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| Legal Profession  Admission Board | **What to expect when seeking**  **academic exemptions**  under Rule 11, Legal Profession Uniform Admission Rules 2015, under Rule 97, NSW Admission Board Rules 2015 or where an accredited course was completed more than five years ago |

**INTRODUCTION**

This fact sheet outlines the relevance of the academic assessment process, how the process works, and provides a general guide about what to expect in terms of outcomes from the process.

**Overseas studies assessments**

If you have overseas law or law-related studies and you wish to seek credit for those studies towards the NSW academic requirements for admission as a lawyer, you need to apply for an academic assessment of those studies before you apply for admission.

You should use the form titled ‘A1 - Application for assessment of academic

qualifications', which is available at [www.lpab.justice.nsw.gov.au/Pages/forms-fees/assessment-skills-qualifications-forms.aspx](http://www.lpab.justice.nsw.gov.au/Pages/forms-fees/assessment-skills-qualifications-forms.aspx), and pay the prescribed fee.

**Board course assessments**

If you have Australian law or law-related studies, and you wish to seek credit for those studies towards the requirements of the Board's course (lec.sydney.edu.au/), you can apply for an academic assessment of those studies.

You should use the form titled ‘A3 - Application for assessment of academic qualifications – incomplete or unaccredited qualifications, or qualifications completed more than five years ago', which is available at [www.lpab.justice.nsw.gov.au/Pages/forms-fees/assessment-skills-qualifications-forms.aspx](http://www.lpab.justice.nsw.gov.au/Pages/forms-fees/assessment-skills-qualifications-forms.aspx), and pay the prescribed fee.

**Current knowledge assessments**

If you have completed an Australian law course accredited or deemed to be accredited by the Board, but there may or will be a gap of more than five years between your final year of enrolment and your application for admission, you are encouraged to apply for an academic assessment of your current knowledge before you apply for admission, in case further study is needed.

You should use the form titled ‘A3 - Application for assessment of academic qualifications – incomplete or unaccredited qualifications, or qualifications completed more than five years ago', which is available at [www.lpab.justice.nsw.gov.au/Pages/forms-fees/assessment-skills-qualifications-forms.aspx](http://www.lpab.justice.nsw.gov.au/Pages/forms-fees/assessment-skills-qualifications-forms.aspx), and pay the prescribed fee.

**HOW APPLICATIONS ARE DETERMINED**

• Applications for academic assessments are determined by the Academic Exemptions Sub-Committee of the Legal Qualifications Committee.

• Determinations are based mainly on an assessment as to the extent to which your studies and experience have provided you with appropriate understanding and competence in each element of each area or part of an area of academic knowledge prescribed in Schedule 1 to the Legal Profession Uniform Admission Rules 2015 (prescribed areas).

**APPLICATIONS SEEKING CREDIT**

**Uniform Rule 11 assessments**

• If you have wholly or partially satisfied overseas academic requirements for admission, your application will be treated as an application under rule 11 of the Legal Profession Uniform Admission Rules 2015.

• Having considered your academic qualifications and any experience you have in practising law or doing law-related work, the Sub-Committee will determine what additional study you need to complete, in order to meet the academic requirements for admission in New South Wales.

**Board Rule 97 assessments**

• If your studies are confined to Australian studies or overseas studies that do not wholly or partially satisfy overseas academic requirements for admission, your application will be treated as being made under Rule 97 of the NSW Admission Board Rules 2015.

• Determinations are based on an assessment whether your studies and experience are such that you should be granted one or more exemptions from sitting examinations in the subjects which make up the Board’s Diploma in Law course. The course includes subjects that cover the prescribed areas.

• A list of the subjects in the Board's course is set out in the Law Extension Committee Handbook, which is available at lec.sydney.edu.au/course-overview/curriculum. An exemption may be granted for some or all of those subjects.

**Uniform Principles**

• In reaching a determination, the Sub-Committee has regard, in relation to overseas studies or experience, to the Uniform Principles for Assessing Qualifications of Overseas Applicants for Admission (Uniform Principles), which is available at www.legalservicescouncil.org.au/Pages/about-us/law-admissions-consultative-committee.aspx.

**What credit may be granted**

• Credit in a significant number of the prescribed areas or the Board’s subjects is not usually granted for qualifications obtained in a jurisdiction where the system of law is essentially different from Australia’s common law system.

• Credit will usually only be granted if there is a close correspondence between the elements or content of a prescribed area or a Board subject and the content of the subject studied.

• If academic qualifications do not justify credit, credit may still be granted on the basis of extensive experience practising the law in the specific area or subject.

• Credit may not be granted if the mark or grade awarded in the corresponding subject is too low or the studies are too old.

**General rules denying credit**

Credit is not usually granted for:

• studies undertaken as part of a practical legal training course such as the English Legal Practice Course

• studies undertaken in preparation for a professional , such as an American Bar Examination or the English Qualified Lawyers Transfer Test

• law subjects taken as part of an economics or business course

• subjects taken at an institution where the Sub-Committee has no information about the academic standing of that institution

• subjects taken at an institution where the Sub-Committee is not satisfied, having regard to the assessment criteria applied by that institution, that the applicant has reached a level of achievement in that subject sufficient to justify a credit.

**More information**

For more information as to what you can usually expect, see the relevant application form and Appendix A to this fact sheet, especially Chapter 2, Chapter 3 and Chapter 4.

**APPLICATIONS FOR CURRENT KNOWLEDGE ASSESSMENTS**

**Factors**

With respect to qualifications completed more than five years ago, the following factors may be considered by the Academic Exemptions Sub-Committee:

• the age or recency of your qualification;

• the marks you received in your studies leading to your qualification;

• the extent to which the Sub-Committee considers specific elements of the Schedule 1 areas of knowledge have been refreshed and/or updated by subsequent studies and/or experience since the qualification was obtained, and

• recent practical legal training.

**More information**

For more information as to what you can usually expect, see the relevant application form and Appendix A to this fact sheet, especially Chapter 5.

**REQUESTING A REVIEW**

**Procedure**

If you are aggrieved by a determination of the Academic Exemptions Sub-Committee you may, within one month of the Sub-Committee’s determination or within such extended time as the Legal Qualifications Committee may allow, request the Legal Qualifications Committee to review that determination.

You will be required to show you have appropriate understanding and competence in each element of the prescribed areas or subject by reference to your studies and experience, taking into account these Guidelines and, in relation to overseas studies or experience, the Uniform Principles.

You should use the form titled ‘R1 - Application for review of decision of the Academic Exemptions Sub-Committee’, which is available at [www.lpab.justice.nsw.gov.au/Pages/forms-fees/assessment-skills-qualifications-forms.aspx](http://www.lpab.justice.nsw.gov.au/Pages/forms-fees/assessment-skills-qualifications-forms.aspx), and pay the prescribed fee.

**More information**

For more information as to what you can usually expect, see the relevant application form and Appendix A to this fact sheet, especially Chapter 6.

**MORE INFORMATION**

For more information generally, see any relevant application form and Appendix A to this fact sheet, telephone us on (02) 9338 3500 or email lpab@justice.nsw.gov.au.

