Law Admissions Consultative Committee

Uniform Principles for Assessing Qualifications

of

Overseas Applicants for Admission to the Australian Legal Profession

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1. SUMMARY OF REQUIREMENTS

To be admitted to the legal profession in an Australian jurisdiction on the basis of qualifications obtained outside Australia, an applicant must usually have:

(a) completed a tertiary course leading to legal practice in the applicant's home jurisdiction, which is substantially equivalent to a three-year full-time law course that leads to admission to the legal profession in Australia ; and

(b) successfully completed subjects, either as part of that course or otherwise, which are substantially equivalent to the areas of study which Australian applicants must successfully complete before being admitted to the legal profession in Australia; and

(c) acquired and demonstrated an appropriate understanding of, and competence in, certain skills, practice areas and values, which are substantially equivalent to the skills, practice areas and values which Australian applicants must acquire and demonstrate an understanding of and competence in, before being admitted to the legal profession in Australia; and

(d) met the requirements of the English Language Proficiency Guidelines set out on the Law Admissions Consultative Committee (**LACC**) website or, in the case of applicants for admission in New South Wales, met the different English language requirements of the New South Wales Legal Profession Admission Board: see

https://lpab.nsw.gov.au/admission-overseas-lawyers/english-language-requirements-ielts.html

An Admitting Authority may dispense with one or more of the requirements referred to in items (b) and (c) in the case of an experienced practitioner from an overseas jurisdiction if it considers that the applicant's experience is sufficiently relevant, substantial and current to justify a dispensation.

Except for a lawyer trained and admitted in New Zealand, every lawyer trained outside Australia who wishes to become eligible for admission in Australia must first apply to an Admitting Authority for an assessment of whether the person's academic and practical legal training qualifications are substantially equivalent to the qualifications required of local applicants. That assessment will set out what additional studies the applicant must undertake in Australia, and the period within which the applicant must complete those studies and apply for admission. Information about making an application for assessment is set out in item 9.

A lawyer trained and admitted to the legal profession in New Zealand may apply to have those qualifications recognised under the *Trans-Tasman Mutual Recognition Act 1997* (Cth).

These Uniform Principles show how Australian Admitting Authorities approach the task of assessing an applicant's compliance with each of these requirements. Once an overseas applicant has been admitted to the legal profession, the applicant must obtain a practising certificate before commencing to practise law. The relevant authority in each jurisdiction will invariably require an overseas applicant to undertake a period of restricted practice under supervision, before full rights of practice are granted. Item 8 sets out the prevailing practices.

2. SUBSTANTIALLY EQUIVALENT TYPE OF LAW COURSE

2.1 Requirements for Australian-trained applicants

An applicant trained as a lawyer in Australia must have acquired a tertiary qualification in law that is recognised for the purposes of admission to the legal profession. While acquiring that qualification, the applicant must have satisfactorily completed studies in each of the areas of knowledge prescribed in Schedule 1.

The course leading to that qualification must be designed to be completed by a full-time student over at least three full-time academic years. Where the course is divided into semesters, it should comprise at least six semesters of approximately 13 weeks each.

2.2 Requirements for overseas-trained applicants

An overseas applicant must also have acquired a relevant academic qualification, while following a tertiary course, which:

(a) normally leads to admission to practise law in the applicant's home jurisdiction; and

(b) is substantially equivalent to a three-year full-time course that leads to admission to the legal profession in Australia.

An applicant may have completed the course over more than three years, or as a part-time (rather than full-time) student. In some circumstances an applicant may be eligible if such a course has been completed in less than three years.

2.3 Irregular or unusual qualifications

Where a qualification is offered at a post-graduate level, or as an external degree, or through distance education, or partly on-line, it may not be "substantially equivalent to a three-year full-time course" for the purposes of item 2.2(b). A person who has completed such a qualification must explain:

(a) the nature of the qualification; and

(b) whether the qualification obtained by the applicant is sufficient to qualify the applicant to undertake practical legal training in the applicant's home jurisdiction; and

(c) why the qualification should be regarded as complying with item 2.2(b).

A qualification will not be regarded as "substantially equivalent to a three-year full-time course", unless it qualifies the applicant to undertake practical legal training in the jurisdiction in which the qualification was obtained.

2.4 Second degree in law or postgraduate subjects

Overseas graduates in law, or overseas practitioners often undertake post-graduate work in Australia. A post-graduate Doctorate, Masters or Diploma course, taken in Australia or elsewhere, is generally not a relevant qualification for admission purposes. A Graduate Diploma in law undertaken in England, Wales or Northern Ireland, and the Common Professional Examination are exceptions to this principle.

Credit will only be given for subjects taken as part of such a qualification if they are substantially equivalent in content to a relevant subject normally taken as part of a course leading to admission to practise law.

