

## **NSW Admission Board Rules 2015**

### **Part 1 Preliminary**

#### **1**

(1) These Rules are made by the Legal Profession Admission Board under section 21A of the *Legal Profession Uniform Law Application Act 2014*.

(2) These Rules may be cited as the *NSW Admission Board Rules 2015*.

**2** These Rules succeed the *Legal Profession Admission Rules 2005* with effect from 1 July 2015.

**3** These Rules are divided into Parts as follows:

Part 1—Preliminary, rules 1–6

Part 2—Administration, rules 7–14

Part 3—Legal Qualifications Committee, rules 15–26

Part 3A—Examinations Committee, rules 27–27K

Part 4—Students-at-Law, rules 28–36

Part 5—Repealed

Part 6— Repealed

Part 6A— Repealed

Part 7—Examinations, rules 46–78A

Part 8—Certificates, rules 79–81

Part 9—Discipline, rules 82–88

Part 10—Hearings, rules 89–93

Part 11—Exemptions, rules 97-98

Part 11B— Repealed

Part 12—Fees, rules 109–113

Part 13—Transitional, rules 113A–115

Part 14—Miscellaneous, rules 116–118

**4** In these Rules, unless the context or subject matter otherwise indicates or requires:

*Act* means the *Legal Profession Uniform Law Application Act 2014*.

*Approved forms* means forms approved by the Board.

*Bar Association* means the New South Wales Bar Association.

*Board* means the New South Wales Legal Profession Admission Board.

*Board's examinations* means the examinations set out in these Rules.

*Court* means the Supreme Court of New South Wales.

*Examinations Committee* means the Committee established under these Rules to oversee the content and conduct of the Board's examinations and the candidature of students-at-law.

**Executive Officer** means the person appointed as Executive Officer to the Board under rule 7.

**graduate** means a person who has taken a degree after examination at any university considered by the Board to be of good standing.

**Judge** means a Judge or Associate Judge of the Court.

**Law Extension Committee** means the Law Extension Committee of the University of Sydney.

**law school** means an educational facility conducted by a tertiary educational authority which has as one of its aims the production of graduates eligible to be admitted as lawyers inside or outside of New South Wales.

**Law Society** means The Law Society of New South Wales.

**Legal Qualifications Committee** means the Committee established under these Rules to superintend the qualification of candidates for admission and to advise the Board in relation to the accreditation of academic and practical training courses.

**Uniform Law** means the *Legal Profession Uniform Law (NSW)*.

**Uniform Rules** means the *Legal Profession Uniform Admission Rules 2015*.

**Rules** means the *NSW Admission Board Rules 2015*.

**prescribed fee** means a fee set out in the Third Schedule.

**Presiding Member** means the presiding member of the Board determined, nominated or elected in accordance with Schedule 3 of the Act.

**student-at-law** means a person registered as such under these rules Part 4.

5 Unless the context or subject matter otherwise indicates or requires, the definitions in the Act, Uniform Law and Uniform Rules, applies to these Rules.

## 6 (Repealed)

## Part 2 Administration

### 7

- (1) The Board shall appoint an Executive Officer.
- (2) The Executive Officer shall either in person or by deputy approved by the President attend all meetings of the Board, keep minutes of its proceedings, conduct its correspondence and perform such other duties as the Board may require.

### 8

The Executive Officer shall keep the Board aware of the financial position of the Board at all times and shall provide the appropriate information to enable the Board to comply with the *Public Finance and Audit Act 1983*.

## **9**

- (1) The Board shall have a seal.
- (2) The seal may be affixed to any document or certificate issued by the Board under the hand of the Chief Justice, the President, another judicial member of the Board or the Executive Officer.

## **10 (Repealed)**

**11** The Board may adjourn consideration of an application or matter before it under these Rules pending the provision of such further material or evidence as it considers necessary or appropriate.

**12** The Board may inform itself of any matter which it considers relevant to an application before it in any manner it thinks appropriate, but the Board shall not determine an application adversely to an applicant on material not supplied by the applicant without first giving notice of the material to the applicant.

## **13**

- (1) Subject to the provisions of the Act, the Board, the Legal Qualifications Committee or the Examinations Committee may, in circumstances which it regards as sufficiently special and upon such conditions as it thinks fit, relax any of these Rules.
- (2) An application for relaxation of the Rules shall be made through the Executive Officer not less than 14 days before the meeting at which the application is to be considered.
- (3) Without derogating from the generality of sub-rule (1), the Board may relax any of the rules relating to the registration as a student-at-law.
- (4) An application for relaxation of any of the rules relating to students-at-law may be made together with a corresponding application for registration.