**Appendix A**

**ACADEMIC ASSESSMENTS - APPLICATIONS AND OUTCOMES**

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**CHAPTER 1 - PRELIMINARY**

**PART 1 - PROCEDURE**

**BACKGROUND**

1.1 The What to Expect fact sheet and this document follow on from the Guide for Applicants for Admission as a Lawyer in NSW which is available at [www.lpab.justice.nsw.gov.au/Pages/admission-lawyer/guide-for-applicants-admission.aspx](http://www.lpab.justice.nsw.gov.au/Pages/admission-lawyer/guide-for-applicants-admission.aspx).

1.2 You may wish to read the Guide before you read the What to Expect fact sheet or this document to get the background to the sheet and this document.

**DEFINITIONS**

**Academic assessments**

1.3 An academic assessment may be a qualifications assessment or a current knowledge assessment.

**Qualifications assessments**

1.4 A qualifications assessment is an assessment based on studies and experience that may or may not by themselves satisfy the academic requirements for admission.

1.5 The assessment may take the form of a prerequisite assessment (Chapter 2 and Chapter 3) or a course assessment (Chapter 4), depending on whether you come within or fall outside rule 11(1) of the Admission Rules (Chapter 7, Admission Rules).

**Current knowledge assessments**

1.6 A current knowledge assessment (Chapter 5) is an assessment based on the completion of an accredited course (Chapter 7, Accredited course) where there may or will be a gap of more than five years since your final year of enrolment by the time you apply for admission.

**FORMS**

1.7 The relevant initial application forms are available at [www.lpab.justice.nsw.gov.au/Pages/forms-fees/assessment-skills-qualifications-forms.aspx](http://www.lpab.justice.nsw.gov.au/Pages/forms-fees/assessment-skills-qualifications-forms.aspx) -

Form A1 - Qualifications assessment where the applicant has any overseas law or law-related studies or experience (prerequisite assessment or course assessment)

Form A3 - Qualifications assessment where the applicant has no overseas law or law-related studies or experience (course assessment) or seeks a current knowledge assessment.

**DETERMINATION OF APPLICATIONS**

**Introduction**

1.8 Each application is determined by the Academic Exemptions Sub-Committee on the facts of the particular case.

1.9 This document mentions some general rules that the Academic Exemptions Sub-Committee normally applies (Chapter 7, Normally).

1.10 These rules are to some extent based on but to some extent depart from the Principles (Chapter 7, Principles).

1.11 Some of these rules use the idea of an Academic Area, as discussed in Chapter 2, Areas requirement and defined in Chapter 7, Academic Area.

1.12 Some of these rules have recognised exceptions. All of these rules are subject to any exception that might be made in the particular case so you are strongly encouraged to apply for an academic assessment rather than doing further studies on the basis of what you think may be required.

**Decision process**

1.13 The decision process usually takes 4-6 weeks.

**Decision letter**

1.14 When you receive a letter advising of the Academic Exemptions Sub-Committee's decision, see Chapter 6, Decision letters as to the terms used in the letter.

1.15 If the letter invites further submissions, see Chapter 6, Submissions.

1.16 If the letter lists further studies required, the letter will impose or should be taken to impose a time limit for the completion of these studies and the making of an application for admission - see Chapter 6, Periods of validity.

**REVIEWS BY THE LEGAL QUALIFICATIONS COMMITTEE**

1.17 Before you decide to apply for a review of a decision of the Academic Exemptions Sub-Committee, you should consider the comments in Chapter 6, Decision letters. You should also consider whether anything in Chapter 2, Chapter 3 or Chapter 5 stands in your way. You should also consider whether there is any submission you can usefully make - see Chapter 6, Submissions, as to pointless or possible submissions.

**FURTHER STUDIES**

**Studies with the Board**

1.18 If the decision letter lists further studies required and you pass all of the Board’s subjects mentioned in the letter, you will not need to apply for any further academic assessment.

1.19 If the decision letter instead lists exemptions from Board subjects, and you pass the remaining subjects, you will not need to apply for any further academic assessment.

**Studies away from the Board**

1.20 If you wish to study away from the Board, see Chapter 6, Studies away from the Board.

**EXTENSIONS OF PERIODS OF VALIDITY**

1.21 If you cannot apply for admission within the period of validity of a decision, see Chapter 6, Periods of validity.

**TERMINOLOGY**

1.22 See Chapter 7, Terminology, for some of the terms used in this document.

**FURTHER INFORMATION**

1.23 For further information, see the Board's website www.lpab.justice.nsw.gov.au, telephone the Board's office on (02) 9338 3500 (9 am to 5 pm weekdays) or email lpab@justice.nsw.gov.au.

**FEEDBACK**

1.24 If you would like to give feedback on this document, you may send the feedback to lpab@justice.nsw.gov.au, anonymously if you like.

**CHAPTER 2 - PREREQUISITE ASSESSMENTS - REQUIREMENTS**

**PART 2 - INTRODUCTION**

**ACADEMIC REQUIREMENTS**

2.1 There are three academic requirements for admission - the areas requirement (Part 3), the duration requirement (Part 4), and the qualification requirement (Part 5).

**RELEVANT RULES**

2.2 The academic requirements for admission flow from rule 5(1) of the Admission Rules (Chapter 7, Admission Rules) - directly in the case of local studies and by implication in the case of applicants with overseas studies and experience.

**PART 3 - AREAS REQUIREMENT**

**DEFINITION**

3.1 The areas requirement is the requirement that a person have appropriate understanding and competence in each element of the academic areas of knowledge set out in Schedule 1 to the Admission Rules (Chapter 7, Admission Rules).

3.2 In general the Academic Exemptions Sub-Committee looks at the whole of each Schedule 1 area (Chapter 7, Schedule 1 area).

3.3 However, the Sub-Committee looks separately at the federal and non-federal aspects of Federal and State Constitutional Law, and at the land and non-land aspects of Property.

3.4 This allows the Sub-Committee, in an appropriate case, to require the study of only part of a Schedule 1 area (Chapter 7, Schedule 1 area).

3.5 This leads to the idea of an Academic Area, as defined in Chapter 7, Academic Area.

3.6 It also leads to the idea that the areas requirement is also the requirement that a person have appropriate understanding and competence in each element of the Academic Areas.

3.7 So if you can show competence and understanding in relation to an Academic Area you will be given credit in the Area and will not be required to study the Area.

3.8 But showing understanding and competence, and being given credit, are subject to the following comments.

**COMPARABLE LAW**

3.9 Normally no credit is given in an Academic Area for studies or experience relating to law that is not comparable to the law of NSW in the Area - for examples see Chapter 3.

**ACADEMIC STUDIES**

**Jurisdiction**

3.10 Studies in a jurisdiction are presumed to relate to the law of the jurisdiction.

3.11 So if credit in an Academic Area is denied by Chapter 3 for studies relating to the law of the jurisdiction, normally no credit is given in the area for studies in the jurisdiction.

3.12 Credit may sometimes be given for studies in one jurisdiction relating to the law of another jurisdiction.

**Institution**

3.13 Normally no credit is given for studies at an institution whose standards of assessment are not high enough.

**Course**

3.14 If you have completed a law or law-related subject in an academic course, you should provide evidence of this (Chapter 7, Evidence).

3.15 This applies even to studies relating to the law of a jurisdiction not listed in Chapter 3, as your studies will normally go towards the duration requirement.