2.5 **Practical Legal Training Courses and Bar Exams**

In some jurisdictions, notably England, Wales and Northern Ireland, an applicant may have undertaken some proportion of academic training at a university without completing a three-year degree in law, and the remaining training as part of a professional legal training course. In the United States of America, an applicant may have completed some subjects as part of a law degree and others in the course of preparing for bar examinations in a particular state.

Academic credit will rarely be given for subjects undertaken as part of a practical legal training course, or bar examination preparation, even if the subjects bear similar names to the areas of knowledge prescribed in Schedule 1, or are undertaken during an academic law course.

2.6 **Special purpose subjects**

Academic credit will only be given for completing subjects specially designed to allow potential overseas applicants to undertake studies in, say, Australian Federal and State Constitutional Law or Administrative Law before applying for admission in Australia if:

(a) the subject is conducted by a tertiary institution which is approved by an Australian Admitting Authority for the purpose of providing a full course of study in the areas of knowledge prescribed in Schedule 1; and

(b) the head of the relevant faculty or department at that tertiary institution has certified that the subject is substantially equivalent to a subject offered as part of the course of study already accredited for admission purposes at that institution.

3. **SUBSTANTIALLY EQUIVALENT ACADEMIC QUALIFICATIONS**

Subject to item 5, all applicants, however eminent or experienced they may be in their home jurisdictions, must have undertaken subjects in the following areas of study:

Administrative Law
Civil Dispute Resolution
Contracts
Company Law
Criminal law and procedure
Equity (including Trusts)
Ethics and Professional Responsibility
Evidence
Federal and State Constitutional Law
Property (including Torrens System Land)
Torts

In each case, the content of the subject must be substantially equivalent to that prescribed in Schedule 1.

3.1 **Demonstrating equivalence**

An applicant for credit must supply an original or duly-certified copy of the applicant's official academic transcript, setting out the marks and results obtained in each law subject which the applicant wishes to have assessed.

As noted in item 2.5, academic credit will not be given for subjects completed as part of a practical legal training course or bar exam course.

Credit will not be granted for a subject where a result of less than 50% was achieved, unless:

(a) the applicant also supplies an official statement by the relevant institution which explains the marking policy of the institution and the standard of knowledge and competence signified by that result; and

(b) the Admitting Authority is satisfied that the result is equivalent to a pass mark from an approved Australian educational institution.

In addition to information set out in the official academic transcript, the applicant should supply information about the precise content of each subject which the applicant wishes the Admitting Authority to assess. This will help determine whether subjects are substantially equivalent to those prescribed in Schedule 1.

3.2 Schedule 2 sets out the common practices of Admitting Authorities when assessing overseas academic qualifications. That Schedule should help an applicant to anticipate what additional academic studies may be required in Australia. Note that all applicants will be required to undertake further study of Federal and State Constitutional Law in Australia.

Each application is assessed on its own merits, in the light of information lodged in support of the application. It must be stressed, however, that eminence, seniority or, subject to item 5, length of service as a practitioner in an applicant's home jurisdiction, do not constitute grounds for exempting an applicant from studies which the applicant has not previously undertaken.

3.3 **Satisfying further requirements**

An applicant who is required to complete additional academic requirements will be able to do so only by undertaking corresponding subjects at a tertiary institution which is recognised for the purpose of providing pre-admission academic training in law in the Australian jurisdiction in which the applicant has applied for admission. Studying subjects at other institutions will not suffice.

An applicant will generally be required to complete any additional academic study and practical legal training and to apply for admission within a period specified by the relevant Admitting Authority.

3.4 **Stale qualifications**

An applicant who has completed an academic qualification more than 5 years before seeking admission in Australia may be required to undertake further law studies or sit further examinations in Australia, in addition to any further academic studies referred to in item 3.2 above. This is likely to happen if an applicant has not previously been admitted to the legal profession or has not practised as a lawyer in the applicant's home jurisdiction. It may also happen in other circumstances where the Admitting Authority considers some or all of the applicant's academic qualification to be out of date.

Schedule 6 sets out some common considerations which an Admitting Authority may, but is not obliged, to take into account when considering such an applicant. They do not, however, either imply or require that an Admitting Authority will act in a particular way, or limit the Admitting authority's discretion.

4. **SUBSTANTIALLY EQUIVALENT PRACTICAL LEGAL TRAINING QUALIFICATIONS**

4.1 **Requirements for Australian –trained applicants**

An Australian-trained, local applicant, after acquiring an appropriate Australian academic qualification, must also acquire and demonstrate an appropriate understanding of, and competence in, the Skills, Practice Areas and Values prescribed in Schedule 3. An applicant must usually do this either by attending a practical legal training course or by

acquiring supervised workplace experience under a training contract where the relevant understanding and competence are acquired, or by a combination of both methods.

For the purpose of this requirement, in some Australian jurisdictions an Australian-trained, local applicant can undertake a training contract with a legal firm, or, in some circumstances, as an employee of a corporation, a court officer or a government official.