## **14**

- (1) Every applicant for registration as a student-at law shall, if required by the Board, provide answers to such questions as the Board may put relating to his or her conduct, and shall if required attend the Board for the purpose of providing further explanations.
- (2) If an applicant fails to provide answers within one month of being required to do so, or fails to attend the Board as required, the Board may, without further notice, refuse the application.

## **Part 3 Legal Qualifications Committee**

**15** The Legal Qualifications Committee is hereby constituted to superintend the qualification of candidates for admission and to advise the Board in relation to the accreditation of academic and practical training courses.

## **16**

- (1) The Legal Qualifications Committee shall consist of the following persons:
  - (a) three Judges nominated by the Chief Justice,

- (b) three Barristers nominated by the Bar Council,
  - (c) three Solicitors nominated by the Law Society Council, and
  - (d) three Professors of Law or full-time Law Lecturers nominated by the Committee of NSW Law Deans.
- (2) The Legal Qualifications Committee may, by co-option, appoint up to three further members being persons who are or have been Judges, Barristers, Solicitors, Legal Practitioners, Lawyers, Professors of Law or full-time Law Lecturers.
  - (3) The person or body responsible for an appointment or nomination under this rule may vary that appointment or nomination.

**17** Nominations under rule 16 shall be made to the Executive Officer.

**18**

- (1) The term of office of a member of the Legal Qualifications Committee shall normally be from 1 July of an even numbered year to 30 June of the next even numbered year.
- (2) All positions become vacant on 30 June of an even numbered year.
- (3) Members may be re-nominated for subsequent terms.

**19**

- (1) The Chief Justice may from time to time nominate:
  - (a) as Chairperson of the Legal Qualifications Committee a Judge appointed under rule 16 (1) (a), and
  - (b) a Deputy Chairperson to exercise all the powers of the Chairperson when the Chairperson is absent.
- (2) In the absence of both the Chairperson and Deputy Chairperson, the committee may elect a member to act as Chairperson during that absence.

**rule 19: Am 2024 (NSW Admission Board First Amendment Rule 2024), rule 3(1)**

**20** The Executive Officer shall be the Executive Officer of the Legal Qualifications Committee.

**21** Five members shall constitute a quorum of the Legal Qualifications Committee.

**22** The Legal Qualifications Committee shall appoint an Academic Exemptions Sub-Committee of up to three members to determine applications under Uniform Rules 11(1), 5(2) and rule 97.

**23** The Legal Qualifications Committee shall appoint a Practical Training Exemptions Sub-Committee of up to three members to determine applications under Uniform Rules 11(2), 6(4) and rule 98.

**23A** The Legal Qualifications Committee may also, with the consent of the Executive Officer, appoint one or more members of staff of the Board (including the Executive Officer) as members of any Academic Exemptions Sub-Committee or Practical

## Training Exemptions Sub-Committee.

**rule 23A:** Ins. 2024 (NSW Admission Board Seventh Amendment Rule 2024), r.3

- 24** The Legal Qualifications Committee shall appoint an Accreditation Sub-Committee of up to three members to make recommendations relating to the recognition and accreditation of courses under Uniform Rules 7 and 8.
- 25** The Legal Qualifications Committee may delegate to its Chairperson, a member, several members, the Executive Officer or any combination of the foregoing the making of a decision or decisions on any matter or class of matters, provided always that a person aggrieved by a decision of a delegate on any matter may apply for a reconsideration of the matter by the Legal Qualifications Committee.
- 26** The Legal Qualifications Committee is accountable to the Board and shall report to the Board at least once in each calendar year as to its activities, including in its report any proposals the Committee may wish to make about the Rules, procedures or other matters relating to the Committee's work.

### **Part 3A Examinations Committee**

**27** The Examinations Committee is hereby constituted to oversee the content and conduct of the Board's examinations and the candidatures of students-at-law.

#### **27A**

- (1) The Examinations Committee shall consist of the following persons:
- (a) two Judges nominated by the Chief Justice,
  - (b) one Barrister nominated by the Bar Council,
  - (c) one Solicitor nominated by the Law Society Council,
  - (d) the Director of the Law Extension Committee, and
  - (e) two Examiners appointed by the Chairperson of the Examinations Committee.
- (2) The Examinations Committee may, by co-option, appoint up to two further members being persons who are or have been Judges, Barristers, Solicitors, Legal Practitioners, Lawyers, Professors of Law or full-time Law Lecturers.
- (3) The person or body responsible for an appointment or nomination under this rule may vary that appointment or nomination.