3.16 Normally no credit is given for a subject if a transcript from an institution shows only an exemption from the subject. If you are seeking credit for a subject completed at another institution, you should provide a transcript from the other institution showing the subject and your result (Chapter 7, Evidence).

3.17 Normally no credit is given for studies outside a course that satisfies the academic requirements for admission in a jurisdiction - see Principles 2.2(a). For example normally no credit is given for studies in accounting, business, commerce or economics courses.

3.18 Normally no credit is given for studies in a course that leads to a qualification at a lower level than a degree, for example a course that leads to an associate degree, because a subject in such a course usually lacks depth.

3.19 Normally no credit is given for studies in a course that leads to a postgraduate degree, because a subject in such a course usually lacks breadth - and in the case of overseas studies see Principles 2.4.

3.20 Normally no credit is given for continuing professional development lectures or seminars, or in-house lectures or seminars, because they do not include an assessment.

**Subject**

3.21 Normally no credit is given in an Academic Area for a subject that does not adequately cover the area, when account is taken of the length, breadth and depth of the coverage.

3.22 In particular, a subject may cover so many topics in so many areas that it does not cover the topics in any particular area adequately.

3.23 There is however no need to provide evidence or information about the content of a subject with your application. You do not need to comply with Principles 9(c).

3.24 You should not provide a copy of the whole or part of any prescribed book or other resource.

3.25 Credit will not be given for a subject until it has been completed and evidence of the completion of the subject has been provided (Chapter 7, Evidence).

**Result**

3.26 Normally no credit is given for an overseas mark or grade that indicates work that would not be assessed as passable in an accredited course (Chapter 7, Accredited course). See also Principles 3.1, third paragraph, and Chapter 7, Marks and Grades Guidelines.

3.27 However, there is no need to provide a copy of the marking criteria of an institution (Chapter 7, Marking criteria) with your application. You do not need to comply with Principles 9(b) or consider the Guidelines 1(c). The Academic Exemptions Sub-Committee will ask for marking criteria if it needs them.

3.28 The Academic Exemptions Sub-Committee may sometimes accept a low mark or grade where there are (a) good results in other subjects, or (b) illness or misadventure, or (c) relevant subsequent academic studies, practical legal training, professional exams or experience.

**Gap**

3.29 If you have studied overseas but there has been a gap of more than five years since you completed the studies, the studies may not justify a credit without further studies.

3.30 Compare rule 5(2) of the Admission Rules (Chapter 7, Admission Rules).

3.31 If therefore you are seeking credit for overseas studies completed more than five years ago, you may be required to complete further studies to refresh and update the knowledge provided by the studies - see Principles 3.4 and Principles, Schedule 6.

**Board Rule 97(9)**

3.32 If you registered with the Board as a student-at-law before undertaking studies elsewhere for which you intend to seek credit, you will need to make a preliminary application for permission to do so under rule 97(9)(b) of the Board Rules (Chapter 7, Board Rules).

**PRACTICAL LEGAL TRAINING**

**Course**

3.33 Normally no credit is given for overseas studies in a practical legal training course - see Principles 2.5, second paragraph.

**Subject**

3.34 In particular, no credit is normally given in an Academic Area for a practical legal training subject that does not adequately cover the Area, when account is taken of the length, breadth and depth of the coverage.

**PROFESSIONAL EXAMS**

3.35 Normally no credit is given for studies for professional exams (e.g. bar exams - see Principles 2.5, second paragraph).

**EXPERIENCE**

**Experience required**

3.36 Normally no credit is given in any Academic Area for less than five years' experience as a practising lawyer that relates to the Academic Area, after any training period - see Principles, Schedule 5, paragraph (b).

3.37 Even then the experience must adequately cover the Academic Area, when account is taken of the length, breadth and depth of the experience.

3.38 On the other hand credit may be given for less than five years' experience if the experience is sufficiently broad and deep.

3.39 And credit may be given for experience other than experience as a practising lawyer, for example experience as an editor, a lecturer or a writer, if the experience is long, broad and deep enough.

**Information required**

3.40 If your transcript of academic record in law does not show coverage of an Academic Area and you are seeking credit in the Area for experience relating to the law of a jurisdiction listed in Chapter 3, and credit in the Area is not denied by Chapter 3, you should provide details of the experience.

3.41 For example if you have worked as a practising lawyer in an overseas jurisdiction listed in Chapter 3, you should provide the dates between which you practised, and details of the type of practice you engaged in, the nature of your work (including details of your level of responsibility) and whether or not you held trust money.

3.42 For example if you have not practised but have done law or law-related work in an overseas jurisdiction listed in Chapter 3, you should provide details of the dates between which you worked, the type of work you did, and the nature of your work (including your level of responsibility).

3.43 When you are giving details, you should identify the Academic Area in which you are seeking credit, give estimates of the number of matters you have worked on in the area, identify the kinds of matters involved, and explain how these matters relate to the topics listed in Schedule 1 to the Admission Rules (Chapter 7, Admission Rules) for the area.

3.44 For example the phrase 'numerous commercial matters' does not indicate whether you are seeking credit in one or more of the Academic Areas Company Law, Contracts or Personal Property, or indicate the relationship between any of those areas and the work done, or give any real idea of the number of matters involved.

3.45 On the other hand, you should not provide a copy of a judgment or order relating to the area, even if you have been involved in the litigation that led to the judgment or order.

3.46 Also, you should not provide a copy of the whole or part of any article or book you have written.

3.47 Generally see Principles 9(g) (which leads to Principles 5 and Principles, Schedule 5).

3.48 As regards the Academic Area Ethics and Professional Responsibility, see Chapter 7, PR Guidelines and paragraph 6 of the Guidelines.

**Gap**

3.49 If you have relevant experience but there has been a gap of more than five years since you had the experience, your experience may not justify a credit without further studies - compare rule 5(2) of the Admission Rules (Chapter 7, Admission Rules) - and see Principles, Schedule 5, paragraph (b) 'currency'.

**COMBINATION OF STUDIES AND EXPERIENCE**

**Introduction**

3.50 A combination of studies and experience can sometimes justify a credit. However the shortfall in studies may be so great that experience cannot make up for it.

**Gap**

3.51 If you have relevant studies or experience and there is a gap of more than five years since you completed the studies or experience, even the combination of studies and experience may not justify a credit without further studies - compare rule 5(2) of the Admission Rules (Chapter 7, Admission Rules).

**PART 4 - DURATION REQUIREMENT**

**DEFINITION**

4.1 The duration requirement is the requirement that a person complete the equivalent of three years' full-time study of law.

4.2 The word 'equivalent' allows a person to satisfy the duration requirement via a part-time course in appropriate circumstances.

4.3 The word 'equivalent' also allows a person to satisfy the duration requirement via a course which is shorter than three years in appropriate circumstances.

4.4 This allows a course to be accredited in Australia in the circumstances identified in the Law Admissions Consultative Committee (LACC) Statement on Duration of Law Courses, which is available at [www.legalservicescouncil.org.au/Pages/about-us/law-admissions-consultative-committee.aspx](https://www.legalservicescouncil.org.au/Pages/about-us/law-admissions-consultative-committee.aspx).

4.5 The word 'equivalent' also allows a person to satisfy the duration requirement via experience that involves the study of law in appropriate circumstances.

