

NORTHERN TERRITORY OF AUSTRALIA  
LEGAL PROFESSION ADMISSION AMENDMENT RULES 2008

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Subordinate Legislation No. 23 of 2008

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Subordinate Legislation No. 23 of 2008\*

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## ***Legal Profession Admission Amendment Rules 2008***

We, the undersigned Judges of the Supreme Court of the Northern Territory of Australia, under section 43(1) of the *Legal Profession Act*, make the following rules.

Dated 30 May 2008

D. N. ANGEL J

D. MILDREN J

S. G. THOMAS J

T. J. RILEY J

Judges of the Supreme Court  
of the Northern Territory of Australia

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\* Notified in the *Northern Territory Government Gazette* on 27 August 2008.

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**1 Citation**

These Rules may be cited as the *Legal Profession Admission Amendment Rules 2008*.

**2 Rules amended**

These Rules amend the *Legal Profession Admission Rules*.

**3 Amendment of rule 10 (Affidavit and documents to accompany application)**

Rule 10(2)(b)(ii)

*omit, substitute*

- (ii) if, as part of a course approved under rule 5, the applicant has completed training in both trust and office accounting and ethics and professional responsibility – the areas of knowledge specified in Schedule 3 except the area of ethics and professional responsibility;

**4 Repeal and substitution of rule 16**

Rule 16

*repeal, substitute*

**16 Knowledge of English language required**

- (1) This rule applies to an overseas applicant whose first language is not English.
- (2) Subject to subrule (3), the overseas applicant must satisfy the Board that, within 2 years immediately preceding the date of the application for admission, the applicant:
  - (a) completed the IELTS Test; and
  - (b) obtained at least the specified score for each of the following components of the IELTS Test:
    - (i) 8.0 for writing;
    - (ii) 7.5 for speaking;
    - (iii) 7.0 for reading;
    - (iv) 7.0 for listening.

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- (3) The Board may exempt the applicant from the requirements of subrule (2) if the applicant satisfies the Board that:
- (a) the applicant:
    - (i) completed the IELTS Test and obtained the scores required by subrule (2)(b) earlier than 2 years immediately preceding the date of the application for admission; and
    - (ii) since completing the IELTS Test, has continuously held a practising certificate and continuously been engaged in legal practice in a country where English is the native or first language; or
  - (b) the applicant:
    - (i) has, in a country where English is the native or first language, undertaken both of the following:
      - (A) the final 2 years of secondary education;
      - (B) a tertiary academic course, taught in the English language, to obtain the academic qualifications on which the applicant relies for admission; and
    - (ii) was resident in the country for the whole of the period of study undertaken in accordance with subparagraph (i).
- (4) The applicant must meet the costs of completing an IELTS Test and providing the Board with evidence of compliance with this rule.
- (5) In this rule:

**IELTS Test** means the International English Language Testing System Academic Module Test.

## **5 Amendment of Schedule 3**

Schedule 3, area of knowledge "**PROFESSIONAL CONDUCT (including basic Trust Accounting)**"

*omit, substitute*

### **ETHICS AND PROFESSIONAL RESPONSIBILITY**

Professional and personal conduct in respect of a legal practitioner's duty to:

- (a) the law; and

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- (b) the Courts; and
  - (c) clients, including a basic knowledge of the principles relating to the holding of money on trust; and
  - (d) fellow legal practitioners.

OR

Topics of such breadth and depth as to satisfy the following guidelines.

The topics should include knowledge of the various pertinent rules concerning a legal practitioner's duty to the law, the Courts, clients and fellow legal practitioners and a basic knowledge of the principles relating to the holding of money on trust.

**6 Further amendments**

The Schedule has effect.

**Schedule Further amendments of Legal Profession Admission Rules**

rule 6

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Provision	Amendment	
	omit	substitute
rule 4(2)	professional conduct or basic trust accounting	ethics and professional responsibility
rule 11(2)	section 31(2)	section 31
rule 18(2)(b)	indictable	

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