

NORTHERN TERRITORY OF AUSTRALIA

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Regulations 1987, No. 38\*

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Regulations under the *Legal Practitioners Act*

I, ERIC EUGENE JOHNSTON, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, hereby make the following Regulations under the *Legal Practitioners Act*.

Dated 30 September 1987.

E.E. JOHNSTON  
Administrator

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AMENDMENT OF THE LEGAL PRACTITIONERS REGULATIONS

1. COMMENCEMENT

These Regulations shall come into operation on 1 October 1987.

2. NEW REGULATIONS

The Legal Practitioners Regulations are amended by inserting after regulation 2 the following:

"2A. FUNCTIONS OF HOLDER OF RESTRICTED PRACTISING CERTIFICATE CLASS 3 UNDER SECTION 22(3B)

"(1) Subject to subregulation (2), a legal practitioner who holds, or is to be deemed to hold, a restricted practising certificate class 3 may perform all the functions of a legal practitioner on behalf of -

- (a) his employer; and
- (b) where his employer is a corporation within the meaning of the *Companies (Northern Territory) Code*, any other such corporation as is described in subregulation (3).

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\* Notified in the *Northern Territory Government Gazette* on 30 September 1987.

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*Legal Practitioners Regulations*

"(2) A legal practitioner who holds, or is to be deemed to hold, a restricted practising certificate class 3 shall not -

- (a) receive or hold trust moneys; or
- (b) perform legal work for a person who is an employee, director or office-bearer of the practitioner's employer, or of a corporation described in subregulation (3), unless the work relates directly to the functions performed by that person in the business of the employer or that corporation.

"(3) The corporations referred to in subregulation (1)(b) are -

- (a) any corporation which is related within the meaning of section 7(5) of the *Companies (Northern Territory) Code* to the employer;
- (b) any corporation -
  - (i) for which the employer has agreed to provide legal services or general management services; and
  - (ii) of which the employer, or a corporation related as mentioned in paragraph (a) to the employer, is a shareholder; and
- (c) any corporation which is involved in a joint venture with the employer, or with a corporation within paragraph (a) or (b), where the employer has agreed to provide legal services or general management services for that joint venture.

"2B. EMPLOYMENT COUNTING TOWARDS UNRESTRICTED PRACTISING CERTIFICATE

"The following departments, bodies and organizations are prescribed for the purposes of section 25(1)(c) of the Act -

The Attorney-General's Department of the Commonwealth of Australia  
The Northern Land Council  
The Central Australian Aboriginal Legal Aid Service Inc.  
The Central Land Council  
The Department of Law  
The Katherine Regional Aboriginal Legal Aid Service Inc.  
The Law Society of the Northern Territory  
The Northern Australian Aboriginal Legal Aid Service Inc.  
The Pitjantjatjara Council Inc."