**27B** Nominations under rule 27A shall be made to the Executive Officer.

#### **27C**

- (1) The term of office of a member of the Examinations Committee shall normally be from 1 July of an even numbered year to 30 June of the next even numbered year.
- (2) All positions become vacant on 30 June of an even numbered year.

(3) Members may be re-nominated for subsequent terms.

**27D** The Chief Justice may from time to time nominate:

- (a) as Chairperson of the Examinations Committee a Judge appointed under rule 27A (1) (a), and
  - (b) a Deputy Chairperson to exercise all the powers of the Chairperson when the Chairperson is absent.
- (4) In the absence of both the Chairperson and Deputy Chairperson, the committee may elect a member to act as Chairperson during that absence.

rule 27D: Am 2024 (NSW Admission Board First Amendment Rule 2024), rule 3(2)

**27E** The Executive Officer shall be the Executive Officer of the Examinations Committee.

**27F** Four members shall constitute a quorum of the Examinations Committee.

**27G** The Examinations Committee shall appoint a Performance Review Sub-Committee of up to three members to determine applications under rule 67.

**27H** The Examinations Committee shall appoint a Curriculum Sub-Committee of up to three members:

- (a) to plan and periodically review, in consultation with Examiners and Revising Examiners, the curriculum and syllabi for the Board's examinations, and
- (b) to prescribe materials on which the Board's examinations may be set.

**27I** The Examinations Committee shall appoint a Quality Sub-Committee of up to three members to oversee the quality of the Board's examinations and the marking of examination papers.

**27J**

- (1) The Examinations Committee shall in the name of the Board appoint such Examiners and Revising Examiners as are required to set and mark the Board's examinations.
- (2) Every appointment under sub-rule (1) shall, unless otherwise specified, be for a single examination period.
- (3) The Examinations Committee may delegate to its Chairperson, a member, several members, the Executive Officer or any combination of the foregoing the making of a decision on any particular matter or class of matters, provided always that a person aggrieved by a decision of a delegate on any matter may apply for a reconsideration of the matter by the Examinations Committee.

**27K** The Examinations Committee is accountable to the Board and shall report to the

Board at least once in each calendar year as to its activities, including in its report any proposals the Committee may wish to make about the Rules, procedures or other matters relating to the Committee's work.

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#### **Part 4 Students-at-law**

**28** An application for registration as a student-at-law shall be in a form approved by the Board.

**29** A person is eligible to apply for registration as a student-at-law if he or she intends to remain in Australia during the whole of his or her candidature for the Board's examinations and:

- (a) has passed the Special Tertiary Admissions Test (STAT MC or STAT T) with a mark of 149 or above,
- (b) is a graduate,
- (c) has completed the NSW Higher School Certificate achieving the levels set out in the following table:
- (d)

<b>Years</b>	<b>Minimum Level</b>	<b>Minimum English mark calculated as an average of HSC examination and assessment marks</b>	
Before 1986	Aggregate of 253	2 Unit General/2 Unit A	60
		2 Unit	53
1986–1990	TES of 253	2 Unit General	60
		2 Unit	53
1990–1999	TER of 50	2 Unit Contemporary	60
		2 Unit Related/General	53
<b>1999–2000</b>	<b>UAI of 66</b>	2 Unit Contemporary	60
		2 Unit Related/General	53
2001–2008	UAI of 66	Standard/Advanced	60
		ESL	70
2009–	ATAR of 68.90	Standard/Advanced	60
		ESL	70

- (e) has completed the equivalent of the NSW Higher School Certificate examination in
- (f) Australia or New Zealand, achieving a level equivalent to one of the levels set out in the table in paragraph (c),
- (g) holds a Graduate Certificate/Vocational Graduate Certificate, Graduate Diploma/Vocational Graduate Diploma, an associate degree, advanced diploma, diploma, or associate diploma from an Australian university or TAFE college,
- (h) has passed the International Baccalaureate examination with a result of 30 points or more and a result in English A of at least 4 points at the Higher Level or 5 points at the Standard level,
- (i) has been admitted to candidature for a degree in an Australian or New Zealand university,
- (j) has qualified in a TAFE college or elsewhere for the award of a Certificate III or Certificate IV as assessed by the Australian Qualifications Framework,
- (k) has gained qualifications outside Australia equivalent to a Diploma, Advanced Diploma, Certificate III or Certificate IV,
- (l) has been employed as a paralegal or a legal secretary undertaking actual legal work under supervision for at least three years, or
- (m) has been or is either a police officer or a registered nurse who has passed examinations in either of those professions.