The applicant's duties must be purely legal and must relate to areas of legal practice. Further, the applicant's supervisor must hold a current practising certificate or equivalent authorisation, except where the training contract is undertaken with a judge.

An Australian-trained local applicant may then be admitted, but is required to engage in *supervised* legal practice for a period after admission.

4.2 **Requirements for overseas-trained applicants**

An applicant who has been educated overseas will be expected to have acquired, or to obtain, practical legal training qualifications which are substantially equivalent to those required of an Australian-trained local applicant.

4.3 **Applicants who have been admitted to legal practice overseas**

Subject to item 5, all applicants, however eminent or experienced they may be in their home jurisdictions, must have acquired and demonstrated an appropriate understanding of, and competence in, each of the Skills, Practice Areas and Values prescribed in Schedule 3, before they can be admitted to the legal profession in Australia.

Where an applicant has already been admitted in the applicant's home jurisdiction and has had experience of legal practice, the applicant will often have acquired understanding of, and competence in, some, if not all, of the Skills, Practice Areas and Values prescribed in Schedule 3.

The applicant may have acquired these either:

(a) by undertaking a practical legal training course in the applicant's home jurisdiction; or

(b) by working as a lawyer in the applicant's home jurisdiction, either in private practice or as an employee of a corporation, or as a court officer or government official.

An applicant may be granted an exemption from further studying a Skill, Practice Area or Value in Australia, if the Admitting Authority is satisfied that the applicant has acquired and demonstrated an appropriate understanding of, and competence in, a substantially equivalent Skill, Practice Area or Value, in the applicant's home jurisdiction but, subject to item 5, will not be granted an exemption in relation to:

Trust and Office Accounting

Ethics and Professional Responsibility

4.4 **Applicants who have not been admitted overseas**

An applicant who has not been admitted to legal practice overseas will not receive any exemption from Australian practical legal training requirements. Such an applicant will be required to complete the same practical legal training as an applicant trained in Australia, regardless of any practical legal training that the applicant may have previously undertaken overseas.

4.5 **Demonstrating equivalence**

In order for an applicant to satisfy an Admitting Authority that the applicant has acquired and demonstrated an appropriate understanding of, or competence in, a particular Skill, Practice Area or Value, the applicant must provide documentary evidence which:

(a) explicitly sets out how the applicant has acquired and demonstrated appropriate understanding and competence in the relevant Skill, Practice Area or Value for which exemption is sought;

(b) shows how the practice undertaken by the applicant has satisfied each relevant element prescribed in Schedule 3 for that Skill, Practice Area or Value; and

(c) is corroborated by written evidence from the applicant's employer or a person with whom the applicant has been associated in practice, verifying each of the matters referred to in paragraphs 4.5(a) and 4.5(b).

Documentary evidence that an applicant has successfully completed a particular Skill, Practice Area or Value in a Practical Legal Training course conducted in a country referred to in item 4.1 of Schedule 4 will satisfy the requirement in paragraph 4.5(a).

Documentary evidence that an applicant has undertaken, and has been assessed as successfully competing, a skills or work training element of a recognised Continuing Legal Education program in another country may be evidence in an appropriate form for the purposes of paragraphs 4.5(a) and (b).

Unless an application clearly complies with each of the requirements in paragraphs 4.5(a), (b) and (c), an Admitting Authority will not grant an exemption: see item 9 below.

Admitting Authorities apply the common practices set out in Schedule 4 when assessing applicants with practical legal training qualifications from other countries. These common practices are based on the practical legal training systems applying in each listed country. Schedule 4 should help an applicant to anticipate what additional practical legal training may be required in Australia.

Each application is assessed on its merits, in the light of information lodged in support of the application. It must be stressed that eminence, seniority or, subject to item 5, length of service as a practitioner in an applicant's home jurisdiction does not constitute grounds for exempting an applicants from acquiring practical legal training knowledge and competence which the applicant does not possess.

No applicant will be granted an exemption in relation to:

Trust and Office Accounting
Ethics and Professional Responsibility

4.6 **Satisfying further requirements**

An applicant who is required to complete additional practical legal training in Australia will only be able to do so by acquiring and demonstrating an appropriate understanding of, or competence in, a particular Skill, Practice Area or Value prescribed in Schedule 3, by undertaking relevant study in that topic with a practical legal training provider recognised for the purpose of providing pre-admission practical legal training, or by undertaking a training contract in the jurisdiction in which the applicant has applied for admission. Studying a topic of the same name or with a similar content at another institution will not suffice.

4.7 **Stale Qualifications**

An applicant who has completed a practical legal training qualification or practical legal training experience more than 5 years before seeking admission in Australia may be required to undertake further practical legal training studies or examinations or experience in Australia, in addition to the requirements referred to above. This is likely to happen if an applicant has not previously been admitted to the legal profession; has not practised as a lawyer in the applicant's home jurisdiction; or has not been in active practice for some time. It may also happen in other circumstances where the Admitting Authority considers some or all of the applicant's practical legal training qualification to be out of date.

