

Queensland



ANNO DECIMO

ELIZABETHAE SECUNDAE REGINAE.

No. 35

An Act to Amend "The Legal Practitioners Acts, 1881 to 1955," in certain particulars

[ASSENTED TO 4TH DECEMBER, 1961]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as "*The Legal Practitioners Acts Amendment Act of 1961.*" Short title

(2) "*The Legal Practitioners Acts, 1881 to 1955,*" Principal Act are in this Act referred to as the Principal Act.

(3) The Principal Act and this Act may be Collective title collectively cited as "*The Legal Practitioners Acts, 1881 to 1961.*"

Amendments
of s. 9 of
"The Legal
Practitioners
Act
Amendment
Act of 1938"

2. Section nine of "*The Legal Practitioners Act Amendment Act of 1938*," as amended, is further amended—

(a) by omitting from subsection (1) thereof all the words after the words "capacity or capacities," and inserting in their stead the following words :—

"and who shall in accordance with the Rules relating to the Admission of Solicitors of the Supreme Court of Queensland, but subject to such exemptions as the Solicitors' Board may have granted to him, have completed a course of study referred to in those Rules as an Articled Clerks' Course, and otherwise have complied (but subject to this section) with those Rules, shall be entitled to be admitted as a solicitor of the Court." ;

(b) by omitting from subsection (2) thereof all the words commencing with the words "to serve under any articles of clerkship" and by inserting in their stead the words "to have served under any articles of clerkship." ;

(c) by omitting subsection (3) thereof and inserting in its stead the following subsection :—

"(3) Any person who is serving in an office mentioned in subsection (1) hereof and who satisfies the Solicitors' Board that—

(a) he has the educational qualifications that would be required of him if he were seeking the consent of the Solicitors' Board to his entry into articles of clerkship ; or

(b) he is not less than eighteen years of age and has passed the examination prescribed by the Public Service Regulations as the qualifying examination for admission to the Public Service,

may pursue the abovementioned Articled Clerks' Course, subject to such of the abovementioned Rules as relate to the manner of pursuing that Course :

Provided that no such person who has completed the said Course shall be admitted as a solicitor until he has completed the full period of ten years of service as prescribed.” ;

(d) by omitting subsection (4) thereof ;

(e) by renumbering subsection (5) thereof as subsection (4) ; and

(f) by renumbering subsection (6) thereof as subsection (5).

3. Notwithstanding the provisions of section two ^{Transitional} of “*The Legal Practitioners Acts Amendment Act of 1961*,” section nine of “*The Legal Practitioners Act Amendment Act of 1938*,” as it was in force immediately prior to the passing of “*The Legal Practitioners Acts Amendment Act of 1961*,” shall be deemed to continue in force until the thirty-first day of December, one thousand nine hundred and seventy, in respect of any person who at the time of the passing of “*The Legal Practitioners Acts Amendment Act of 1961*” is serving or has served in an office mentioned in subsection (1) of the said section nine, but shall cease on the thirty-first day of December, one thousand nine hundred and sixty-four, to be deemed to continue in force in respect of any such person if he has not before that lastmentioned date presented himself for the intermediate examination for solicitors referred to in the said section nine.

But any such person may at any time, whether before or after the thirty-first day of December, one thousand nine hundred and seventy, elect to take the benefit of the provisions of the said section nine as amended by “*The Legal Practitioners Acts Amendment Act of 1961*” ; and thereupon the Solicitors’ Board shall grant him exemption in those subjects of the Articled Clerks’ Course which are equivalent to subjects already passed by that person at any examination prescribed

by the Rules relating to the Admission of Solicitors of the Supreme Court of Queensland in force at the time of passing those subjects, and such further exemptions, if any, as it may consider proper in the circumstances of his case.
