



ANNO VICESIMO PRIMO

# ELIZABETHAE II REGINAE

A.D. 1972

\*\*\*\*\*

## No. 85 of 1972

An Act to amend the Legal Practitioners Act,  
1936-1972.

[Assented to 19th October, 1972]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the "Legal Practitioners Act Amendment Act, 1972". Short titles.

(2) The Legal Practitioners Act, 1936-1972, as amended by this Act, may be cited as the "Legal Practitioners Act, 1936-1972".

(3) The Legal Practitioners Act, 1936-1972, is hereinafter referred to as "the principal Act".

2. This Act shall come into operation on a day to be fixed by proclamation. Commencement.

3. Section 3 of the principal Act is amended by striking out the passage "sections 25-60" and inserting in lieu thereof the passage "sections 25-60a". Amendment of principal Act, s. 3—  
Division of Act.

4. Section 24a of the principal Act is amended by striking out from the definition of "the prescribed proportion" in subsection (9) the words "one-half" and inserting in lieu thereof the words "two-thirds". Amendment of principal Act, s. 24a—  
Duty to make deposit with Society.

Amendment of  
principal Act,  
s. 24c—  
The statutory  
interest  
account.

5. Section 24c of the principal Act is amended by striking out from subsection (5) the passage “as to one-half, to the assistance fund, and, subject to subsection (6) of this section, as to one-half” and inserting in lieu thereof the passage “as to five-eighths to the assistance fund, and, subject to subsection (6) of this section, as to three-eighths”.

Amendment of  
principal Act,  
s. 24i—  
Provision of  
legal assistance.

6. Section 24i of the principal Act is amended by striking out subsections (4) and (5) and inserting in lieu thereof the following subsections:—

(4) An arrangement for the provision of legal assistance may be made upon terms that the assisted person will make such payments on account of costs, disbursements and out-of-pocket expenses—

(a) to the legal practitioner to whom he is assigned;

or

(b) to the Society,

as the Society determines, and any such arrangement may be varied by the Society from time to time.

(5) Any amount due under an arrangement made pursuant to subsection (4) of this section may be recovered as a debt in any court of competent jurisdiction and, in any proceedings for the recovery of such an amount, an apparently genuine document purporting to be signed by the Secretary or other authorized officer of the Society and certifying that a specified amount is payable to a particular legal practitioner or to the Society under the terms of an arrangement made pursuant to subsection (4) of this section shall be *prima facie* evidence of the matter so certified.

Amendment of  
principal Act,  
s. 24j—  
Costs.

7. Section 24j of the principal Act is amended by inserting after subsection (2) the following subsection:—

(3) Where the Society has instituted proceedings for the recovery of any amount in respect of legal assistance, and the Society is entitled to reimbursement of its costs of the proceedings the costs shall be assessed in all respects as if a legal practitioner had acted for the Society in the institution and conduct of the proceedings whether or not the Society in fact engaged a legal practitioner so to act.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

J. M. NAPIER, Governor's Deputy