Schedule 6 sets out some common considerations which an Admitting Authority may, but is not obliged, to take into account when considering such an applicant. They do not, however, either imply or require that an Admitting Authority will act in a particular way, or limit the Admitting authority's discretion.

5. **EXPERIENCED PRACTITIONERS**

Admitting Authorities deal with most applications from overseas lawyers in the ways described in items 3 and 4. However, an Admitting Authority does have a broad discretion to dispense with some or all of the additional academic studies or practical legal training usually required in accordance with Schedule 2 and Schedule 4. This discretion may be exercised in favour of an established legal practitioner in an overseas jurisdiction where the Admitting Authority considers the applicant's experience in practice to be relevant, substantial and current. Schedule 5 sets out some common considerations which an Admitting Authority may, but is not obliged, to take into account when considering such an applicant. Certain other matters are mentioned in Schedule 5 as background for applicants. They do not, however, either imply or require that an Admitting Authority will act in any particular way, or limit the Admitting Authority's discretion.

An applicant who wishes to be considered in this category will be required to provide the Admitting Authority with documentary evidence which:

(a) explicitly sets out how the applicant's experience corresponds to, and exemplifies, some or all of the common considerations set out in Schedule 5; and

(b) sets out any additional considerations which may be relevant to an Admitting Authority when deciding to allow the applicant's relevant, substantial and current experience in practice to offset particular academic or practical legal training requirements that might otherwise be imposed; and

(c) is corroborated by evidence from the applicant's employer, or other persons with whom the applicant has been associated in practice; and

(d) gives the applicant's consent to a copy of the application and accompanying documentary evidence, and the decision of the Admitting Authority, being made available to other Admitting Authorities in Australia.

Unless an application clearly sets out these matters in sufficient detail, an Admitting Authority is unlikely to decide that an applicant's experience offsets academic or practical legal training requirements which would usually apply under items 3 and 4 above. *An Admitting Authority is not obliged to seek further information from an applicant if appropriate and sufficient information is not provided in an initial application.*

6. ENGLISH LANGUAGE PROFICIENCY

Each Admitting Authority, in deciding whether an applicant is a fit and proper person for admission to the legal profession, must determine whether the applicant has a sufficient knowledge of written and spoken English to engage in legal practice in its jurisdiction.

All but one Admitting Authority have adopted the LACC English Language Proficiency Guidelines which are set out on the LACC website. The Guidelines provide 6 possible pathways by which applicants can satisfy an Admitting Authority of their competence in English, and in each case explains the information which must be given to the Admitting Authority.

The pathways include completing either the IELTS Academic Module or the TOEFL iBT English Language test and obtaining prescribed levels of writing, speaking, reading and listening for that test.

The NSW Legal Profession Admission Board follows separate guidelines set out at https://lpab.nsw.gov.au/admission-overseas-lawyers/english-language-requirements-ielts.html. These do not provide for an applicant to complete the TOEFL iBT test and differ from the LACC English Proficiency Guidelines in several other respects.

For further information about the IELTS test see: http://www.ielts.org.

For further information about the TOEFL iBT test see: https://www.ets.org/toefl.html

7. TIME LIMITS

An Admitting Authority, when giving a direction about any additional academic study and practical legal training, will also fix a time limit within which an applicant must comply with those requirements and make an application for admission to the legal profession. The relevant time limit will depend upon the additional requirements imposed, but in no case will exceed five years.

An Admitting Authority may extend a time limit before it expires if an applicant seeks an extension and the Admitting Authority is satisfied that the applicant has produced sound reasons for granting an extension.

A person who fails to comply with a time limit imposed by an Admitting Authority will be required to make a further application for a direction as to any additional academic or practical legal training requirements. Those requirements may differ from the requirements imposed on an earlier application.

8. RESTRICTED RIGHTS OF PRACTICE

Once an applicant has been admitted to the legal profession in Australia, the applicant must obtain a practising certificate before commencing to practise law. The relevant Authority in each jurisdiction invariably requires an Australian applicant to undertake a period of supervised practice before full rights of practice are granted. Some jurisdictions have a mechanism for seeking exemption from some or all of this requirement. An application for exemption will usually be considered by the body responsible for issuing practising certificates in the relevant jurisdiction. The applicant's prior experience in legal practice will be relevant to such an application.

