

# REFUND POLICY AND SCHEDULE OF REFUNDS FOR PRACTISING CERTIFICATES AND MEMBERSHIP



An application for a practising certificate is made by an individual and the practising certificate that is issued confers a right to practise as a solicitor on that individual. Accordingly, the practising certificate is the property of the solicitor and not the law practice/entity that pays for it or for whom the solicitor works. The refund policy of The Law Society of New South Wales (the Law Society) reflects this position.

## Renewal of Practising Certificates

**Before 1 July:** if a law practice/entity has paid for a practising certificate and the solicitor leaves the law practice/entity before 1 July, it depends on the status of the individual solicitor's application if a refund will be paid.

If the practising certificate has not been issued before a request for a refund is received in writing by the Law Society, the Law Society may refund the full fees to the law practice/entity and contact the solicitor concerning a replacement payment for the application. If a practising certificate has already been issued, the Law Society will not refund any fees. Any arrangements made for the payment of the certificate are a matter for negotiation between the law practice/entity and the solicitor.

**After 1 July:** if a solicitor leaves a law practice/entity after 1 July, the practising certificate has to be surrendered in order to be eligible for a refund.

## Surrender of a Practising Certificate

To surrender a certificate a solicitor must return their practising certificate to the Law Society. It must be surrendered in order for a pro rata refund to be paid. Refunds are made in accordance with the approved 'Schedule of Refunds for Practising Certificates'.

**If the certificate is surrendered by the law practice/entity, the Law Society must also have written confirmation from the solicitor that he/she wishes to surrender the certificate before a refund can be paid to the law practice/entity.**

All refunds are made to the person/entity that originally paid for the certificate ie. the drawer of the cheque or owner of the credit card. A written authority from this person/entity must be received if a request is received for the refund to be paid to any other person/entity.

## Membership Fee

The Constitution provides that termination of membership does not entitle a person to any refund of all or part of any membership fee.

## Schedule of Refunds for Practising Certificates

As approved by the Council of the Law Society, the current approved refund schedule is:

DATE OF SURRENDER OF PRACTISING CERTIFICATE	REFUND SCHEDULE		
	PRACTISING CERTIFICATE FEE	FIDELITY FUND CONTRIBUTION	TOTAL FEE
1 July 2023 - 30 September 2023	\$367.50	\$45.00 (Nil - Corp/ Govt PC)	\$412.50 (\$367.50 Corp/ Govt PC)
1 October 2023 - 31 December 2023	\$245.00	\$45.00 (Nil - Corp/ Govt PC)	\$290.00 (\$245.00 Corp/ Govt PC)
1 January 2024 - 31 March 2024	\$122.50	Nil	\$122.50 (Corp/ Govt PC)
1 April 2024 - 30 June 2024	Nil	Nil	Nil

\* There is no refund of the Fidelity Fund where the practising certificate is suspended or cancelled for conduct issues.