

Legal Profession (Foreign Lawyer Registration Fee) Determination 2026

Disallowable Instrument DI2026 - 182

made under the

Legal Profession Act 2006, section 206 (Determination of fees by law society council)

EXPLANATORY STATEMENT

Background

Section 206 of the *Legal Profession Act 2006* empowers the law society council to determine fees in relation to applications for the grant or renewal of registration of foreign lawyers.

Outline of Changes

Clause 2 of this instrument provides that the instrument commences the day after notification.

Clause 3 of this instrument determines and establishes the fees for applications for the grant or renewal of registration as a foreign lawyer in the ACT.

The fee has been determined in accordance with section 206(2) of the *Legal Profession Act 2006*, which provides that the fee for the grant or renewal of registration as a foreign lawyer must not exceed the maximum fee payable for the grant or renewal of an unrestricted practising certificate. The fees for the grant or renewal of an unrestricted practising certificate are prescribed under DI2026-77.

Clause 4 of the instrument states that foreign lawyer registration fees are payable by the applicant to the ACT Law Society.

Clause 5 of the instrument notes that foreign lawyer registration fees are exempt from GST.

Consistency with Human Rights

An assessment of the Determination under section 28 of the *Human Rights Act 2004* (ACT) is provided below. Section 28 provides that human rights are subject only to reasonable limits set by laws that can be demonstrably justified in a free and democratic society.

Rights Engaged

Right to Work and Other Work-Related Rights

The right to work includes access to one's profession on fair and reasonable terms. Registration fees for foreign lawyers supports the internationalisation of legal services and the legal sector by providing a framework for the effective regulation of the practice of foreign law in the ACT by foreign lawyers as a recognised aspect of legal practice in the ACT. The fee has been set at a level that is reasonable and proportionate to its regulatory purpose, aligned to fees for the grant or renewal of an unrestricted practising certificate, and is not expected to create an undue barrier to entering or remaining in practice as a foreign lawyer practising foreign law in the ACT. Accordingly, it is compatible with practitioners' work-related rights.