9. APPLYING FOR AN ASSESSMENT OF QUALIFICATIONS

Precise requirements for an application for a direction about qualifications may be obtained from the Admitting Authority to which application is to be made. They will, however, include:

(a) an original official academic transcript, setting out marks and results obtained in

relevant law subjects, or a certified copy of the original: see item 3.1;

(b) if any result shows a mark of less than 50%, an official statement from the relevant institution that adequately explains its marking policy and the relative knowledge and competence signified by the result: see item 3.1;

(c) information about the precise content of every academic subject which the applicant wants the admitting authority to assess: see item 3.1;

(d) an original official transcript of the results of any practical legal training course completed by the applicant, or a certified copy of the original: see item 4.5;

(e) except for a an applicant from a country mentioned in item 4.1 of Schedule 4, a detailed description of the content of any practical legal training course that the applicant wants the Admitting Authority to assess: see item 4.5;

(f) if an applicant has not undertaken a practical legal training course, but wants the Admitting Authority to assess whether the applicant's experience in practice is substantially equivalent to requirements prescribed in Schedule 3, the information described in item 4.5;

(g) if an applicant who is an experienced overseas practitioner wishes to invoke the Admitting Authority's discretion to dispense with any usual academic or practical legal training requirement, the additional information referred to in item 5.

Please note that material enclosed in support of an application will not be returned to an applicant. Please also note that an Admitting Authority is not obliged to seek further information from an applicant if an application is incorrect or incomplete; or if appropriate and insufficient information is not provided in an initial application.

SCHEDULE 1

Prescribed Areas of Knowledge

The Prescribed Areas of Knowledge are the Prescribed Areas of Knowledge agreed and published by the LACC, as updated from time to time.[1]

[1] See https://legalservicescouncil.org.au/about-us/law-admissions-consultative-committee.html.

SCHEDULE 2

Common Additional Academic Requirements

This Schedule should be read in conjunction with items 2, 3 and 9 of the Uniform Principles. It sets out the additional academic requirements commonly required of applicants who have qualified and been admitted to practise overseas. It indicates which of the Prescribed Subjects an applicant will commonly be required to study in Australia, unless the applicant is considered to be an experienced practitioner for the purpose of item 5 of the Uniform Principles.

Prescribed Subjects, in this Schedule refers to the Prescribed Areas of Knowledge referred to in Schedule 1.

Note: Applicants relying on academic qualifications from –

(a) **any country not mentioned below; or**

(b) **an institution within a country, other than an institution that is specifically identified below with respect to that country,**

will be required to study all Prescribed Subjects.

Canada

(a) Civil Law Degree

An applicant who has a Civil Law degree and who has not studied common-law subjects will be required to study all Prescribed Subjects.

(b) Common Law Degree

An applicant who has a Common Law degree will be required to study Administrative Law, Federal and State Constitutional Law, Property and any other Prescribed Subjects not included in that degree.

Credit may be given for Administrative Law if it has been studied as a separate, comprehensive subject in that degree.

Credit may also be given for Property if, as part of that degree, the applicant has studied Torrens-system land registration in more than a cursory way.

England and Wales

(a) Law Degree

An applicant with a degree in law from an English or Welsh university will be required to take Administrative Law, Federal and State Constitutional Law, Ethics and Professional Responsibility and any other Prescribed Subjects not studied during that degree.

Credit may be given for Administrative Law if it has been studied as a separate, comprehensive subject in that degree.

Credit may be given for Ethics and Professional Responsibility if the applicant has successfully completed Professional Conduct and Regulation as part of the Legal Practice Course, or Professional Ethics as part of the Bar Professional Training Course.

(b) Common Professional Examination and Postgraduate Diploma in Law

An applicant who has completed the Foundations of Legal Knowledge subjects, will be required to study Administrative Law, Federal and State Constitutional Law, Evidence, Civil Procedure, Company Law and Ethics and Professional Responsibility.

(c) Chartered Institute of Legal Executives

An applicant who has:

(i) completed the CILEx Level 6 examinations in the Foundations of Legal Knowledge subjects; and

(ii) has also been granted credit for each of the CPQ examinations relating to the Foundations of Legal Knowledge by the Solicitors Regulation Authority; and

(iii) thereafter successfully completed the Legal Practice Course,

will be required to study Administrative Law, Federal and State Constitutional Law, Evidence, Civil Procedure, Company Law and Ethics and Professional Responsibility.

An applicant who has completed either or both the CILEx Level 4 and Level 6 examinations, but who has not otherwise met each of the requirements set out in the previous paragraph, is not eligible to have those qualifications assessed under these Principles. Such a person will be required to qualify as a local Australian applicant, but may apply to an Australian law school or the New South Wales Legal Profession board law course for academic credit for any CILEx examinations previously completed.

(d) Qualified Lawyers Transfer Test

An applicant who has been admitted to legal practice as a result of completing the Qualified Lawyers Transfer Test will be required to study the same Prescribed Subjects as apply to the country in which the applicant's initial academic qualification in law was completed.

Hong Kong

(a) An applicant with a law degree from the United Kingdom or elsewhere will be required to study the same Prescribed Subjects as apply to the country in which that degree was obtained.

(b) Applicants who, before 1982, completed Part I of the English Law Society Qualifying Examination in Hong Kong and thereafter passed Part II, administered by the Hong Kong Law Society will be required to study Administrative Law, Federal and State Constitutional Law, Property and any other Prescribed Subjects not studied as part of those qualifications.

