

AUSTRALIAN CAPITAL TERRITORY
LEGAL PRACTITIONERS (AMENDMENT) ORDINANCE (No. 3) 1977
EXPLANATORY MEMORANDUM

The purpose of this Ordinance is to extend the operation of Part 1D of the Legal Practitioners Ordinance of the Australian Capital Territory. The operation of Part 1D is presently expressed to expire on 1 December 1977.

Part 1D establishes on a proper basis the office of Director of Legal Aid for the Australian Capital Territory for a limited period. It expressly empowers the Director to act as a solicitor in civil and criminal proceedings in courts of the Territory. The provisions were made necessary by a decision of the Supreme Court of the Territory that the Director could not do so under existing legislation.

The Legal Aid Ordinance 1977 contains provisions that will establish a Legal Aid Commission for the Territory and when the Commission commences operations the provisions of Part 1D will no longer be necessary. The members of the Commission were appointed on 10 November 1977. There are a number of matters which need to be attended to by the Commission before the Ordinance is brought into operation and the Commission commences to provide legal assistance under it. It is expected that these matters will take up to three months.

In the meantime it is necessary to extend the operation of Part 1D of the Legal Practitioners Ordinance so as to preserve the powers of the Director of Legal Aid.