**COMMENTS**

4.6 If your studies and experience, together with any required study of the Academic Areas, will not satisfy the duration requirement, you will be required to complete additional studies beyond the Academic Areas.

4.7 This statement leads to two questions - whether you have already satisfied the duration requirement, or, if not, whether you will have satisfied the requirement by the time you complete any required Academic Area studies.

4.8 Whether you have already satisfied the duration requirement is a question of fact.

4.9 For example, even if you have completed an academic course that allowed you to commence practical legal training, this does not show that the course included the equivalent of three years' full-time study of law. You do not need to comply with Principles 2.3, second sentence.

4.10 On the other hand, even if completion of an academic course does not allow the commencement of practical legal training, the content of the course might still be counted towards the duration requirement. The Academic Exemptions Sub-Committee and the Legal Qualifications Committee have not accepted the suggestion in Principles 2.3, second paragraph.

4.11 If you have not already satisfied the duration requirement, it will be enough if, by the time you have completed any required study of the Academic Areas, you will have satisfied the requirement.

4.12 This is more generous than the Principles, which treat a person as eligible for assessment only if they have already satisfied the duration requirement - see Principles 2.2.

**PART 5 - QUALIFICATION REQUIREMENT**

**DEFINITION**

5.1 The qualification requirement is the requirement that a person must have completed an accredited course (Chapter 7, Accredited course) or an equivalent course of study.

5.2 The reference to completing an accredited course is a reference to full completion of an accredited course, i.e. without any exemption being given by the institution providing the course. In the case of the Board's course this will be evidenced by the Board's records. In the case of any other accredited course this can be evidenced by a transcript showing both the subjects completed and the award of the relevant degree or diploma.

5.3 The reference to completing an equivalent course of study includes a reference to partial completion of an accredited course, with one or more appropriate exemptions being given by the institution providing the course. In the case of the Board's course this will be evidenced by the Board's records. In the case of any other accredited course this can be evidenced by a transcript showing the subjects completed, the exemptions given, the award of the relevant degree or diploma, and proof that the exemptions were appropriate. The exemptions and the award are not conclusive.

5.4 The reference to completing an equivalent course of study normally includes a reference to completing a course of study that satisfies the academic requirements for admission in an overseas jurisdiction.

**CHAPTER 3 - PREREQUISITE ASSESSMENTS - JURISDICTIONS**

**PART 6 - INTRODUCTION**

**Relevant jurisdictions**

6.1 If your studies and experience have been completed in only one jurisdiction, see the comments below on that jurisdiction.

6.2 If your studies or experience have been completed in two or more jurisdictions, or have been completed in one jurisdiction but were related to the law of another jurisdiction, see the comments below on each of those jurisdictions.

6.3 If a jurisdiction is not listed, see the comments on unlisted jurisdictions (Part 7).

**Federations**

6.4 In this Chapter, a reference to a jurisdiction that is a federation extends to any jurisdiction within the federation.

**Scope of Chapter**

6.5 Although all the issues mentioned in Chapter 2 are relevant to all jurisdictions, this Chapter usually mentions an issue in relation to a jurisdiction only if it has come up in relation to the jurisdiction in the context of a past application.

6.6 If an issue is mentioned in this Chapter, the comments on that issue in Chapter 2 may provide more information.

**PART 7 - UNLISTED JURISDICTIONS**

**AREAS REQUIREMENT (Part 3)**

**Law**

7.1 Normally no credit is given in an Academic Area for studies or experience relating to the law of a jurisdiction not listed in this Chapter - see Part 3, Comparable law.

**DURATION REQUIREMENT (Part 4)**

7.2 The duration requirement can be satisfied or partly satisfied by the study of non-comparable law.

**QUALIFICATION REQUIREMENT (Part 5)**

7.3 The qualification requirement can be satisfied by an overseas law qualification, even if the qualification is wholly or partly based on the study of non-comparable law.

**PART 8 - AUSTRALIA**

**AREAS REQUIREMENT (Part 3)**

**Law**

8.1 There are no comparable law issues between NSW and other Australian jurisdictions.

**Course**

8.2 Normally no credit is given for studies outside an accredited course (Chapter 7, Accredited course).

8.3 But if you have completed law or law-related subjects in Australia, you should provide evidence of this (Chapter 7, Evidence).

8.4 If you have completed law or law-related subjects in an academic course, you should provide a transcript of subjects you have completed (Chapter 7, Evidence). But note the following.

8.5 Normally no credit is given for a subject if a transcript shows only an exemption from the subject. You should provide a transcript showing the earlier subject and the result on which the exemption was based (Chapter 7, Evidence).

8.6 Normally no credit is given for studies in an accounting, business, commerce or economics course.

8.7 Normally no credit is given for studies in a course that leads to a qualification at a lower level than an undergraduate degree, because such a course usually lacks depth.

8.8 Normally no credit is given for studies in a course that leads to a postgraduate qualification, because such a course usually lacks breadth.

**Subject**

8.9 Normally no credit is given in an Academic Area for a subject that does not adequately cover the Area.

**Gap**

8.10 If you have studied in Australia but there is a gap of more than five years since you completed your studies, credit may not be given for the studies without further studies or experience to refresh and update the knowledge provided by the studies - compare rule 5(2) of the Admission Rules (Chapter 7, Admission Rules).

**Experience**

8.11 If your transcript of academic record in law does not show coverage of an Academic Area and you have done law-related work in Australia, you should provide details of this - see Part 3, Experience and Principles, Schedule 5, paragraph (f)(ii).

**DURATION REQUIREMENT (Part 4)**

8.12 The duration requirement can be satisfied by studies in more than one course at more than one institution, whether in Australia or overseas.

**QUALIFICATION REQUIREMENT (Part 5)**

**Degree or diploma**

8.13 Normally you will be taken to have satisfied the qualification requirement via an Australian qualification only if you have become eligible for the award of a degree or diploma following the full completion of an accredited course (Chapter 7, Accredited course).

8.14 In the case of an award following full completion of an accredited course, where no exemption has been given by the institution offering the course, you do not need to apply for an academic assessment before applying for admission - see rule 5(1) of the Admission Rules (Chapter 7, Admission Rules).

8.15 In the case of an award following part completion of the Board's course, where you have passed 10 or more subjects and have been assessed as being exempted from the remaining subjects, you do not need to apply for a further academic assessment before applying for admission.

8.16 In the case of an award following part completion of any other accredited course, where one or more exemptions have been given by the institution providing the course, the exemptions and the award are not conclusive. You may be required to complete further study via the areas requirement or the duration requirement, or simply because you have not completed the course as accredited - compare rule 5(1) of the Admission Rules (Chapter 7, Admission Rules). You may wish to apply for an academic assessment before applying for admission, in case further study is needed.

**Course requirements**

8.17 If you are seeking to satisfy the qualification requirement via an Australian degree or diploma, you need to take into account the requirements for the award of the degree or diploma.

8.18 For example if you intend to complete the Board's Diploma course, you need to take into account the fact that you will need to pass 10 or more subjects and be assessed as exempted from the rest - see rule 80 of the Board Rules (Chapter 7, Board Rules). You will need to apply for an academic assessment to be given exemptions, and if more than 10 exemptions are given, you will have to take extra subjects with the Board to meet the requirements for the award of the Diploma.