(c) An applicant with a law degree from Hong Kong will be required to study Administrative Law, Federal and State Constitutional Law, Property and any other Prescribed Subjects not studied as part of that degree.

Credit may be given for Administrative Law if it has been studied as a separate, comprehensive subject in that degree.

India

An applicant with a law degree from the OP Jindal Global Law School will be required to study Administrative Law, Equity and Trusts, Federal and State Constitutional Law, Property and any other Prescribed Subjects that have not been successfully completed with a grade of at least A- or a mark of at least 65%, during that degree.

Israel

An applicant with a law degree from Israel will be required to study Administrative Law, Contract, Equity Federal and State Constitutional Law, Property and Tort and any other Prescribed Subjects that have not been studied as part of that degree.

Malaysia

(a) An applicant with a law degree from the United Kingdom, Australia or elsewhere will be required to study the same Prescribed Subjects as apply to the country in which that degree was obtained.

(b) An applicant with a law degree from Malaysia will be required to study Administrative Law, Federal and State Constitutional Law and any other Prescribed Subjects not studied as part of that degree.

Credit may be given for Administrative Law if it has been studied as a separate, comprehensive subject in that degree.

Malta

(a) An applicant with a law degree from the United Kingdom or elsewhere will be required to study the same Prescribed Subjects as apply to the country in which that degree was obtained.

(b) An applicant with a law degree from the University of Malta will be required to study all Prescribed Subjects except Criminal Law and Company Law.

New Zealand

(a) An applicant who has been admitted to legal practice in New Zealand may apply for admission under the provisions of the *Trans-Tasman Mutual Recognition Act*

1997 (Cth). A person eligible to be admitted in Australia under this Act is not required to undertake additional academic study.

(b) An applicant who has completed a law degree in New Zealand but has not been admitted to legal practice, will be required to study Federal and State Constitutional Law and any other Prescribed Subjects that have not been studied as part of that degree.

Northern Ireland

(a) An applicant with a law degree from England, Wales, the Republic of Ireland or elsewhere will be required to study the same Prescribed Subjects as apply to the country in which that degree was obtained.

(b) An applicant with a law degree from Northern Ireland will be required to study Administrative Law, Federal and State Constitutional Law, and any other Prescribed Subjects not studied as part of that degree.

Credit may be given for Administrative Law if it has been studied as a separate, comprehensive subject in that degree.

Credit may be given for Ethics and Professional Responsibility if the applicant has successfully completed Professional Conduct and Regulation as part of the Legal Practice Course, or Professional Ethics as part of the Bar Professional Training Course.

Papua New Guinea

(a) An applicant with a law degree from Australia or elsewhere will be required to study the same Prescribed Subjects as apply to the country in which that degree was obtained.

(b) An applicant with a law degree from the University of Papua New Guinea or the University of the South Pacific will be required to take Administrative Law, Equity, Federal and State Constitutional Law, Property and any other Prescribed Subjects that have not been studied as part of that degree.

Philippines

An applicant with a law degree from the Philippines will be required to study Administrative Law, Criminal Law, Equity, Federal and State Constitutional Law, Property, Torts and any other Prescribed Subjects that have not been studied as part of that degree.

Republic of Ireland

(a) An applicant with a law degree from the Republic of Ireland will be required to study Administrative Law, Federal and State Constitutional Law and, subject to paragraph (c), any other Prescribed Subject that has not been studied as part of that course.

(b) Credit may be given for Administrative Law if it has been studied as a separate, comprehensive subject in that degree.

(c) An applicant who has also completed the entrance examination to the Irish Law Society, known as the *Final Examination First Part (FE - 1)*, will be granted credit for any other Prescribed Subject completed in that examination which has not been included in the applicant's law degree.

Scotland

An applicant with a law degree from Scotland will be required to study Administrative Law, Civil Procedure, Equity, Federal and State Constitutional Law, Property and any other Prescribed Subjects that have not been studied as part of that degree.

Credit may be given for Administrative Law if it has been studied as a separate, comprehensive subject in that degree.

Credit may be given for Ethics and Professional Responsibility if the applicant has successfully completed the Professional Ethics and Standards component of the Law Society of Scotland's Professional Education and Training Stage 1 (PEAT 1).

Singapore

(a) An applicant with a law degree from England, Australia or elsewhere will be required to study the same Prescribed Subjects as apply to the country in which that degree was obtained.

(b) An applicant with a law degree from Singapore will be required to study Administrative Law, Federal and State Constitutional Law and any other Prescribed Subjects not studied as part of that degree.

Credit may be given for Administrative Law if it has been studied as a separate, comprehensive subject in that degree.

South Africa

An applicant with a law degree from South Africa will be required to study Administrative Law, Equity, Federal and State Constitutional Law, Property and any other Prescribed Subjects that have not been studied as part of that degree.

Credit may be given for Administrative Law if it has been studied as a separate, comprehensive subject in that degree.

