

NORTHERN TERRITORY OF AUSTRALIA

LEGAL PROFESSION AMENDMENT REGULATIONS 2023

Subordinate Legislation No. 5 of 2023

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Legal Profession Amendment Regulations 2023

I, Hugh Crosbie Heggie, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Legal Profession Act 2006*.

Responsible Minister:

C. J. PAECH
Attorney-General and Minister for Justice

H. C. HEGGIE
Administrator

Date of making: 2 March 2023

1 Title

These Regulations may be cited as the *Legal Profession Amendment Regulations 2023*.

2 Commencement

These Regulations commence on 1 April 2023.

3 Regulations amended

These Regulations amend the *Legal Profession Regulations 2007*.

4 Regulation 17 amended (Government lawyers – general exemption from certain conditions)

- (1) Regulation 17(1)(d), before "Legal"

insert

Northern Territory

- (2) Regulation 17(2)

omit

all words from "For" to "Act:"

insert

For section 90(5) of the Act, definition **government agency**:

- (3) Regulation 17(2)(a)(iii)

omit, insert

(iii) each Agency;

- (4) Regulation 17(2)(a)(vi) to (ix)

omit, insert

(vi) each Government owned corporation as defined in section 3 of the *Government Owned Corporations Act 2001*;

(vii) the Law Society; and

5 Regulation 81 amended (Exemptions)

(1) Regulation 81(1)

omit

An

insert

For section 375(1) of the Act, an

(2) Regulation 81(2)

omit

as an employee of the government.

insert

in the course of the lawyer's duties for the entity in relation to which the lawyer is an employee.

6 Schedule 2 amended (Continuing professional development scheme)

(1) Schedule 2, clause 1, definition **core competencies**, paragraph (c)

omit

skills).

insert

skills); and

(2) Schedule 2, clause 1, definition **core competencies**, after paragraph (c)

insert

(d) competency in skills relating to identifying, addressing and preventing bullying, discrimination and harassment in the workplace (including, for example, responding to claims of sexual harassment and developing strategies for a safe workplace culture).

(3) Schedule 2, clause 2(2)(b)

omit

law; and

insert

law or a matter mentioned in clause 1, definition **core competencies**, paragraph (d); and

(4) Schedule 2, clause 4

omit, insert

4 CPD obligation

Subject to clause 5, for each CPD year a legal practitioner engages in legal practice, the practitioner must accrue 10 CPD points, of which at least 1 CPD point must be accrued in:

(a) each of the 4 core competencies; and

(b) a substantive law competency.

Note for clause 4

Under clause 6, CPD points accrued within 3 months before and after a CPD year may be claimed for that year.

(5) Schedule 2, clause 5(2), Table

omit, insert

Month	CPD points required	Core competencies required
April	10	4
May	9	4
June	8	3
July	7	2
August	6	2
September	5	2
October	4	1
November	3	1

December	2	1
January	1	0

- (6) Part 4 heading, at the end

insert

for *Legal Profession Amendment Regulations 2012*

- (7) After clause 19

insert

Part 5 Transitional matter for *Legal Profession Amendment Regulations 2023*

20 Claiming CPD point for activity undertaken before 2023 CPD year

- (1) This clause applies to a legal practitioner who, within 3 months before the start of the 2023 CPD year, participated in an activity relating to a matter mentioned in clause 1, definition ***core competencies***, paragraph (d).
- (2) The legal practitioner may claim a CPD point for the activity for the 2023 CPD year if the practitioner would have accrued a CPD point for the activity had the practitioner participated in it during the 2023 CPD year.
- (3) In this clause:

2023 CPD year means the CPD year starting on 1 April 2023.

7 Repeal of Regulations

These Regulations are repealed on the day after they commence.