**PART 9 - BANGLADESH**

**AREAS REQUIREMENT (Part 3)**

**Law**

9.1 Normally no credit is given in the Academic Areas Federal Constitutional Law and Real Property for studies or experience relating to the law of Bangladesh - see Part 3, Comparable law.

9.2 Credit may be given in the other Academic Areas.

**Institution**

9.3 Normally no credit is given for studies at an institution whose standards of assessment are not high enough.

**Result**

9.4 Normally no credit is given for a mark less than 60% or a grade that indicates work that would not be assessed as passable in an accredited course (Chapter 7, Accredited course).

**PART 10 - BOTSWANA**

**AREAS REQUIREMENT (Part 3)**

**Law**

10.1 Normally no credit is given in the Academic Areas Equity, Federal Constitutional Law and Real Property for studies or experience relating to the law of Botswana - see Part 3, Comparable law.

10.2 Credit may be given in the other Academic Areas.

**Institution**

10.3 Normally no credit is given for studies at an institution whose standards of assessment are not high enough.

**Result**

10.4 Normally no credit is given for a mark less than 60% or a grade that indicates work that would not be assessed as passable in an accredited course (Chapter 7, Accredited course).

**PART 11 - CANADA**

**AREAS REQUIREMENT (Part 3)**

**Law**

11.1 Normally no credit is given in the Academic Area Federal Constitutional Law for studies or experience relating to the law of any jurisdiction in Canada - see Part 3, Comparable law.

11.2 Subject to the following comments, credit may be given in the other Academic Areas.

11.3 Normally no credit is given in the Academic Areas Federal Constitutional Law and Real Property for studies or experience relating to the law of Newfoundland and Labrador or the law of Prince Edward Island - see Part 3, Comparable law.

11.4 Normally no credit is given in the Academic Areas Contracts, Equity, Evidence, Federal Constitutional Law, Personal Property, Real Property and Torts for studies or experience relating to the law of Quebec - see Part 3, Comparable law.

**PART 12 - ENGLAND AND WALES**

MUTUAL RECOGNITION?

12.1 Australia is a party to the Australia-United Kingdom Free Trade Agreement (Australia-UK FTA).

12.2 But as yet there has been no legislation relating to this which changes the admission requirements.

**AREAS REQUIREMENT (Part 3)**

**Law**

12.3 Normally no credit is given in the Academic Area Federal Constitutional Law for studies or experience relating to the law of England and Wales - see Part 3, Comparable Law.

12.4 Credit may be given in the other Academic Areas.

**Institution**

12.5 Normally no credit is given for studies at an institution whose standards of assessment are not high enough.

**Course**

12.6 Normally no credit is given for studies outside a Qualifying Law Degree (QLD) course, a Common Professional Examinations (CPE) course or a Graduate Diploma in Law (GDL) course.

12.7 But if you have passed a Chartered Institute of Legal Executives (CILEx) Level 6 exam, or a former Institute of Legal Executives (ILEx) Level 6 exam, you should provide evidence of this (Chapter 7, Evidence) - see Principles, Schedule 2, England and Wales, (c).

**Subject**

12.8 Normally no credit is given in an Academic Area for a subject that does not adequately cover the Area.

12.9 Adequate coverage is a matter of length, breadth and depth. For example it is not enough to show that your studies covered the topics listed in Schedule 1 to the Admission Rules (Chapter 7, Admission Rules) for the Area, unless the coverage had sufficient length, breadth and depth to justify a credit.

12.10 In particular, no credit is normally given in Administrative Law for studies in which less than the equivalent of at least one semester is devoted to the area as defined in Schedule 1 to the Admission Rules (Chapter 7, Admission Rules).

12.11 If you have passed an exam in an Academic Area but this is not shown in your transcript (e.g., Constitutional Law or Criminal Law in first year exams at Oxford University), you should provide evidence of having passed these exams (Chapter 7, Evidence) including evidence of the mark or grade.

12.12 If you completed the former Australian Federal Constitutional Law course with the former College of Law of England and Wales, you should provide evidence of this (Chapter 7, Evidence), together with details of how the knowledge gained in the course has been refreshed and updated by subsequent studies or experience.

**Result**

12.13 Normally no credit is given for a mark less than 50% or a grade that indicates work that would not be assessed as passable in an accredited course (Chapter 7, Accredited course).

12.14 See Chapter 7, Marks and Grades Guidelines e.g., the Schedule 1 Guidelines entries for England and for Wales.

**Practical legal training**

12.15 Normally no credit is given for studies in a PLT course e.g., a Bar Course, the former Bar Professional Training Course (BPTC), the former Bar Vocational Course (BVC), the Chartered Institute of Legal Executives (CILEx) Graduate Fast-track Diploma course, the Law Society Final Examination, the former Legal Practice Course (LPC) or the Professional Skills Course (PSC).

12.16 In particular the Board has not adopted the suggestion in Principles, Schedule 2, England and Wales, (a) third paragraph that credit can be given in all cases in Ethics and Professional Responsibility for completion of Professional Conduct and Regulation as part of the former Legal Practice Course (LPC), or Professional Ethics as part of the former Bar Professional Training Course (BPTC). Each subject in each course is looked at separately on the basis of the information provided by the applicant - as regards the LPC see Chapter 7, PR Guidelines. The PR Guidelines note with apparent approval the view that the PR PLT requirements in England and Wales (including the LPC and BPTC) are not substantially equivalent to the Australian academic requirement - see items 2 to 5 of the PR Guidelines.

**Professional exams**

12.17 Normally no credit is given for professional exams.

12.18 But if you have passed an exam in the Common Professional Examinations (CPE), you should provide evidence of this (Chapter 7, Evidence) - see Principles, Schedule 2, England and Wales, (b).

12.19 Normally no credit is given for the Qualified Lawyers Transfer Test (QLTT) by itself - see Principles, Schedule 2, England and Wales (d).

12.20 Normally no credit is given for the Qualified Lawyers Transfer Scheme (QLTS) by itself - analogy of Principles, Schedule 2, England and Wales (d).

12.21 The Solicitors Qualifying Examination has not yet been considered.

**Experience**

12.22 As regards the Academic Area Ethics and Professional Responsibility, see Chapter 7, PR Guidelines and paragraph 6 of the Guidelines.

**DURATION REQUIREMENT (Part 4)**

**Introduction**

12.23 In the following -

'Bar Course' means a Bar Course by whatever name called e.g., a Bar/Barrister Training Course (BTC), a Bar Practice Course (BPC), a Bar Vocational Course (BVC) or a Bar Vocational Studies (BVS) course

'PLT course' means a Bar Course, the former Bar Professional Training Course (BPTC), the former Bar Vocational Course (BVC) or the former Legal Practice Course (LPC)

'short course' includes the Common Professional Examinations (CPE), a Graduate Diploma in Law (GDL) course, studies for the Chartered Institute of Legal Executives (CILEx) exams or studies for the former Institute of Legal Executives (ILEx) exams.

**Duration requirement will not be satisfied**

12.24 If your studies and experience are confined to a short course, you will normally be required to complete additional studies beyond the Academic Areas, so that the short course, together with your required studies of the Academic Areas and the additional studies, will satisfy the duration requirement.