### **30**

- (1) Subject to sub-rules (2) and (4), where the Board is satisfied that an applicant for registration as a student-at-law is eligible for registration it shall register the applicant as a student-at-law.
- (2) The Board may refuse to register an applicant if it is not satisfied that he or she is of good fame and character and otherwise suitable for registration.
- (3) In considering whether an applicant is suitable for registration, the Board may have regard to matters set out in Uniform Rule 10.
- (4) The Board may refuse to register an applicant if it is not satisfied that the applicant intends to reside in Australia during his or her candidature for the Board's examinations.

### **31**

- (1) The Executive Officer shall notify an applicant for registration as a student-at-law of the outcome of his or her application as soon as practicable after the meeting at which the application is considered.
- (2) If the Board refuses to register an applicant, he or she may ask the Board to give reasons for the refusal.
- (3) An applicant who is aggrieved by a refusal of an application may ask the Board to reconsider the application, and may request an oral hearing before a committee of the Board.

### **32–36 (Repealed)**

### **Part 5 (Repealed)**

### **Part 6 (Repealed)**



## **Part 7 Examinations**

**46** The Board's Examinations shall be held twice each year at such places and times as the Board shall appoint.

**47** Only students-at-law shall sit for the Board's Examinations.

### **48–52 (Repealed)**

**53** The Board's examinations are:

(a) the following subjects:

Legal Institutions

Contracts  
Torts  
Criminal Law and Procedure  
Real Property  
Australian Constitutional Law  
Equity  
Commercial Transactions  
Administrative Law  
Law of Associations  
Evidence  
Taxation and Revenue Law  
Succession  
Conveyancing  
Practice and Procedure  
Legal Ethics  
Jurisprudence

(b) three of the following subjects:

Insolvency  
Conflict of Laws  
Family Law  
Local Government and Planning  
Industrial Law  
Intellectual Property Law  
Public International Law  
Competition and Consumer Law  
Understanding Legal Language and Legislation

## **54**

(1) The Examinations Committee may recommend to the Board:

- (a) a variation of the list of examinations and subjects set out in rule 53,
- (b) a variation in the order in which the subjects are to be taken, and
- (c) any transitional arrangements which may be necessary to accommodate a variation of the subjects or the order in which they are taken.

- (2) The Board may approve a recommendation under sub-rule (1), with or without amendment, refuse to approve the recommendation, or remit it to the Examinations Committee for further consideration.

**55** Upon the Board accepting a recommendation under rule 54, the list of examinations shall be deemed varied as and from the next set of examinations, without the necessity for any amendment of rule 53, and thereafter the examinations as varied shall constitute the Board's examinations.

## **56, 57 (Repealed)**

### **58**

- (1) No student-at-law whose application for registration as a student-at-law is lodged later than 1 March in any year shall sit for the Legal Institutions examination in September of that year.
- (2) No student-at-law whose application for registration as a student-at-law is lodged later than 1 September in any year shall sit for the Legal Institutions examination in March of the succeeding year.

### **59**

- (1) A student-at-law who has not passed the examinations in or been credited with or exempted from at least 11 subjects must sit for the examinations in the order in which they appear in rule 53 or in any variation thereof under rule 55.
- (2) A student-at-law who has passed the examinations in or been credited with or exempted from at least 11 subjects may sit for the examinations in the remaining subjects in any order.
- (3) A student-at-law must not, at any one sitting, sit for examination in more than two subjects until he or she has passed or been credited with or exempted from eight compulsory subjects after which he or she may not, at any one sitting, sit for examination in more than three subjects.
- (4) The Executive Officer or the Examinations Committee may, in circumstances which it, he or she regards as sufficiently special and upon such conditions as it, he or she thinks fit, relax this rule.
- (5) A person aggrieved by a determination of the Executive Officer may, within one month of being given notice of the determination or within such extended time as the Examinations Committee may allow, apply to the Examinations Committee for a review of the determination.
- (6) A person aggrieved by a determination of the Examinations Committee may, within one month of being given notice of the determination or within such extended time as the Board may allow, apply to the Board for a review of the determination.

**rule 59:** Am 2024 (NSW Admission Board Second Amendment Rule 2024), r.3 (1)

**rule 59(1):** Am 2024 (NSW Admission Board Sixth Amendment Rule 2024), r.3 (1)

## 60

- (1) A person desirous of proceeding to any examination or examinations under these Rules (in this and succeeding rules referred to as *the candidate*) shall make an application to the Board for enrolment in accordance with the procedures and within the times set out on the Board's website for the session in which they intend to proceed.
- (2) The candidate shall enrol for the examination or examinations and at the same time for the corresponding course or courses of instruction conducted by the Law Extension Committee.
- (3) At the time of enrolling, the candidate shall pay to the Board the examination fee and also such fees for the courses of instruction conducted by the Law Extension Committee as have been fixed from time to time by the University of Sydney.

