

# APPLICATION FOR ISSUE OF AN UNRESTRICTED PRACTISING CERTIFICATE (UPC)

THIS IS AN APPLICATION FOR AN A.C.T. PRACTISING  
CERTIFICATE AS A SOLICITOR AND BARRISTER BY:

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(Print your full name in block letters)

FOR THE YEAR ENDING 30 JUNE 2015

Please tick the box indicating whether you are in category A, B or C.

**A: Application for the RENEWAL of an ACT Unrestricted Practising Certificate**

If you currently hold an ACT unrestricted practising certificate or have held an ACT unrestricted practising certificate within the last 5 years, and you would like to hold an unrestricted practising certificate for the year ending 30 June 2015 complete **Parts 1 and 2**.

**B: Application for a FIRST ACT Unrestricted Practising Certificate**

If you have not previously held an ACT unrestricted practising certificate and would like to hold an unrestricted practising certificate for the year ending 30 June 2015 complete **Parts 1 and 3**.

**C: Application for an ACT Unrestricted Practising Certificate if your previous ACT Unrestricted Practising Certificate EXPIRED 5 years ago or longer.**

If you held an ACT unrestricted practising certificate that expired 5 years ago or longer and you would like to hold an unrestricted practising certificate for the year ending 30 June 2015, complete **Parts 1 and 3**.

the law society of the australian capital territory  
third floor 11 london circuit canberra act 2601  
gpo box 1562 canberra act 2601  
dx 5623 canberra  
telephone 02 6247 5700 facsimile 02 6247 3754  
register@actlawsociety.asn.au www.actlawsociety.asn.au

a member of the law council of Australia

Note: unless otherwise specified, section numbers refer to the *Legal Profession Act 2006* and *Legal Profession Regulation 2007*.

## PART 1 – ALL APPLICANTS TO COMPLETE

|  |                          |            |
|--|--------------------------|------------|
| Title  | Full name (please print) | Member ID: |
| 1. I,  |                          |            |
| of (residential address):                                    |                          |            |
| Suburb   | State                    | Postcode   |
| Phone No: (BH)   | (AH)                     | (Mobile)   |
| Email: (Work)  |                          |            |
| Email: (Home)  |                          |            |
| Postal address (if differs from residential/office address): |                          |            |
|  |                          |            |

apply for the issue of an **Unrestricted Practising Certificate** under the *Legal Profession Act 2006* authorising me to engage in legal practice for the year ending 30 June 2015.

- I am admitted as an Australian lawyer (ss 7 and 41(1)).
- If I am successful in this application, I will not hold a practising certificate in another State or Territory from the time I am granted this certificate until this certificate expires or is surrendered (ss 35(3)).

- I practise / will practise:

as a principal of

**OR**

as an employee of

The physical address(es) at which I practise / will practise principally is / are

The postal address (if different) is .

 DX

## TRUST MONEY AND TRUST ACCOUNT EXAMINATIONS

5. (a) I received or held trust money or controlled money at some time in the year ended 31 March 2014. My law practice appointed an external examiner to examine the trust records and gave the ACT Law Society written notice of this appointment (s 241 and Regulation 66)  
[redacted] (applicant to initial);

OR

- (b) I did not at any time in the year ended 31 March 2014 receive or hold trust money or controlled money [redacted] (applicant to initial).

## INSURANCE

6. This practising certificate is issued on the basis that I am or will be the holder of an approved policy of Professional Indemnity Insurance for the duration of this practising certificate (s 312A). Accordingly, I have effected Professional Indemnity Insurance through:

[redacted]

## OTHER NOTIFIABLE INFORMATION

7. I understand that it is a condition of this practising certificate that I must notify the ACT Law Society as soon as is reasonably practicable every time my practice details change (s 47).
8. I understand that I must notify the ACT Law Society in writing within 7 days if I am charged with a “**serious offence**” (defined in the Dictionary to the Act) or if I am convicted of any offence that would require disclosure under the admission rules in relation to an application for admission to the legal profession under the Act (s51).
9. I understand that I must **attach** to this application a written statement about any “**show-cause events**” (defined in the Dictionary to the Act) that have occurred in relation to me since my admission to the legal profession and that have not been previously notified to the ACT Law Society. The written statement must explain why, despite the show-cause event or events, I consider myself to be a fit and proper person to hold a practising certificate (s60). Should a “**show-cause event**” occur while I am holding this practising certificate, I must give the ACT Law Society written notice within 7 days of the event and further information with 28 days (s 61).
10. I understand that the ACT Law Society cannot grant me a practising certificate unless satisfied that I am a ‘fit and proper person’ to hold the certificate (ss 44(3) and (4)). Sections 11 and 36 contain criteria that are relevant to whether a person is a ‘fit and proper person’.
- (a) This application form contains all relevant information as to whether I am a ‘fit and proper person’;

OR

- (b) I have **attached** a statement containing all additional relevant information.

11. I understand that it is a condition of this practising certificate that I must complete 10 CPD units **between 1 April 2014 and 31 March 2015.**

**Note:** if this practising certificate is issued part-way through the CPD year, your CPD obligations will be pro-rated (unless, immediately prior to this issue of this practising certificate, you held a practising certificate in another Australian jurisdiction, in which case you will be expected to complete 10 CPD units).

**Note:** you must keep your own CPD records and supporting documentation in case of audit.

## PART 2 – RENEWAL APPLICANTS ONLY TO COMPLETE

12. I currently hold, or within the last five years held, an ACT unrestricted practising certificate issued by the ACT Law Society  (applicant to initial).

13. (a) I have fulfilled the minimum CPD requirements for the 2013 – 2014 CPD year.   
(applicant to initial)

**OR**

- (b) I have not fulfilled the minimum CPD requirements for the 2013 – 2014 CPD year.   
(applicant to initial)

**Note:** if you were required to complete fewer than 10 CPD units (either pursuant to an exemption granted by the ACT Law Society or because your current practising certificate was issued part-way through the CPD year) and you have completed those units, you are still deemed to have fulfilled the requirements. If you were granted an extension of time and have now completed your required CPD you have also fulfilled the requirements.

**Note:** if you have not fulfilled your minimum CPD requirements you must complete an application for exemption or extension of time.

**Note:** you must keep your own CPD records and supporting documentation in case of audit.

## PART 3 – PLEASE COMPLETE IF THIS IS YOUR FIRST ACT UNRESTRICTED PRACTISING CERTIFICATE OR IF YOUR PREVIOUS ACT UNRESTRICTED PRACTISING CERTIFICATE EXPIRED FIVE YEARS AGO OR LONGER

14. (a) I currently hold a  Insert category practising certificate issued by   
 **Unless issued by the ACT Law Society, you must attach a copy;**

**OR**

- (b) I do not currently hold a practising certificate. I was originally admitted as a   
of the Supreme Court of  on   
Roll No:  **(Please attach a copy of your Admission Certificate)**

15. I previously held an ACT practising certificate from  until   
**(Please complete only if you have previously held an ACT practising certificate).**

16. (a) I have **attached** my Practice Management Course Certificate;

**OR**

(b) I undertake to complete an approved Practice Management Course by a date nominated by the ACT Law Society. It is a condition of my practising certificate that I fulfill this undertaking (s47).

17. The table in Regulation 10 sets out criteria that must be met by applicants for an unrestricted practising certificate. The **attached** statutory declaration identifies the item number and reasons that qualify me under that regulation.

18. Optional: I identify as Aboriginal or Torres Strait Islander.

**I declare that the information contained in or with this application is true and correct and that I have not omitted any relevant information.**

Applicant's Signature: .....

Dated: .....