



# Online Examinations by Exception Policy

## Introduction

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Online exams are only available in exceptional circumstances, subject to prior approval and strict eligibility criteria.

Distance students are expected to make reasonable efforts to travel to an exam centre to sit their exams in-person. The Legal Profession Admission Board (LPAB) understands there may be exceptional circumstances that prevent students who are residing in remote areas, interstate or outside Australia from attending exams in person.

**Applications for online exams must be submitted each semester. No ongoing arrangements will be granted.**

There is no guarantee that students residing remotely, interstate, or overseas will be permitted to sit online exams for the entirety of their enrolment in the Course.

## Important - Choosing the Correct Application

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If your request to sit your exam online is due to a disability or medical condition, **do not submit an Online by Exception Application**.

Instead, you must:

1. Review the [Special Examination Arrangements Policy](#), and
2. Submit a Special Examination Arrangements Application via STEMS.

This ensures your request is assessed appropriately and avoids delays caused by submitting the wrong form.

## Eligibility Criteria

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Online exams may be approved only in exceptional circumstances that prevent attendance at an exam centre.

In the following circumstances, an online examination **may** be granted:

- **Permanent Overseas Residency**

- An overseas lawyer who resides outside Australia; or
- A student who received an exemption from the residency requirement, resides outside Australia and must be registered for the course with an overseas address; and
- Must provide evidence of ongoing overseas residency (e.g. driver's licence, utility bills); and
- Must have submitted (usually completed at student registration) a [Request for Exemption to Rule 29\(1\) – Australian Residency Declaration Form](#), or [Remote Study from Overseas Declaration](#).

- **Temporary Overseas Travel**

- May be approved for unforeseen and exceptional circumstances (e.g. death in the family).
- Must provide supporting evidence and a personal statement explaining the circumstances.

- **Residency More Than 150km radius from an Exam Centre**

- Must have registered with the relevant address and/or provide proof of address.
- Must provide supporting evidence and a statement explaining why travel is not possible (e.g. financial hardship, family care responsibilities).

- **Candidates residing less than 150km radius from an Exam Centre with exceptional circumstances**

- Must provide supporting evidence and a statement explaining why travel is not possible (e.g. carer responsibilities\* not able to be met by others).

### **\*Definition of Carer**

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Carers are recognised under the [NSW Carers \(Recognition\) Act 2010](#) as individuals providing ongoing personal care, support, and assistance to someone who:

- has a disability (as defined by the Disability Inclusion Act 2014),
- has a medical condition (including terminal or chronic illness),
- has a mental illness, or
- is frail and aged.

**Not considered a carer:**

- Individuals providing care for payment or as volunteers for an organisation.

- Simply because they are the spouse, de facto partner, parent, other relative or guardian of an individual who requires care; or live with an individual who requires care.

**Required evidence:**

- Proof of receiving a Centrelink Carer Payment or Carer Allowance, or
- A current letter from a medical professional confirming:
  - the condition of the person being cared for,
  - the nature of care required,
  - that the duties cannot be undertaken by another party during the exam period.

## **Determination of Eligibility for Online Examination**

The relevant delegate of the LPAB has the discretion to determine:

- whether or not particular circumstances qualify as exceptional, and
- whether or not the Office of the LPAB reasonably have the capacity to provide an online exam.

It is not possible to define all possible circumstances and impacts relevant to this Policy, but the bar is necessarily set at a high level, and grants of an online exam are in exceptional circumstances only.

## **Circumstances Not Eligible for Online Exam**

The following examples are ***specifically excluded*** from the possibility of an online exam:

- minor medical conditions,
- temporary travel overseas for recreation, work or family purposes,
- personal scheduling conflicts (e.g. clashes with work, family or other commitments) and
- transport difficulties or disruptions to travel plan.

## **How & When to Request an Online Exam**

### **When to Request and Online Exam**

Requests ***must*** be submitted:

- **Immediately after enrolment**  
Students are required to select either Mode 1 (handwriting) or Mode 2 (typing using Exemplify) during enrolment. You should choose the mode you intend to sit if your application for an online exam is later denied. If your application is approved your Mode will automatically be updated to Mode 3 in STEMS.

- **For circumstances unknown at the time of enrolment**

In cases of unforeseen circumstances that arise after enrolment, requests must be submitted no later than six (6) weeks prior to the beginning of the exam period.

Please note: If you submit an application after the six-week deadline due to unexpected circumstances, it may not be reviewed, and the fee will not be refunded. In these cases, you should contact the LPAB at [lpabexams@justice.nsw.gov.au](mailto:lpabexams@justice.nsw.gov.au) before submitting your application.

### **How to Request an Online Exam**

Requests must be submitted via the STEMS portal:

1. Log in to your STEMS profile.
2. Click the Miscellaneous button.
3. Select Online by Exception from the drop-down menu.
4. Complete the application form, including uploading all supporting documentation.
5. Pay the [application fee](#) via STEMS as part of the submission process.
6. Submit your application.

Applications submitted via email will not be accepted or processed. All requests must be submitted through the STEMS portal.

Failure to submit a complete application, including a sufficiently detailed statement and all required supporting documentation, may result in processing delays. Please ensure your application is complete before submission.

The application fee is non-refundable if your application is unsuccessful.

### **Conditions of Online Examinations**

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If approval is granted, the online exam will have essentially the same format and conditions as an in-person exam:

- The exam will commence at the scheduled time according to the published examination timetable.
- No adjustments will be made for candidates in different time zones. All examination times are as per the time in Sydney, Australia
- Candidates must arrange their own access to a computer with a working camera, microphone, and reliable internet connection.

- Candidates must have access to an additional device with Zoom installed for live invigilation.
- Candidates will be required to type their exam using Exemplify software.
- Candidates will be required to install and test examination invigilation software on their computer at least one month prior to the exams.
- Candidates will not have access to a hard printed copy of the examination paper.
- If there is a technology failure on the day of the exam, no alternative exam will be available.

## **Alternatives to an online exam**

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Candidates unable to attend an exam centre or complete exams online may apply to sit their exam at an unscheduled venue.

- Candidates must provide a detailed written submission explaining why they are unable to attend a scheduled examination venue or complete an online exam.
- Personal preference for handwriting will not be considered a valid exceptional circumstance for requesting an examination at an unscheduled venue.
- All associated costs, including venue hire and independent invigilation, must be covered by the candidate.
- Invigilation must be conducted by a professional invigilation service or an individual with verified experience in exam supervision.
- The examination must be conducted at a suitable, professional venue—such as an examination centre or a comparable facility that meets required standards.
- The exam must commence at the scheduled time, in accordance with the published examination timetable.
- Eligibility criteria and application deadlines for unscheduled venue requests are the same as those outlined above for online examinations.
- A fee will apply for the assessment of suitability and the administrative arrangements required to organise an unscheduled exam venue.

Candidates who are interested in applying to sit exams at an unscheduled venue which they nominate should contact [lpabexams@justice.nsw.gov.au](mailto:lpabexams@justice.nsw.gov.au) for further information.

Office of the LPAB  
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