South Pacific countries

(a) An applicant with a law degree from the United Kingdom, New Zealand or elsewhere will be required to study the same Prescribed Subjects as apply to the country in which that degree was obtained.

(b) An applicant with a law degree from the University of the South Pacific will be required to do Federal and State Constitutional Law, Property and any other Prescribed Subjects that have not been successfully completed with a grade of C+, or a mark of at least 57%, during that degree.

Sri Lanka

(a) An applicant with legal qualifications from Sri Lanka will be required to study Administrative Law, Federal and State Constitutional Law, Property and, subject to paragraphs (b) and (c), any other Prescribed Subject that has not been studied as part of that qualification.

(b) An applicant who has competed the subject Succession and Trusts at the Sri Lanka Law College will be required to study Equity. An applicant who has completed the subject Equity & Trusts at the University of Colombo will not be required to study Equity.

(c) An applicant who has graduated in law from the University of Colombo who has also passed the Final Examinations of the Sri Lanka Law College will be granted credit for any of the other Prescribed Subjects that the applicant has passed in those Final Examinations but which has not been included in the applicant's law degree.

United States

(a) An applicant with a degree in law from a law school not approved by the American Bar Association will be required to complete all Prescribed Subjects. Approved schools are listed at:
www.abanet.org/legaled/approvedlawschools/approved.html

(b) An applicant with a degree in law from a law school that has been approved by the American Bar Association will be required to study Administrative Law, Federal and State Constitutional Law, Property and any other Prescribed Subjects that have not been studied as part of that degree.

Credit may also be given for Property if, as part of that degree, the applicant has studied Torrens System land registration in more than a cursory way.

SCHEDULE 3

PLT Competency Standards for Entry Level Lawyers

The PLT Competency Standards for Entry Level Lawyers are the PLT Competency Standards for Entry Level Lawyers agreed and published by the LACC, as updated from time to time.[2]

[2] Available at https://legalservicescouncil.org.au/about-us/law-admissions-consultative-committee.html.

SCHEDULE 4

Principles for Assessing Practical Legal Training Qualifications of Applicants from other Countries

This Schedule should be read in conjunction with items 4 and 9 of the Uniform Principles.

1. Practical Legal Training Competencies

An applicant for admission must show that the applicant has acquired and demonstrated appropriate understanding of, and competence in, the Practical Legal Training Competencies for Entry-level Lawyers, prescribed by Schedule 3.

2. Compulsory elements

Every applicant will be required to undertake additional studies in Australia in:

Trust and Office Accounting
Ethics and Professional Responsibility

3. Possible exemptions

An applicant may be exempted from undertaking additional studies in Australia in one or more of the following Skills and Practice Areas:

Skills

1. Lawyer's Skills

2. Problem Solving

3. Work Management and Business Skills

Practice Areas

4. Civil Litigation Practice

5. Commercial and Corporate Practice

6. Property Law Practice

7. One of the following:

- Administrative Law Practice
- Banking and Finance
- Consumer Law Practice
- Criminal Law Practice
- Employment and Industrial Relations Practice
- Family Law Practice
- Planning and Environmental Law Practice
- Wills and Estate Practice

4. Category 1 applicant

4.1 An applicant who has undertaken a PLT course and has been admitted to legal practice in one of the following Category 1 countries:

England
Northern Ireland
Scotland

Ireland
Canada (except Quebec)
South Africa
Singapore
Malaysia
Hong Kong,

is a Category 1 applicant.

4.2 A Category 1 applicant, who has been admitted to practise in the manner of a *solicitor*, will usually be exempt from all additional requirements except:

Trust and Office Accounting
Ethics and Professional Responsibility

4.3 A Category 1 applicant who has been admitted to practise only in the manner of a *barrister* will usually be required to undertake:

Trust and Office Accounting
Property Law Practice
Ethics and Professional Responsibility
Work Management and Business Skills

and, depending upon the scope of the applicant's previous practice after admission:

Commercial and Corporate Practice
One optional Practice Area from each Group 7 and 8 in item 3.

4.4 A Category 1 applicant may further be exempted from undertaking additional studies in one of the optional Practice Areas, if the applicant has acquired and demonstrated appropriate understanding of, and competence in, an Area of Practice not included in Group 7 or 8 in item 3 and shows that the applicant has been working in that Practice Area for at least 25% of the applicant's practice during the preceding two years.

4.5 If an applicant has been admitted in a Category 1 country, but did *not* complete a PLT course leading to admission before being admitted in that country, the applicant will also be required to undertake:

Lawyer's Skills
Problem Solving
Work Management and Business Skills,

unless the applicant clearly demonstrates how each of these Skills has been acquired in the applicant's subsequent practice.

5. Category 2 applicants

5.1 An applicant who:

(a) has been admitted to legal practice in the United States of America; and

(b) after admission has, for a period of at least 2 years, had continuous experience in one or more of the following Practice Areas:

Civil Litigation Practice
Commercial and Corporate Practice
Criminal Law Practice
Wills and Estates Practice

is a Category 2 applicant.

