

THIS IS A NOTICE OF INTENTION TO ENGAGE IN LEGAL PRACTICE IN NEW SOUTH WALES AS AN INCORPORATED LEGAL PRACTICE IN ACCORDANCE WITH CHAPTER 3, PART 3.7 OF THE LEGAL PROFESSION UNIFORM LAW (NSW).



THE LAW SOCIETY OF NEW SOUTH WALES

YOU ARE REQUIRED TO COMPLETE THIS FORM AND PROVIDE IT TO THE LAW SOCIETY AT LEAST 14 DAYS BEFORE STARTING TO ENGAGE IN LEGAL PRACTICE AS AN INCORPORATED LEGAL PRACTICE (ILP).

An incomplete Notice or one that is not accompanied by the requested information and supporting documents will be treated as invalid and will not be processed.

Refer to page 3 for further information.

Please tick the documents submitted with this notice (this section is mandatory).

- 1. ASIC Company Certificate of Registration
- 2. ASIC current company search or extract listing the directors of the company
- 3. ASIC Business name registration (if relevant). The business name must be registered to the corporation providing the legal services
- 4. Variation application form for Principal (ILP) if a NSW principal practising certificate is not already held by the intended principal(s).

1a. CORPORATION DETAILS (NOTE A)

An ILP is a corporation that satisfies the criteria set out in the definition of 'incorporated legal practice' in s.6 of the *Legal Profession Uniform Law (NSW)* (the Uniform Law).

Name of corporation:

Australian Company Number:

Business name:

1b. COMMENCEMENT DATE - MUST BE NO LESS THAN 14 DAYS FROM THE DATE YOU SUBMIT THIS NOTICE (NOTE A).

You are required to provide at least 14 days notice before starting to engage in legal practice as an ILP. Please enter the date from which the ILP intends to engage in legal practice in NSW (DD/MM/YYYY):

/ /

2. PRACTICE ADDRESS DETAILS (NOTE B)

Street address:

Street number and name:

City: State:

Country: Postcode: DX:

Telephone: Fax:

Mobile: Email address:

Website:

Postal address:

PO Box Number: City: State:


Country: Postcode:

This section continues on next page

2. PRACTICE ADDRESS DETAILS (NOTE B) CONTINUED

Other address details/branch details/interstate offices

Street number and name:		
City:	State:	
Country:	Postcode:	DX:
Telephone:	Fax:	
Mobile:	Email address:	
Website:		

 Attach additional page if necessary.

3. IS THE CORPORATION TAKING OVER AN EXISTING LAW PRACTICE? (NOTE C)

Is this corporation taking over or acquiring the legal services of an existing law practice or entity? (this includes an existing law practice that is incorporating)

Yes (please provide details below)

No

4. ILP PRINCIPAL (NOTE D)

Provide the full names of all Australian legal practitioners who will be principals of the incorporated legal practice.

Full name:
Full name:
Full name:
Full name:
Full name:

 Attach additional page if necessary.

5. EMPLOYED SOLICITORS

Provide the full names of all Australian legal practitioners employed by, or who are officers of, the incorporated legal practice (if any).

Full name:
Full name:
Full name:
Full name:
Full name:

 Attach additional page if necessary.

6. OTHER DIRECTORS (NOTE E)

Provide the full names of other directors who are not principals of the ILP (if any).

Full name:

Full name:

Full name:

Attach additional page if necessary.

7. AUTHORITY AND CERTIFICATION

This form must be signed by a principal of the law practice or by a person authorised by the principal to do so. Please complete both sections.

Section 1

- I am a principal of the law practice and I certify that the information in this form is true and correct; **OR**
- I am a person authorised by the principal of the law practice.

Section 2

- I certify that I have provided the requested information and supporting documents as indicated by me on page one of this notice; **AND**
- that the information in this form is true and correct.

Signed:

Dated (DD/MM/YYYY):

/ /

GENERAL NOTES

Requirements

- In respect of a company, please attach a copy of the Certificate of Registration issued by ASIC. In respect of a body corporate, please attach evidence of incorporation.
- In respect of a company, please attach a copy of the current ASIC record of office holders of the company (this print-out may be obtained from ASIC or a legal search company). In respect of any other body corporate, please attach evidence as to the office holders.
- If using a business name, please attach evidence of the registration issued by ASIC. The business name must be registered to the corporation providing the legal services.
- Payment of professional indemnity insurance is required (s.212 *Legal Profession Uniform Law (NSW)*). Insurance can only be arranged with

Lawcover after the ILP Notice has been processed by the Registry and details of the registration have been sent to Lawcover by the Registry. Please contact Lawcover on 1800 650 748 concerning the amount payable or any enquiries regarding professional indemnity insurance. If the professional indemnity insurance policy has been issued in an Australian state or territory other than NSW, please complete the Insurance Exemption application form and provide a full copy of the policy and certificate of insurance showing that the policy will cover the NSW office. The exemption form can be found at lawsociety.com.au/forms.