12.25 This outcome, in the case of a CPE or GDL course, is consistent with the Principles. Principles 2.4 only makes these courses relevant as regards 'subjects taken', not the duration requirement, while Principles, Schedule 2, England and Wales (b) applies only to people who have been admitted - see Schedule 2, second sentence.

12.26 This outcome, in the case of studies for CILEX exams, is consistent with Principles, Schedule 2, England and Wales (c), last sentence.

**Duration requirement will be satisfied**

12.27 On the other hand, if you have completed a short course and you have also completed a PLT course or practised for a substantial period of time, then your studies and experience, together with your required study of the Academic Areas, will normally be taken to satisfy the duration requirement.

12.28 This outcome, in the case of CILEX Level 6 exams and the LPC, is consistent with Principles, Schedule 2, England and Wales (c), first sentence.

12.29 Similarly, if you have completed a two-year full-time law degree course, then your studies, together with your required study of the Academic Areas, will normally be taken to satisfy the duration requirement.

**QUALIFICATION REQUIREMENT (Part 5)**

**Introduction**

12.30 Normally you will be taken to have satisfied the qualification requirement via an English or Welsh qualification only if you have satisfied the academic requirements for admission in England and Wales.

12.31 Examples are mentioned in the Principles, Schedule 2, England and Wales.

12.32 You might also be taken to have satisfied the qualification requirement via an English or Welsh qualification if the qualification would have satisfied the academic requirements for admission in England and Wales as they existed before the introduction of the Solicitors Qualifying Examination (SQE), but this has not yet been considered.

**Further study**

12.33 If your studies do not yet satisfy the academic requirements for admission, you can either continue with your studies and satisfy the requirements, or you can obtain an Australian qualification (Chapter 3, Australia).

**PART 13 - GHANA**

**AREAS REQUIREMENT (Part 3)**

**Law**

13.1 Normally no credit is given in the Academic Area Federal Constitutional Law for studies or experience relating to the law of Ghana - see Part 3, Comparable law.

13.2 Credit may be given in the other Academic Areas.

**Institution**

13.3 Normally no credit is given for studies at an institution whose standards of assessment are not high enough.

**Result**

13.4 Normally no credit is given for a mark less than 60% or a grade that indicates work that would not be assessed as passable in an accredited course (Chapter 7, Accredited course).

**PART 14 - HONG KONG**

**AREAS REQUIREMENT (Part 3)**

**Law**

14.1 Normally no credit is given in the Academic Area Federal Constitutional Law for studies or experience relating to the law of Hong Kong - see Part 3, Comparable law.

14.2 Credit may be given in the other Academic Areas.

**Subject**

14.3 Normally no credit is given in an Academic Area for a subject that does not adequately cover the Area.

14.4 Adequate coverage is a matter of length, breadth and depth. For example it is not enough to show that your studies covered the topics listed in Schedule 1 to the Admission Rules (Chapter 7, Admission Rules) for the Area, unless the coverage had sufficient length, breadth and depth to justify a credit.

14.5 In particular, no credit is normally given in Administrative Law for studies in which less than the equivalent of at least one semester is devoted to the area as defined in Schedule 1 to the Admission Rules (Chapter 7, Admission Rules).

**Result**

14.6 Normally credit may be given for a pass mark or grade. See Chapter 7, Marks and Grades Guidelines.

**Practical legal training**

14.7 No credit is normally given for studies in a PLT course e.g. the Postgraduate Certificate in Laws (PCLL) course, but credit may sometimes be given.

**Professional exams**

14.8 Normally no credit is given for professional exams.

14.9 But if you have passed an Overseas Lawyers Qualifying Examination (OLQE) head or a Postgraduate Certificate in Laws (PCLL) Conversion exam, you should provide evidence of this (Chapter 7, Evidence).

**QUALIFICATION REQUIREMENT (Part 5)**

14.10 If your studies do not yet satisfy the academic requirements for admission, you can either continue with your studies and satisfy the requirements, or obtain an Australian qualification (Chapter 3, Australia).

**PART 15 - INDIA**

**MUTUAL RECOGNITION?**

15.1 Australia is a party to the Australia-India Economic Cooperation and Trade Agreement (AI ECTA).

15.2 But as yet there has been no legislation relating to this which changes the admission requirements.

**AREAS REQUIREMENT (Part 3)**

**Law**

15.3 Normally no credit is given in the Academic Areas Federal Constitutional Law and Real Property for studies or experience relating to any jurisdiction in India - see Part 3, Comparable law.

15.4 Credit may be given in the other Academic Areas.

**Institution**

15.5 Normally no credit is given for studies at an institution that does not have a National Assessment and Accreditation Council (NAAC) grade of A or above.

**Course**

15.6 Normally no credit is given for studies outside a course approved for enrolment purposes by the Bar Council of India (BCI).

**Result**

15.7 Normally no credit is given for a mark less than 60% or a grade that indicates work that would not be assessed as passable in an accredited course (Chapter 7, Accredited course).

15.8 Credit may however be given for a mark of 50% at some institutions.

**PART 16 - IRELAND**

**AREAS REQUIREMENT (Part 3)**

**Law**

16.1 Normally no credit is given in the Academic Area Federal Constitutional Law for studies or experience relating to the law of Ireland - see Part 3, Comparable law.

16.2 Credit may be given in the other Academic Areas.

**Result**

16.3 Normally no credit is given for a mark less than 50% or a grade that indicates work that would not be assessed as passable in an accredited course (Chapter 7, Accredited course).

**Practical legal training**

16.4 Normally no credit is given for studies in a PLT course e.g. a King's Inns Barrister-at-Law degree (BL) course or the Professional Practice Course (PPC1 and PPC2).

16.5 But if you have completed both Litigation in PPC1 and Advanced Litigation in PPC2, you should provide evidence of this (Chapter 7, Evidence).

**Professional exams**

16.6 Normally no credit is given for professional exams.

16.7 But if you have passed a paper in the Law Society's Final Examination Part 1 (FE1), you should provide evidence of this (Chapter 7, Evidence) - see Principles, Schedule 2, Republic of Ireland (c).

**DURATION REQUIREMENT (Part 4)**

**Introduction**

16.8 In the following -

'PLT course' means a King's Inns Barrister-at-Law degree (BL) course or the Professional Practice Course (PPC1 and PPC2)

'short course' includes the King's Inns Diploma in Legal Studies course or a Postgraduate Diploma in Law course or studies for the Law Society's Final Examination Part 1 (FE-1).

**Duration requirement will not be satisfied**

16.9 If your studies and experience are confined to a short course, you will normally be required to complete additional studies beyond the Academic Areas, so that the short course, together with your required studies of the Academic Areas and the additional studies will satisfy the duration requirement.

**Duration requirement will be satisfied**

16.10 On the other hand, if you have completed a short course and you have also completed a PLT course or practised for a substantial period of time, then your studies and experience, together with your required study of the Academic Areas, will normally be taken to satisfy the duration requirement.

**QUALIFICATION REQUIREMENT (Part 5)**

16.11 The qualification requirement can be satisfied by the passing of the Law Society's Final Examination Part 1 (FE-1).

**PART 17 - ISRAEL**

**AREAS REQUIREMENT (Part 3)**

**Law**

17.1 Normally no credit is given in the Academic Areas Contracts, Equity, Federal Constitutional Law and Real Property for studies or experience relating to the law of Israel - see Part 3, Comparable law.

