

NSW Admission Board Sixth Amendment Rule 2024

under the

Legal Profession Uniform Law Application Act 2014

The Legal Profession Admission Board made the following rule under the Legal Profession Uniform Law Application Act 2014 on 18 June 2024.

Jerry Riznyczok
Executive Officer of the Board

Explanatory note

The object of this rule is to amend the NSW Admission Board Rules 2015 to remove any reference to the Course Information Handbook, to specify that information on examination centres and examination dates and times is on the Board's website and to correct various typographical errors in the Rules.

1 Name of Rule

This Rule is the NSW Admission Board Sixth Amendment Rule 2024.

2 Commencement

This Rule commences 28 June 2024.

3 Amendment of NSW Admission Board Rules 2015

(1) Rule 59 (1) – Progression rule

Omit the sub-rule. Insert instead:

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) Rule 60 (1) – Enrolment to proceed in examination or examinations

Omit the sub-rule. Insert instead:

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.

- (3) Rule 61– Location and time of examination or examinations

Omit the rule. Insert instead:

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.

- (4) Rule 97 (1) – Persons eligible to make application under rule 97

Omit the sub-rule. Insert instead:

97

- (1) Subject to sub-rule (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.

- (5) Rule 97 (5) and (6) - Persons who may grant exemptions under Subrule 97 (4)

Omit the sub-rules. Insert instead:

- (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.

- (6) Rule 97 (7) - Requirement for students-at-law to obtain prior approval to undertake examinations other than with Board

Omit the sub-rule. Insert instead:

- (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.

- (7) Rule 97 (8) - Manner in which applications for exemptions are made

Omit the sub-rule. Insert instead:

- (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.

- (8) Rule 98 (3) - Practical Training exemptions

Omit sub-rule (3). Insert instead:

- (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.