**rule 60(1):** Am 2024 (NSW Admission Board Sixth Amendment Rule 2024), r.3 (2)

## 61

- (1) Subject to sub-rule (2), the Board's examinations may be undertaken only at the examination centres and at the dates and times set out on the Board's website.
- (2) The Examinations Committee may, in circumstances which it regards as sufficiently special and upon such conditions as it thinks fit, permit a candidate to undertake an examination at an alternative centre or date and time.

**rule 61:** Am 2024 (NSW Admission Board Sixth Amendment Rule 2024), r.3 (3)

## 62 (Repealed)

**63** If the Board determines not to hold an examination at a country centre, the candidates who desired to sit for the examination at that centre shall be notified in time to enable them to sit for the examination in Sydney or at such other country centre as the Board may determine.

**63A** A candidate who has enrolled for and undertaken a course of instruction in a subject of examination conducted by the Law Extension Committee and who has completed the requirements of the course may sit for the examination in that subject unless the Law Extension Committee notifies the candidate and the Examinations Committee prior to the examination that the candidate has not completed the requirements of the course to the satisfaction of the Law Extension Committee.

**64** Subject to rule 67, any candidate who, without prior leave of the Examinations Committee, fails to sit for examination in at least two subjects in any two successive sessions shall be excluded from taking any further examination prescribed by these Rules.

**65** Subject to rule 67, a candidate who has passed the examinations in all subjects except one and fails to sit for examination in the remaining subject at least once in any two successive sessions shall be excluded from taking any further examination in the remaining subject.

**66** Subject to rule 67, a candidate who fails any subject a second time shall be excluded from taking any further examination prescribed by these Rules.

#### **66A**

- (1) Subject to rule 67, a candidate who has not completed the examinations prescribed in rule 53 within 10 years of enrolling in their first subject shall be excluded from taking any further examination prescribed by these Rules.

rule 66A: Am 2024 (NSW Admission Board Fifth Amendment Rule 2024), r.3(1)

#### **67**

- (1) A person excluded by rule 64, rule 65 or rule 66 may apply to the Examinations Committee for a relaxation of the Rules.
- (2) (omitted)
- (3) The Executive Officer may, in circumstances which he or she regards as sufficiently special and upon such conditions as he or she things fit, relax rule 64, rule 65, rule 66 or rule 66A.

Note: A candidate may apply for review under rule 71.

rule 67 (3): Am 2024 (NSW Admission Board Amendment Rule 2023), r.3(2)

#### **68–70 (Repealed)**

#### **71**

- (1) A person aggrieved by a determination of the Performance Review Sub-Committee or the Executive Officer under rule 67 may, within one month of being given notice of the determination or within such extended time as the Examinations Committee may allow, apply to the Examinations Committee for a review of the determination.
- (2) A person aggrieved by a determination of the Examinations Committee under sub-rule (1) may, within one month of being given notice of the determination or within such extended time as the Board may allow, apply to the Board for a review of the determination.

#### **72–76 (Repealed)**

**77** The Examinations Committee may refer to the Board any matter relating to the examinations.

**78** The Examinations Committee may, in circumstances which it regards as sufficiently special and upon such conditions as it thinks fit, grant:

- (a) exemption from any examination prescribed by these Rules, or
- (b) exemption from any of the requirements of this Part.

#### **78A**

- (1) The Board may award academic prizes to candidates in respect of their performance in the Board's examinations.

- (2) The terms and conditions of each prize shall be determined by the Board.

## **Part 8 Certificates**

### **79**

- (1) Upon request and upon payment of the prescribed fee, the Executive Officer may issue the following certificates:
- (a) a certificate of registration as a student-at-law,
  - (b) a certificate of current admission,
  - (c) a certificate of academic record.

### **80**

- (1) Subject to sub-rule (2), a person who has passed the Board's examinations save those from which he or she has been exempted, is entitled to receive from the Board a certificate entitled "Diploma in Law".
- (2) No person is entitled to receive the Diploma if he or she has sat for and passed fewer than half of the Board's examinations.
- (3) Subject to sub-rule (4), no charge shall be made for the issue of a Diploma.
- (4) A person who wishes to receive from the Board a Diploma to which he or she is entitled on account of examinations completed more than one year before making application for that Diploma, shall pay to the Board the fee prescribed in the Third Schedule for original diplomas and certificates.
- (5) Upon receipt of a Diploma in Law, the person named therein shall be entitled to adopt the description of the holder of that Diploma, and shall be entitled to use the post-nominal "DipLaw".