17.2 Credit may be given in the other Academic Areas.

**PART 18 - KENYA**

**AREAS REQUIREMENT (Part 3)**

**Law**

18.1 Normally no credit is given in the Academic Area Federal Constitutional Law for studies or experience relating to the law of Kenya - see Part 3, Comparable law.

18.2 Credit may be given in the Academic Areas Administrative Law, Evidence, Personal Property, Real Property and State Constitutional Law.

18.3 Whether credit may be given in the other Academic Areas has not been decided.

**Institution**

18.4 Normally no credit is given for studies at an institution whose standards of assessment are not high enough.

**Result**

18.5 Normally no credit is given for a mark less than 60% or a grade that indicates work that would not be assessed as passable in an accredited course (Chapter 7, Accredited course).

**PART 19 - MALAYSIA**

**AREAS REQUIREMENT (Part 3)**

**Law**

19.1 Normally no credit is given in the Academic Area Federal Constitutional Law for studies or experience relating to the law of any jurisdiction in Malaysia - see Part 3, Comparable law.

19.2 Credit may be given in the other Academic Areas.

**Result**

19.3 Normally no credit is given for a mark or grade that indicates work that would not be assessed as passable in an accredited course (Chapter 7, Accredited course).

19.4 See Chapter 7, Marks and Grades Guidelines.

**Professional exams**

19.5 Normally no credit is given for professional exams.

19.6 But if you have passed any Certificate in Legal Practice (CLP) exam, you should provide evidence of this (Chapter 7, Evidence) with a view to possible credits in Civil Dispute Resolution and Evidence but not to a credit in Ethics and Professional Responsibility.

**PART 20 - MALTA**

**AREAS REQUIREMENT (Part 3)**

**Law**

20.1 Normally no credit is given in the Academic Areas Administrative Law, Civil Dispute Resolution, Contracts, Equity, Ethics and Professional Responsibility, Evidence, Federal Constitutional Law, Personal Property, Real Property and Torts for studies or experience relating to the law of Malta - see Part 3, Comparable law.

20.2 Credit may be given in other Academic Areas.

**PART 21 - NEW ZEALAND**

**MUTUAL RECOGNITION**

21.1 If you come within the Trans-Tasman mutual recognition legislation, you can apply directly to the Supreme Court for admission - see Principles, Schedule 2, New Zealand (a).

21.2 Also see the information available at www.supremecourt.justice.nsw.gov.au, search for 'trans-tasman mutual'.

**AREAS REQUIREMENT (Part 3)**

**Law**

21.3 Normally no credit is given in the Academic Area Federal Constitutional Law for studies or experience relating to the law of New Zealand - see Part 3, Comparable law.

21.4 Credit may be given in the other Academic Areas.

**PART 22 - NIGERIA**

**AREAS REQUIREMENT (Part 3)**

**Law**

22.1 Normally no credit is given in the Academic Areas Federal Constitutional Law and Real Property for studies or experience relating to the law of Nigeria - see Part 3, Comparable law.

22.2 Credit may be given in the other Academic Areas.

**Institution**

22.3 Normally no credit is given for studies at an institution whose standards of assessment are not high enough.

**Result**

22.4 Normally no credit is given for a mark less than 60% or a grade that indicates work that would not be assessed as passable in an accredited course (Chapter 7, Accredited course).

**PART 23 - NORTHERN IRELAND**

**MUTUAL RECOGNITION?**

23.1 Australia is a party to the Australia-United Kingdom Free Trade Agreement (Australia-UK FTA).

23.2 But as yet there has been no legislation relating to this which changes the admission requirements.

**AREAS REQUIREMENT (Part 3)**

**Law**

23.3 Normally no credit is given in the Academic Area Federal Constitutional Law for studies or experience relating to the law of Northern Ireland - see Part 3, Comparable law.

23.4 Credit may be given in the other Academic Areas.

**Subject**

23.5 Normally no credit is given in an Academic Area for a subject that does not adequately cover the Area.

23.6 Adequate coverage is a matter of length, breadth and depth. For example it is not enough to show that your studies covered the topics listed in Schedule 1 to the Admission Rules (Chapter 7, Admission Rules) for the Area, unless the coverage had sufficient length, breadth and depth to justify a credit.

23.7 In particular, no credit is normally given in Administrative Law for studies in which less than the equivalent of at least one semester is devoted to the area as defined in Schedule 1 to the Admission Rules (Chapter 7, Admission Rules).

**Result**

23.8 Normally no credit is given for a mark less than 50% or a grade that indicates work that would not be assessed as passable in an accredited course (Chapter 7, Accredited course).

23.9 See Chapter 7, Marks and Grades Guidelines.

**Practical legal training**

23.10 Normally no credit is given for studies in a PLT course e.g. an Institute of Professional Legal Studies (ILPS) course or a University of Ulster Postgraduate Diploma in Legal Practice course.

23.11 In particular the Board has not adopted the suggestion in Principles, Schedule 2, Northern Ireland, (b) third paragraph that credit can be given in all cases in Ethics and Professional Responsibility for completion of Professional Conduct and Regulation as part of the former Legal Practice Course (LPC), or Professional Ethics as part of the former Bar Professional Training Course (BPTC). Each subject in each course is looked at separately on the basis of the information provided by the applicant.

**PART 24 - PAKISTAN**

**AREAS REQUIREMENT (Part 3)**

**Law**

24.1 Normally no credit is given in the Academic Areas Federal Constitutional Law and Real Property for studies relating to the law of any jurisdiction in Pakistan - see Part 3, Comparable law.

24.2 Credit may be given in the other Academic Areas.

**Institution**

24.3 Normally no credit is given for studies at an institution whose standards of assessment are not high enough. The Higher Education Commission (HEC) ranking of an institution is taken into account in relation to this.

**Course**

24.4 Normally no credit is given for studies outside a course that satisfies the academic requirements for admission. Reference is made to the Pakistan Bar Council (PBC) list of recognised universities in relation to this.

**Result**

24.5 Normally no credit is given for a mark less than 60% or a grade that indicates work that would not be assessed as passable in an accredited course (Chapter 7, Accredited course).

24.6 Credit may however be given for a mark of 50% at some institutions.

**PART 25 - PAPUA NEW GUINEA**

**AREAS REQUIREMENT (Part 3)**

**Law**

25.1 Normally no credit is given in the Academic Area Federal Constitutional Law for studies or experience relating to the law of Papua New Guinea - see Part 3, Comparable law.

25.2 Credit may be given in the other Academic Areas.

**PART 26 - PHILIPPINES**

**AREAS REQUIREMENT (Part 3)**

**Law**

26.1 Normally no credit is given in the Academic Areas Administrative Law, Criminal Law and Procedure, Equity, Federal Constitutional Law, Real Property and Torts for studies or experience relating to the law of the Philippines - see Part 3, Comparable law.

26.2 Credit may be given in the other Academic Areas.

**PART 27 - SCOTLAND**

**MUTUAL RECOGNITION?**

27.1 Australia is a party to the Australia-United Kingdom Free Trade Agreement (Australia-UK FTA).

27.2 But as yet there has been no legislation relating to this which changes the admission requirements.

**AREAS REQUIREMENT (Part 3)**

**Law**

27.3 Normally no credit is given in the Academic Areas Equity, Federal Constitutional Law and Real Property for studies or experience relating to the law of Scotland - see Principles, Schedule 2, Scotland.

