’s website).
- Form 17 application form.
- Statement setting out, competency by competency, the details of your professional training and experience, which justifies the exemption sought. **Please note that this statement needs to be in some detail. The Sub-Committee is looking for proof that you not only have had work experience in the different areas from which you seek an exemption, but that you have an understanding of these areas. An outline of what you do, or did, on a day-to-day basis is always helpful.**
- Curriculum Vitae showing professional employment and the type of legal work undertaken with each employer.
- References from professional supervisors, which corroborate what you have said in your statement. If you are working in an Australian law firm or legal office you must provide a letter from your current supervisor(s), which sets out the type of work you do for them.
- Official documentation in support of your application:
 - copy of certificate of admission
 - original transcript of results in practical training course.

Failure to provide any of the above documents may result in your application being delayed.

Send a copy of your application (less cheque) to:

The Law Society of New South Wales
170 Phillip Street
Sydney NSW 2000
(DX 362 Sydney)

Processing your application

Your application will be considered by the Practical Training Exemptions Sub-Committee only after it has been considered by the Law Society’s Licensing Committee. The Law Society’s recommendations are confidential. Please do not contact the Law Society about your application.

An applicant attempting to minimise the time between submitting an application and receiving a determination will submit the application shortly before one of the cut-off dates listed on the previous page and specified in the Board’s calendar available on the Board’s website. An application submitted before one of the cut-off dates would normally be determined within 5 weeks of that date.

The Board will notify you of the Sub-Committee’s determination. If your application is successful, the Sub-Committee’s decision will include details of all exemptions granted and any conditions imposed.

You may proceed to apply for admission when you have:

- completed any academic studies required by the Academic Exemptions Sub-Committee
- completed any elements of practical training from which you are not exempted, including examinations in Ethics and Professional Responsibility and Trust and Office Accounting, and
- complied with any conditions which may have been imposed by the Practical Training Exemptions Sub-Committee
- completed an English Language Test if required.

Refer to the Board’s website www.lawlink.nsw.gov.au/lpab for any further information on admission.

* The Sub-Committee will exercise its discretion in this regard

† Does not apply to applicants admitted in own jurisdiction for 5 years or more.

**Application for
Practical training exemption** Form 17

pursuant to rule 98

N.B. The contents of this form may be disclosed to Law admitting authorities and Law regulatory bodies

Applicant	surname	given names																																	
1. Full name	<input type="text"/>	<input type="text"/>																																	
2. Address	<input type="text"/>																																		
3. Phone	home (<input type="text"/>)	bus (<input type="text"/>)																																	
Fax	home (<input type="text"/>)	bus (<input type="text"/>)																																	
4. Application category	This application is made pursuant to rule 98(1) <input type="text"/> insert (a) or (b)																																		
5. Previous admission	If previously admitted provide details and <i>attach</i> copy of certificate of admission jurisdiction	date of admission																																	
	<input type="text"/>	<input type="text"/>																																	
6. Previous practical training	If practical training course completed in another jurisdiction provide details and <i>attach original</i> certificate of completion and official course description institution	date of completion																																	
	<input type="text"/>	<input type="text"/>																																	
7. Documents in support of application	In this section, tick the boxes which denote the elements of practical training from which you seek exemption. In relation to each element, state on A4 pages the basis of your request for exemption and provide any supporting documentation.																																		
	<table border="1"> <thead> <tr> <th></th> <th>SKILLS AND PRACTICE AREAS</th> <th>TICK IF EXEMPTION IS SOUGHT</th> </tr> </thead> <tbody> <tr> <td colspan="3" style="text-align: center;">SKILLS</td> </tr> <tr> <td>1</td> <td>Lawyer's Skills</td> <td></td> </tr> <tr> <td>2</td> <td>Problem Solving</td> <td></td> </tr> <tr> <td>3</td> <td>Work Management and Business Skills</td> <td></td> </tr> <tr> <td colspan="3" style="text-align: center;">PRACTICE AREAS</td> </tr> <tr> <td>4</td> <td>Civil Litigation Practice</td> <td></td> </tr> <tr> <td>5</td> <td>Commercial and Corporate Practice</td> <td></td> </tr> <tr> <td>6</td> <td>Property Law Practice</td> <td></td> </tr> <tr> <td>7</td> <td>Administrative Law Practice <u>OR</u> Criminal Law Practice <u>OR</u> Family Law Practice</td> <td></td> </tr> <tr> <td>8</td> <td>Consumer Law Practice <u>OR</u> Employment and Industrial Relations Practice <u>OR</u> Planning and Environmental Law Practice <u>OR</u> Wills and Estate Practice</td> <td></td> </tr> </tbody> </table>			SKILLS AND PRACTICE AREAS	TICK IF EXEMPTION IS SOUGHT	SKILLS			1	Lawyer's Skills		2	Problem Solving		3	Work Management and Business Skills		PRACTICE AREAS			4	Civil Litigation Practice		5	Commercial and Corporate Practice		6	Property Law Practice		7	Administrative Law Practice <u>OR</u> Criminal Law Practice <u>OR</u> Family Law Practice		8	Consumer Law Practice <u>OR</u> Employment and Industrial Relations Practice <u>OR</u> Planning and Environmental Law Practice <u>OR</u> Wills and Estate Practice	
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8. Declaration of applicant	To the best of my knowledge and belief all the information in or appended to this application is accurate.																																		
	Signed <input type="text"/>	Date <input type="text"/>																																	

RULE 98 OF THE LEGAL PROFESSION ADMISSION RULES 2005

(1) A person who falls within one of the categories set out in sub-rule (2) may apply to the Legal Qualifications Committee for exemption from practical training in some or all of the competencies set out in sub-rule (3).

(2) The categories referred in sub-rule (1) are:

(a) persons who have been admitted as lawyers in a foreign jurisdiction,

(b) persons who have attained the age of 30 years, and have completed either seven years service as a New South Wales government, or government related, employee performing legal services, or 15 years service in courts administration in New South Wales.

(3) The competencies referred to in sub-rule (1) are:

- Skills
 - Lawyers' Skills
 - Problem Solving
 - Work Management and Business Skills
- Practice areas
 - Civil Litigation Practice
 - Commercial and Corporate Practice
 - Property Law Practice
 - One of the following:
 - Administrative Law Practice
 - Criminal Law Practice
 - Family Law Practice
 - One of the following:
 - Consumer Law Practice
 - Employment and Industrial Relations Practice
 - Planning and Environmental Law Practice
 - Wills and Estates Practice

(4) The Practical Training Exemptions Sub-Committee may exempt a person from practical training in a skill or practice area if it is satisfied that the person has attained the level of competence in that skill or practice area which would be expected of a graduate of one of the practical training courses listed in the Fourth Schedule.

(5) A person who has been exempted under sub-rule (4) from practical training in one or more skills or practice areas shall, before making application for admission as a lawyer, complete coursework and pass examinations approved by the Practical Training Exemptions Sub-Committee in:

(a) Ethics and Professional Responsibility;

(b) Trust and Office Accounting; and

(c) those skills and practice areas referred to in sub-rule (2) from which he or she has not been exempted.

(6) An application for exemption under this rule shall apply in and to the effect of Form 17.

(7) At the time of making an application to the Board under this rule the applicant shall serve a copy of an application on the Law Society.

(8) A person aggrieved by a determination of the Practical Training Exemptions Sub-Committee under sub-rule (4) may, within one month of the making of the determination, or within such extended time as the Legal Qualifications Committee may allow, request the Legal Qualifications Committee to review the determination.