**81** A student-at-law who is awarded an academic prize by the Board is entitled to receive from the Board a certificate relating to that prize.

## **Part 9 Discipline**

**82** The Examinations Committee and the Law Extension Committee shall be vigilant to detect any cases of cheating in examinations or in home assignments (in this Part referred to as academic misconduct).

### **83**

- (1) Where an allegation of academic misconduct is made against a student-at-law, the Executive Officer shall, unless he or she is of the view that the allegation is frivolous, put the allegation to the student-at-law and request the student-at-law to show cause in writing within 14 days why he or she should not be dealt with under rule 84.
- (2) The Executive Officer shall refer the allegation, and any response by the student-at-law, to the Examinations Committee.

### **84**

- (1) The Committee shall consider any allegation of academic misconduct referred to it by the Executive Officer, and any response by the student-at-law, and may decide:
- (a) that the allegation is not substantiated,

- (b) that the allegation is substantiated, but that no action should be taken in respect of the allegation, or
- (c) that an oral hearing should be held in respect of the allegation.
- (2) Where the Examinations Committee decides that an oral hearing should be held, the procedure for the hearing shall be as close as practicable to the procedure set out in Part 10.
- (3) The Examinations Committee may, after considering the allegation, any response of the student-at-law, and any report of a hearing committee, decide:
  - (a) that the allegation is not substantiated,
  - (b) that the allegation is substantiated but that no action should be taken in respect of the allegation, or
  - (c) that the allegation is substantiated and:
    - (ca) that the student-at-law be admonished or reprimanded,
    - (cb) that the student-at-law be refused admission to further examinations for a defined period, or
    - (cc) that the matter be reported to the Board.

**85** Upon any matter coming before the Board under rule 84 (3) (c) (cc), the Board may decide:

- (a) that no action be taken,
- (b) that the student-at-law be admonished or reprimanded,
- (c) that the student-at-law be refused admission to further examinations for a defined period, or
- (d) that the registration of the student as a student-at-law be cancelled.

**86** A student-at-law aggrieved by a decision of the Examinations Committee under rule 84 (3) (c) (ca) or rule 84 (3) (c) (cb) may apply to the Board for a review of the decision.

## **87**

- (1) Where an allegation of misconduct, not being academic misconduct under rule 82, is made against a student-at-law, the Executive Officer shall, unless he or she is of the view that the allegation is frivolous, put the allegation to the student-at-law and request the student-at-law to show cause in writing within 14 days why he or she should not be dealt with under rule 88.
- (2) The Executive Officer shall refer the allegation, and any response by the student-at-law, to the Board.

## **88**

- (1) The Board shall consider any allegation of misconduct referred to it by the Executive Officer under rule 87 (2), and any response by the student-at-law, and may decide:
  - (a) that the allegation is not substantiated,
  - (b) that the allegation is substantiated, but that no action should be taken in respect of the allegation, or
  - (c) that an oral hearing should be held in respect of the allegation.
- (2) Where the Board decides that an oral hearing should be held, the procedure for the hearing shall be as close as practicable to the procedure set out in Part 10.
- (3) Where an oral hearing is held, the Board may, after considering the allegation, any response of the student-at-law, and any report of a hearing committee, decide:
  - (a) that the allegation is not substantiated,

- (b) that the allegation is substantiated but that no action should be taken in respect of the allegation, or
- (c) that the allegation is substantiated and:
  - (ca) that the student-at-law be admonished or reprimanded, or
  - (cb) that the registration of the student as a student-at-law be cancelled.

## **Part 10 Hearings**

**89** Whenever the Board considers that an oral hearing of any matter before it is necessary or desirable, or where an oral hearing is requested under rule 31 (3), the President shall convene a hearing committee unless he or she considers that the hearing should be before the whole Board.

### **90**

- (1) A hearing committee shall consist of one or more members nominated by the President.
- (2) Where more than one person is nominated, the President shall also nominate a Chairperson.

### **91**

- (1) The Chairperson of a hearing committee, or the sole member thereof, shall notify the applicant and all other persons entitled to participate in the hearing of the time and place of a preliminary conference at which directions will be given with respect to the hearing.
- (2) At the preliminary conference the Chairperson, or sole member of the hearing committee, shall give such directions as to the conduct of the oral hearing as he or she considers just.

### **92 (Repealed)**

### **93**

- (1) The Chairperson or sole member of a hearing committee shall report to the Board in respect of the oral hearing.
- (2) The Board shall not finalise its consideration of the matter to which the hearing relates before receiving the report of the hearing committee.

