



Applying for relaxation of the Progression Rules

Fact Sheet

Read this before applying

This Fact Sheet sets out what to expect if you apply for relaxation of the Progression Rules.¹

Read this fact sheet carefully, before you lodge an application. Not all applications are approved, and there is no refund of the application fee if your application is unsuccessful.

What are the Progression Rules?

In the LPAB's Diploma in Law Course, there are Progression Rules which determine:

- the order in which students take subjects, and
- a student's maximum study load per semester.

In summary, the Rules require a student to study:

- each subject in the order prescribed by the Rules, until the student has passed (or been exempted) from at least 11 subjects, and
- no more than 2 subjects per semester, until the student has passed (or been exempted from) 8 compulsory subjects, and
- after that, no more than 3 subjects per semester, for the rest of the Course.

These Rules are called the Progression Rules.

The purpose of these Rules is to ensure that:

- students acquire knowledge in the foundation subjects of Australian law before progressing to other subjects
- knowledge acquired by students is properly embedded through repeated use and revision over an appropriate period of time.

The learning of other students can also be adversely affected if one or more students attending lectures for a subject do not have the same foundation of knowledge as the rest.

Can the Rules be relaxed?

Yes, the Progression Rules can be relaxed for a particular student, but:

- there **must be special circumstances** to justify any such relaxation, and
- conditions may be imposed on any relaxation that is granted.

To apply for relaxation, you must submit a completed Student Course Application form, and pay the prescribed fee. The form can be downloaded from www.lpab.justice.nsw.gov.au

An application is made pursuant to Rule 59(4).

Each application will be assessed according to its merits, and on a case-by-case basis. This Fact Sheet outlines:

- the factors which the LPAB takes into account in determining applications, and
- the circumstances which are (or are not) generally considered sufficiently special to justify relaxation of the progression rules.

Can I study subjects 'out of order'?

The LPAB will rarely approve 'out of order' study in any of the subjects numbered 01 through 07. This is because that subject order is essential to building a foundation of knowledge in a logical sequence.

Successful applications for 'out of order' study will generally be able to demonstrate:

- significant prior study of, or exposure to, the relevant area(s) of the law to be studied 'out of order', and/or
- other special circumstances that would clearly negate any potential adverse learning outcomes from studying 'out of order'.



The following are examples of circumstances that will generally *not* be considered sufficiently special in order to justify relaxation of the prescribed order of study:

- exam timetable clashes
- work commitments or needs
- personal preferences.

Can I increase my study load?

An increase in study load above what is prescribed in the Rules is known as 'accelerated progression'. Generally, before the LPAB will approve such an increase, a student should:

- have passed subject 04 (Contracts), and
- be achieving at an average of 'Pass with Merit' level or higher.

Successful applicants must also be able to demonstrate that their personal circumstances (such as any work, family and other commitments) will allow them sufficient free time to undertake the proposed additional study load effectively.

Even where 'accelerated progression' is approved, it will usually be limited to no more than one additional subject per semester.

Students should be aware that, due to the nature and structure of the Board's Course, a study load of just 2 subjects in one semester represents a significant and challenging workload, particularly in the early stages of the Course.

Is there a limit to accelerated study?

Yes. The LPAB will not approve any application for 'accelerated progression' which would enable the applicant to complete all 20 subjects of the Diploma Course in less than 3 calendar years.

In effect, this means that no student who is taking all 20 subjects will be permitted to increase their study load by more than:

- an *average* of 1 'accelerated' subject per semester, or
- a *total* of 6 'accelerated' subjects over the entire Course.

What if I fail a subject, or do not sit?

If a student receives a Fail or DNS (Did Not Sit) result, the LPAB will be unlikely to approve an application in the next semester for the student to study out of order or accelerate progression.

It is expected that students will repeat the Failed/DNS subject successfully before enrolling beyond that subject and the subsequent subject (or, in the case of a student who has passed or been exempted from 8 compulsory subjects, beyond the subsequent 2 subjects).

Students will not be permitted to study subjects out of order in such a way as to defer re-enrolling in the Failed/DNS subject for more than one semester.

What about other circumstances?

The Progression Rules may be relaxed in circumstances which the LPAB regards as 'sufficiently special'. Determinations about what constitutes special circumstances will be guided by the approach outlined in this Fact Sheet.

Where a particular set of circumstances is not specifically covered by this Fact Sheet, the LPAB may still regard them as 'sufficiently special' and relax a Progression Rule provided there is:

- a compelling reason to do so, supported by relevant evidence, and
- unlikely to be any potential adverse impact on learning outcomes.

Useful links

LPAB website www.lpab.justice.nsw.gov.au

[Course Information Handbook](#)

[NSW Admission Board Rules 2015](#)

[Events and Deadlines Calendar](#)

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Disclaimer: This Fact Sheet is intended only as a general guide about the factors which the LPAB will take into account when determining a Student Course Application. It does not alter or override the NSW Admission Board Rules 2015 and does not bind the LPAB or its delegates in the exercise of their discretion to determine what does or does not constitute 'special circumstances'.

¹ See Rule 59 of the NSW Admission Board Rules 2015.