



LEGAL PRACTITIONERS (LITIGATION ASSISTANCE FUND) AMENDMENT ACT 1992

No. 27 of 1992

SUMMARY OF PROVISIONS

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4. Insertion of heading and section in Part II

DIVISION 2—THE LITIGATION ASSISTANCE FUND

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5. Amendment of s. 68—Establishment of the Legal Practitioners Complaints Committee



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ELIZABETHAE II REGINAE

A.D. 1992

No. 27 of 1992

An Act to amend the Legal Practitioners Act 1981.

[Assented to 14 May 1992]

The Parliament of South Australia enacts as follows:

Short title

1. (1) This Act may be cited as the *Legal Practitioners (Litigation Assistance Fund) Amendment Act 1992*.

(2) The *Legal Practitioners Act 1981* is referred to in this Act as “the principal Act”.

Commencement

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

Insertion of heading in Part II

3. The following heading is inserted in Part II of the principal Act before section 7:

DIVISION 1—ESTABLISHMENT AND ADMINISTRATION OF THE SOCIETY.

Insertion of heading and section in Part II

4. The following heading and section are inserted in Part II of the principal Act after section 14:

DIVISION 2—THE LITIGATION ASSISTANCE FUND

The Litigation Assistance Fund

14a. (1) The Society is authorized and required to administer the Litigation Assistance Fund in accordance with the Deed of Trust.

(2) The Society may, despite any other law, enter into an agreement with a party to legal proceedings to whom assistance is provided in accordance with the Deed of Trust, under which the party is required to make a payment to the Society, for the credit of the Litigation Assistance Fund, if those legal proceedings are resolved in favour of that party.

(3) In this section—

“Deed of Trust” means the Deed of Trust dated 2 April 1992 under which the Litigation Assistance Fund is established, and includes that Deed as amended from time to time.

Amendment of s. 68—Establishment of the Legal Practitioners Complaints Committee

5. Section 68 of the principal Act is amended by inserting the following subsections after subsection (5):

(6) The Governor may appoint a suitable person to be a deputy of a member of the Committee.

(7) A deputy of a member—

(a) must be qualified for membership of the Committee in the same way as the member of whom he or she is appointed deputy;

and

(b) must be nominated for the appointment by the Attorney-General or the Society according to whether that member was nominated by the Attorney-General or the Society.

(8) If a member of the Committee is absent, or unable, because of a conflict of interest or for any other reason, to act as a member of the Committee, the deputy may act in his or her place.

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

ROMA MITCHELL Governor