

Serial 147
Legal Profession Amendment (Complaints and Discipline) Bill 2008
Dr Burns

A Bill for an Act to amend the *Legal Profession Act*

NORTHERN TERRITORY OF AUSTRALIA

LEGAL PROFESSION AMENDMENT (COMPLAINTS AND DISCIPLINE)
ACT 2008

Act No. [] of 2008

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NORTHERN TERRITORY OF AUSTRALIA

Act No. [] of 2008

An Act to amend the *Legal Profession Act*

[Assented to [] 2008]
[Second reading [] 2008]

The Legislative Assembly of the Northern Territory enacts as follows:

1 Short title

This Act may be cited as the *Legal Profession Amendment (Complaints and Discipline) Act 2008*.

2 Act amended

This Act amends the *Legal Profession Act*.

3 Amendment of section 530 (Notice of decision)

Section 530

omit

to the parties to disciplinary proceedings before it.

substitute

to:

- (a) the parties to disciplinary proceedings before it; and
- (b) if the complainant appeared at the hearing for the complaint as entitled under section 522(3) – the complainant.

4 Amendment of section 533 (Appeal against Disciplinary Tribunal orders)

(1) Section 533(1)(a)

omit, substitute

(a) the Law Society;

(2) After section 533(1)(b)

insert

(c) if the complainant appeared at the hearing for the complaint as entitled under section 522(3) – the complainant.

(3) After section 533(3)

insert

(3A) However, if notice of the decision is received before the commencement of the *Legal Profession Amendment (Complaints and Discipline) Act 2008*, the appeal must be started by filing notice of appeal within 28 days after the commencement of that Act.

5 Amendment of section 674 (Constitution of Disciplinary Tribunal for hearings)

Section 674(1)

omit

a disciplinary action is

substitute

proceedings for an appeal under section 506 or a disciplinary application are

6 Repeal section 676A

Section 676A

repeal

7 New section 677A

After section 677 in Part 7.4

insert

677A Practice and procedure

- (1) The chairperson, after consulting with the other members of the Disciplinary Tribunal, may make rules for the practice and procedure of the Tribunal.
- (2) The rules may provide for the giving of a notice to a person to appear at a hearing of the Tribunal to give evidence or produce a document or other thing.
- (3) The chairperson may issue practice directions relating to the practice and procedure of the Tribunal.
- (4) The Chief Executive Officer of the Agency administering this Act may appoint a person to be the registrar of the Tribunal.

8 Further amendments

The Schedule has effect.

Schedule

section 8

Provision	Amendment	
	omit	substitute
section 4, definition <i>regulatory authority</i> , paragraph (b)	jurisdiction, means	jurisdiction