5.2 A Category 2 applicant will usually be exempted from:

Lawyer's Skills
Problem Solving
Work Management and Business Skills,

and such other compulsory or optional Practice Areas for which exemption is not granted.

6. Category 3 applicant

6.1 An applicant who:

(a) has been admitted to legal practice in other than a country or jurisdiction not mentioned in either item 4.1 or 5.1(a); and

(b) who after admission has, for a period of at least two years, had continuous experience in a country or jurisdiction mentioned in item 4.1 in one or more of the following Practice Areas:

Civil Litigation Practice
Commercial and Corporate Practice
Criminal Law Practice
Wills and Estates Practice,

is a Category 3 applicant.

6.2 A Category 3 applicant will usually be exempted from:

Lawyer's Skills
Problem Solving
Work Management and Business Skills,

and whichever of Competencies mentioned in item 6.1(b) in which the applicant has the experience required by that item.

6.3 A Category 3 applicant may further be exempted from undertaking additional studies in one of the optional Practice Areas, if the applicant has acquired and demonstrated appropriate understanding of, and competence in, an Area of Practice not included in Group 7 or 8 in item 3 and shows that the applicant has been working in that Practice Area for at least 25% of the applicant's practice during the preceding two years.

6.4 Such an applicant will, in all cases, be required to undertake:

Trust and Office Accounting
Property Law Practice
Ethics and Professional Responsibility,

and such other compulsory or optional Practice Areas for which exemption is not granted.

7. Category 4 applicant

7.1 An applicant who is not a Category 1, 2 or 3 applicant is a Category 4 applicant.

7.2 A Category 4 applicant may be exempted from undertaking one or more of the Skills, Practice Areas and Values set out in item 3, if the applicant before or after being admitted to legal practice, has acquired and demonstrated appropriate understanding and competence in, the relevant Skill, Practice Area or Value.

7.3 Such an applicant will, in all cases, be required to undertake:

SCHEDULE 5

Common Considerations Relevant to Experienced Practitioners

Common considerations which an Admitting Authority may choose, but is not obliged, to take into account when considering whether an applicant has –

(i) relevant, significant and current experience for the purposes of item 5 of the Uniform Principles; or

(ii) in the case of participating jurisdictions, sufficient legal skills or relevant experience for the purposes of section 18(1) of the Legal Profession Uniform Law,

are -

(a) the nature and quality of the applicant's previous academic and practical legal training qualifications including the results obtained in any academic subjects or practical legal training undertaken in Australia;

(b) the duration and currency of the applicant's experience obtained –

(i) in legal practice;

(ii) in service with a government authority; or

(iii) in another way considered appropriate by the Admitting Authority,

and especially whether the applicant has worked in that way for at least seven years (including any training contract);

(c) the period and degree of the applicant's specialisation in a particular area of legal practice;

(d) in the light of (b) and (c), the applicant's verifiable skills or experience, whether the skills or experience have been acquired through formal coursework and examinations or

(i) in legal practice;

(ii) in service with a government authority; or

(iii) in another way considered appropriate by the Admitting Authority;

(e) the likelihood that the applicant will continue to practise in a particular established area of legal expertise in Australia;

(f) the nature of an applicant's skills or experience, including skills or experience gained –

(i) in managing or reporting to other lawyers;

(ii) working in an Australian jurisdiction, or with Australian lawyers or in Australian law;

(iii) in the course of practising in areas of law different from an area referred to in paragraph (c);

(iv) in an environment requiring the regular public or objective testing of the applicant's judgment and knowledge of the law;

(v) in an area in which skills or experience is likely to provide an adequate substitute for academic study in that area; and

(vi) in relation to the ethical and professional responsibilities of a practising lawyer.

SCHEDULE 6

Common Considerations Relevant to Stale Qualifications

Common considerations which an Admitting Authority may choose, but is not obliged, to take into account when considering the qualifications of an applicant for the purposes of item 3.4 or 4.7 of the Uniform Principles are:

(a) the nature and quality of the applicant's previous academic and practical legal training qualifications including the results obtained in any academic or practical legal training subjects undertaken in Australia;

(b) the length of time since the applicant successfully completed a particular Academic or Practical Legal Training Requirement;

(c) the applicant's subsequent verifiable experience in the subject matter of a particular Academic or Practical Legal Training Requirement;

(d) the nature, duration and currency of the applicant's experience in law-related occupations, including experience gained:

  (i) in working in an Australian jurisdiction, or with Australian lawyers or in Australian law;

  (ii) in an environment requiring the regular public or objective testing of the applicant's judgement and knowledge of the relevant law;

(e) whether there have been any significant changes in the relevant law since the applicant completed an Academic or Practical Legal Training Requirement; and

(f) any other factor that may bear on the currency or relevance of the applicant's knowledge or experience in relation to a particular Academic or Practical Legal Training Requirement.