



PRACTISING IN NSW UNDER THE UNIFORM LAW

INDIVIDUALS

Australian Practising Certificates

An Australian legal practitioner is an Australian lawyer who holds a current Australian practising certificate. The categories of practising certificate under the Uniform Law include¹:

- a. Principal of a law practice²
- b. Employee of a law practice³
- c. Corporate legal practitioner⁴
- d. Government legal practitioner⁵
- e. Volunteer at a community legal service and otherwise on a pro bono basis only

The Law Society Council may impose discretionary conditions on practising certificates⁶.

An Australian practising certificate authorises the holder to supervise legal practice by others unless the certificate is subject to a condition requiring the holder to engage in supervised legal practice only or a condition to the effect that he or she may not supervise others⁷.

Professional Indemnity Insurance

Australian legal practitioners must not engage in legal practice unless they hold or are covered by an approved insurance policy⁸. All legal practice as a volunteer or on a pro bono basis needs to be covered by an approved insurance policy.

Supervised Legal Practice

If holding a practising certificate for the first time, it is a statutory condition of an Australian practising certificate that the holder must engage in supervised legal practice only until the holder has completed⁹:

- If the holder completed practical legal training, principally under the supervision of an Australian lawyer, a period of 18 months supervised legal practice; or
- If the holder completed other practical legal training, a period of 2 years supervised legal practice.

Responsibilities of Principals

Each principal of a law practice is responsible for ensuring that reasonable steps are taken to ensure that all legal practitioner associates of the practice comply with their obligations¹⁰.

Further Information

For further assistance or information please contact:
Professional Standards Department
The Law Society of New South Wales
Call: (02) 9926 0115
Email: psd@lawsociety.com.au

¹ Legal Profession Uniform Law (NSW), s47

² A principal's practising certificate also authorises the holder to practice as an employee of a law practice or a corporate legal practitioner or government legal practitioner

³ An employee's practising certificate also authorises the holder to practice as a corporate legal practitioner or government legal practitioner

⁴ A corporate practising certificate also authorises the holder to practice as a government legal practitioner

⁵ A government practising certificate also authorises the holder to practice as a corporate legal practitioner

⁶ See note 1 above, s53

⁷ See note 1 above, s47 (6)

⁸ See note 1 above, s211

⁹ See note 1 above, s49

¹⁰ See note 1 above, s34