## **Part 11 Exemptions**

### **94 – 96 (Repealed)**

### **97**

- (1) Subject to subrule (7), a person who is not eligible to apply for a direction under the Uniform Rules, rule 11 may apply under this rule to the Legal Qualifications Committee for exemption from some or all of the examinations set out in rule 53.
- (2) Where a person has received a direction under Uniform Rule 11 (whether in New South Wales or elsewhere), the Executive Officer shall permit the applicant to sit the Board's subjects that equate to the directions made, and in the case of doubt in

respect of a subject or subjects, may refer that to the Board, or to the relevant committee or sub-committee for resolution.

- (3) A person with permission under subrule (2) is deemed to be exempted from examination in the balance of the subjects.
- (4) Where a person is not eligible to apply for a direction under Uniform Rule 11, the Academic Exemptions Sub-Committee may exempt that person from undertaking any examination referred to in rule 53 if it is satisfied, having regard to the person's studies, academic qualifications, the system of law applicable in the jurisdiction in which the person obtained those qualifications, the nature and extent of the person's experience and the person's performance in any task set by the Sub-Committee, that the person ought not be required to undertake that examination.
- (5) The Academic Exemptions Sub-Committee may grant exemptions to a person pursuant to sub-rule (4) upon the person making an application or request under this rule or the Uniform Rules.
- (6) The Academic Exemptions Sub-Committee may grant exemptions to a person pursuant to sub-rule (4) on such conditions as it thinks fit.
- (7) Notwithstanding sub-rule (1), no student-at-law shall apply under this rule for any exemption arising from studies which the student-at-law has undertaken after registering as a student-at-law unless –
  - (a) the student-at-law has obtained the prior approval of the Legal Qualifications Committee to undertake those studies, or
  - (b) the Legal Qualifications Committee has allowed the application in the special circumstances of the case.
- (8) An application for exemption under this rule or the Uniform Rules, rules 5(2) or 11(1) shall be in a form approved by the Board.
- (9) A person aggrieved by a determination of the Executive Officer or the Academic Exemptions Sub-Committee under this rule may, within one month of the making of the determination, or within such extended time as the Legal Qualifications Committee may allow, request the Legal Qualifications Committee to review the determination.
- (10) A request for review under this rule shall be in a form approved by the Board.

rule 97: Am 2024 (NSW Admission Board Third Amendment Rule 2024), r.3(1)

rule 97(1): Am 2024 (NSW Admission Board Sixth Amendment Rule 2024), r.3(4)

rule 97(5) and (6): Am 2024 (NSW Admission Board Sixth Amendment Rule 2024), r.3(5)

rule 97(7): Am 2024 (NSW Admission Board Sixth Amendment Rule 2024), r.3(6)

rule 97(8): Am 2024 (NSW Admission Board Sixth Amendment Rule 2024), r.3(7)



## 98

- (1) A person who falls within one of the categories set out in sub-rule (2) may apply to the Practical Training Exemptions Sub-Committee for exemption from practical training from some or all of the competencies set out in schedule 2 of the Uniform Rules.
- (2) The categories referred to in sub-rule (1) are:
  - (a) persons referred to Uniform Rule 6(4),
  - (b) persons referred to Uniform Rule 11(2),
  - (c) persons who have attained the age of 30 years, and have completed either seven years' service as a New South Wales government, or government related, employee performing legal services, or 15 years' service in courts administration in New South Wales.
- (3) The Practical Training Exemptions Sub-Committee may
  - (a) grant exemptions to a person upon the person making an application or request under this rule, and
  - (b) grant the exemption on such conditions as it thinks fit.
- (4) A person aggrieved by a determination of the Practical Training Exemptions Sub-Committee under this rule may, within one month of the making of the determination, or within such extended time as the Legal Qualifications Committee may allow, request the Legal Qualifications Committee to review the determination.

rule 98: Am 2024 (NSW Admission Board Third Amendment Rule 2024), r.3(2)

rule 98 (3) & (4): Am 2024 (NSW Admission Board Sixth Amendment Rule 2024), r.3(8)

## **Part 11B (Repealed)**

## **Part 12 Fees**

### **109**

- (1) The fees to be charged for applications and services are those set out in the Third Schedule.
- (2) Once in each calendar year the Board shall review the fees to be charged.
- (3) Where the Board varies the fees to be charged, the Third Schedule is amended accordingly.

### **110–112**

### **113**

- (1) A person may apply to the Board for the waiver of any fee payable under these Rules, other than a fee payable under rule 60 (3) in respect of courses of instruction conducted by the Law Extension Committee.
- (2) No fee is payable in respect of an application under this rule.