- Interstate ILP Principals – please attach a copy of your current practising certificate issued by your home jurisdiction and complete the Interstate registration form available at lawsociety.com.au/forms.

EXPLANATORY NOTES

Note A: Corporation details

An entity must give The Law Society notice, in this form, at least 14 days before starting to engage in legal practice (s.104(1) of the *Legal Profession Uniform Law (NSW)* and Rule 28 *Legal Profession Uniform General Rules 2015*).

Note B: Practice address details

Please provide the details of the principal office in New South Wales and any branch offices (including interstate offices) here.

Note C: Is the corporation taking over an existing law practice

If an existing law practice is 'incorporating' for the purposes of Part 3.7 of the *Legal Profession Uniform Law (NSW)*, please answer 'Yes' to this question and provide further details.

Note D: ILP principals

A principal of an incorporated legal practice must hold a principal practising certificate and be a validly appointed director of the company. If a practitioner does not currently hold a principal practising certificate, then an application must be made by completing a 'Variation of a Practising Certificate to Practise as a Principal'. This form is available under "forms" on the Law Society's website at lawsociety.com.au/forms.

Note E: Other directors

Provision of the copy of the ASIC record of officeholders referred to in General Notes above will satisfy this requirement.

PERSONAL INFORMATION COLLECTION NOTICE

By completing this form you are providing personal information to The Law Society of New South Wales (we, us, or our).

By lodging this application, you confirm that you have read the Personal Information Collection Notice and that you consent to The Law Society of New South Wales' collection, use and disclosure of information in accordance with that Notice. If you have any questions regarding the Personal Information Collection Notice please contact our Privacy Officer using the contact details below, prior to lodging this application.

Who do we collect the personal information from?

We generally collect your personal information directly from you. However, in some cases, we may receive your personal information from a third party (for instance if we receive a complaint) and when it is relevant to our statutory responsibilities (for instance other regulators who have dealt with you).

What are the purposes for which we collect and hold personal information?

We collect and hold your personal information to:

- fulfil our functions under, facilitate compliance with, and carry out our responsibilities in connection with, the *Legal Profession Act 2004* (NSW), the *legal profession legislation* (as defined in the *Legal Profession Uniform Law Application Act 2014*), the *Corporations Act 2001* (Cth), the *Professional Standards Act 1994* (NSW) and associated regulations (which require and authorise us to collect certain information) including to maintain regulatory and corporate records;
- fulfil our role as a professional association including:
 - maintaining membership records
 - communicating with you to offer products, services and events and when you obtain a product or service or come to an event
 - to conduct research and provide public representation; and
- provide information to third parties as authorised or required by law.

What if we didn't collect this personal information?

Without your personal information we may not be able to process your application or request, perform our statutory functions or provide you with some or all of the services of the Law Society as a professional association.

Who are the types of bodies and persons to whom we usually disclose your personal information?

Your personal information may be provided to:

- entities distributing information relevant to you as a legal practitioner or member of the Law Society;
- Lawcover and other professional indemnity insurers and practising certificate funders;
- our professional advisors and contractors (strictly on the basis that the information is to be used only for providing services to the Law Society and must not be disclosed);
- Australian regulators and government entities (such as the Office of the Legal Services Commissioner) and overseas regulators; and
- organisations that represent the legal profession such as the Law Council of Australia and Regional Law Societies.

Disclosure overseas

If you practise in a foreign country (or apply to do so) we may send your personal information overseas in response to an inquiry from the relevant authority in that place.

We use the services of certain third party service providers which may have offices or other operations outside of Australia. As a result, your personal information may be disclosed to overseas recipients. All service providers that have access to personal information held by us are required to keep the information confidential and not to make use of it for any purpose other than to provide services in accordance with their engagement.

You can access and correct your personal information

Our privacy policy contains information about how you may access your personal information and seek correction of such information; as well as how to complain about a breach of the Australian Privacy Principles and how we will deal with such a complaint. Our privacy policy is accessible via lawsociety.com.au/privacy-policy

How to contact us for privacy related issues

PRIVACY OFFICER

Corporate Legal Services
The Law Society of New South Wales
170 Phillip Street, SYDNEY NSW 2000

Telephone: (02) 9926 0333

Fax: (02) 9231 5809

Email: corplegal@lawsociety.com.au

PLEASE DO NOT RETURN THIS FORM TO THE PRIVACY OFFICER

See footer for lodgement address.