

**NORTHERN TERRITORY OF AUSTRALIA**

**LEGAL PROFESSION AMENDMENT REGULATIONS 2023**

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**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

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**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

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**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).

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(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*

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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

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December	2	1
January	1	0

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- (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.