## **Part 13 Transitional**

### **113A**

- (1) Each of the following bodies or persons shall continue in office under these Rules:
  - (a) the Legal Qualifications Committee and the Examinations Committee constituted under the *Legal Profession Admission Rules 2005*,
  - (b) the Academic Exemptions Sub-Committee, the Practical Training Exemptions Sub-Committee, the Accreditation Sub-Committee, the Curriculum Sub-Committee and the Quality Committee appointed under the *Legal Profession Admission Rules 2005*,
  - (c) the Executive Officer appointed under the *Legal Profession Admission Rules 2005*,
- (2) The Board and each of the bodies and persons referred to in sub-rule (1) shall carry out their duties in such a way as to ensure, as far as practicable, that there is a smooth transition from the operations of the Legal Profession Admission Board under the *Legal Profession Admission Rules 2005* to those of the Legal Profession Admission Board under the *NSW Admission Board Rules 2015*.

### **114**

- (1) A student-at-law who has passed an examination under the *Barristers and Solicitors New Examination Rules*, the *Barristers and Solicitors Admission Rules 1989* the *Legal Practitioners Admission Rules 1994* or the *Legal Profession Admission Rules 2005* shall be deemed to have passed the corresponding subject in the Board's examinations.
- (2) A student-at-law who has passed or been credited with the examination in Preliminary before 1 May 1993 shall be deemed to have passed the examination in Legal Institutions and one of the examinations referred to in rule 53 (b).

## 115

- (1) Any person who considers that he or she has suffered special prejudice as a result of the taking effect of these Rules may apply to the Board for relief from such special prejudice.
- (2) The Board may in its discretion grant any application under this rule unconditionally, or on such conditions as it considers appropriate.

## Part 14 Miscellaneous

**116** Where these Rules provide that an application shall be in a particular form, the form referred to is published on the Board's website.

**117** An application under these rules shall not be made to the Board, the Legal Qualifications Committee or the Examinations Committee unless the application has attached to it all necessary supporting material and is accompanied by the prescribed fee.

**118** The Board may delegate to the President, a member, several members, the Executive Officer or any combination of the foregoing the making of a decision on any matter or class of matters, provided always that a person aggrieved by a decision of a delegate on any matter may apply to the Board for a reconsideration of the matter.

## Schedules

### First Schedule (Repealed)

### Second Schedule (Repealed)

### Third Schedule

Table of fees effective 1 July 2024	
<b>Admission as a Lawyer</b>	
Application for Admission as a Lawyer (Form 10 or Form 11) (includes free certificate of admission)	\$950
Certificate of Current Admission	\$110
Replacement of original Certificate of Admission	\$210
Application to change ceremony date	\$110
Application for Re-Admission as a Lawyer (Form 12)	\$1,560
Section 21 application (early assessment of suitability)	\$460
Other application/certificate – Admission	\$110

<b>Diploma-in-Law</b>	
Application for registration as a student (Form 1)	\$330
Enrolment fee (per subject, including tuition & examination)	\$1089
Student Course Application (for relaxation of a progression rule)	\$110
Rule 67 application	\$110
Rule 71(2) application	\$110
Application for Online Examination	\$210
Examination in unscheduled location in a single examination period, where permitted: NSW first subject/additional subject	\$350/260
Elsewhere in Australia first subject/additional subject	\$460/300
Interview with Examiner (per subject)	\$200
Academic Transcript	\$59
Replacement of original Diploma certificate	\$210
Late application - Diploma-in-law	\$110
Other application/certificate - Diploma-in-law	\$110
<b>Other services/applications</b>	
Application for assessment of academic qualification (Form A1-A3)	\$355
Application for assessment of PLT qualifications (Form P1-P3)	\$355
Application for review of decision of AESC or PLT sub-committee (Form R1/R2)	\$355
Application for early commencement of PLT	\$110
Application for extension of period of validity	\$110
Application for exemption from IELTS requirements	\$110
Skills Assessment letter	\$110
Qualification in law satisfies NSW admission requirements (original academic transcript required)	\$110
Late application	\$110
For services not listed in this table	\$110
Dishonour fee	\$40

**Schedule 3:** Am 2024 (NSW Admission Board Fourth Amendment Rule 2024), r.3  
Am 2024 (NSW Admission Board Amendment (Fees) Rule 2024), r.3 commencing 1 July 2024 with  
Erratum published 5 July 2024

**Fourth Schedule (Repealed)**  
**Fifth Schedule (Repealed)**  
**Sixth Schedule (Repealed)**