27.4 Credit may be given in the other Academic Areas.

27.5 Credit may be given in Equity or Real Property for studies relating to the law of England and Wales.

**Subject**

27.6 Normally no credit is given in an Academic Area for a subject that does not adequately cover the Area.

27.7 Adequate coverage is a matter of length, breadth and depth. For example it is not enough to show that your studies covered the topics listed in Schedule 1 to the Admission Rules (Chapter 7, Admission Rules) for the Area, unless the coverage had sufficient length, breadth and depth to justify a credit.

27.8 In particular, no credit is normally given in Administrative Law for studies in which less than the equivalent of at least one semester is devoted to the area as defined in Schedule 1 to the Admission Rules (Chapter 7, Admission Rules).

**Result**

27.9 Normally no credit is given for a mark less than 50% or a grade that indicates work that would not be assessed as passable in an accredited course (Chapter 7, Accredited course).

27.10 See Chapter 7, Marks and Grades Guidelines.

**Practical legal training**

27.11 Normally no credit is given for studies in a PLT course e.g. a Professional Education and Training stage 1 (PEAT 1) course leading to a Diploma in Legal Practice (DLP) or a Diploma in Professional Legal Practice (DPLP).

27.12 In particular the Board has not adopted the suggestion in Principles, Schedule 2, Scotland, third paragraph that credit can be given in all cases in Ethics and Professional Responsibility for completion of a Professional Education and Training stage 1 (PEAT 1) course. Each course is looked at separately on the basis of the information provided by the applicant.

**PART 28 - SINGAPORE**

**AREAS REQUIREMENT (Part 3)**

L**aw**

28.1 Normally no credit is given in the Academic Area Federal Constitutional Law for studies or experience relating to the law of Singapore - see Part 3, Comparable law.

28.2 Credit may be given in the other Academic Areas.

**Result**

28.3 Normally credit may be given for a pass mark or grade (Chapter 7, Marks and Grades Guidelines).

**Professional exams**

28.4 Normally no credit is given for professional exams - see Part 3, Professional exams.

28.5 But if you have passed a subject in the Bar Examinations Part A or the Bar Examinations Part B or the former Practical Course in Law (PCL), you should provide evidence of this (Chapter 7, Evidence).

**PART 29 - SOUTH AFRICA**

**AREAS REQUIREMENT (Part 3)**

**Law**

29.1 Normally no credit is given in the Academic Areas Equity, Federal Constitutional Law and Real Property for studies or experience relating to the law of any jurisdiction in South Africa - see Part 3, Comparable law.

29.2 Credit may be given in the other Academic Areas.

**Practical legal training**

29.3 Normally no credit is given for studies in a PLT course e.g. a Legal Education and Development (LEAD) course.

**Professional exams**

29.4 Normally no credit is given for professional exams e.g. the Attorney's Exam or the National Bar Exam - see Part 3, Professional exams.

**PART 30 - SOUTH PACIFIC COUNTRIES**

**AREAS REQUIREMENT (Part 3)**

**Law**

30.1 Normally no credit is given in the Academic Areas Federal Constitutional Law and Real Property for studies or experience relating to the law of Fiji - see Part 3, Comparable law.

30.2 Credit may be given in the other Academic Areas.

30.3 The extent to which credit may be given for studies or experience relating to the law of other South Pacific countries has not been decided.

**Result**

30.4 Normally no credit is given for a mark less than 50% or a grade that indicates work that would not be assessed as passable in an accredited course (Chapter 7, Accredited course).

**PART 31 - SRI LANKA**

**AREAS REQUIREMENT (Part 3)**

**Law**

31.1 Normally no credit is given in the Academic Areas Federal Constitutional Law and Real Property for studies or experience relating to the law of Sri Lanka - see Part 3, Comparable law.

31.2 Credit may be given in the other Academic Areas.

**Professional exams**

31.3 Normally no credit is given for professional exams.

31.4 But if you have passed a subject in the Sri Lanka Law College (SLLC) final examination, you should provide evidence of this (Chapter 7, Evidence) - see Principles, Schedule 2, Sri Lanka (c).

**PART 32 - UGANDA**

**AREAS REQUIREMENT (Part 3)**

**Law**

32.1 Normally no credit is given in the Academic Area Federal Constitutional Law for studies or experience relating to the law of Uganda - see Part 3, Comparable law.

32.2 Credit may be given in the other Academic Areas.

**Institution**

32.3 Normally no credit is given for studies at an institution whose standards of assessment are not high enough.

**Result**

32.4 Normally no credit is given for a mark less than 60% or a grade that indicates work that would not be assessed as passable in an accredited course (Chapter 7, Accredited course).

**PART 33 - UNITED STATES OF AMERICA**

**AREAS REQUIREMENT (Part 3)**

**Law**

33.1 Normally no credit is given in the Academic Areas Administrative Law, Federal Constitutional Law and Real Property for studies or experience relating to any jurisdiction in the United States of America - see Part 3, Comparable law.

33.2 Subject to the following comments, credit may be given in the other Academic Areas.

33.3 Normally no credit is given in any Academic Area for studies or experience relating to the civil law of Louisiana - see Part 3, Comparable law.

33.4 If your studies or experience in Property relate to a Torrens system, you should provide evidence of this (Chapter 7, Evidence) with a view to a possible credit in Real Property.

**Institution**

33.5 Normally no credit is given for studies at an institution which is not approved by the American Bar Association (ABA) - see Principles, Schedule 2, United States (a).

**Subject**

33.6 If you are seeking credit in the Academic Area Equity but your transcript does not show a subject called 'Equity', 'Trusts' or 'Equity and Trusts', you should provide details of how the trusts and non-trusts topics listed firstly or secondly in Schedule 1 to the Admission Rules (Chapter 7, Admission Rules) for Equity (Chapter 7, Equity) were covered in the subjects you took or as part of your experience. You should also provide a copy of any relevant subject outline (Chapter 7, Subject outline).

**Result**

33.7 Normally credit may be given for a pass mark or grade.

33.8 See Chapter 7, Marks and Grades Guidelines.

**Professional exams**

33.9 Normally no credit is given for professional exams e.g. bar exams.

**PART 34 - WEST INDIES**

**AREAS REQUIREMENT (Part 3)**

**Law**

34.1 The West Indies consists of a number of jurisdictions. There are some comparable law issues - see original version of Principles, Schedule 2, West Indies and Part 3, Comparable law.

**PART 35 - ZIMBABWE**

**AREAS REQUIREMENT (Part 3)**

**Law**

35.1 Normally no credit is given in the Academic Areas Equity, Federal Constitutional Law and Real Property for studies or experience relating to the law of Zimbabwe - see Part 3, Comparable law.

35.2 Credit may be given in the other Academic Areas.

**Institution**

35.3 Normally no credit is given for studies at an institution whose standards of assessment are not high enough.

**Result**

35.4 Normally no credit is given for a mark less than 60% or a grade that indicates work that would not be assessed as passable in an accredited course (Chapter 7, Accredited course).

**CHAPTER 4 - COURSE ASSESSMENTS**

**PART 36 - COURSE ASSESSMENTS**

**INTRODUCTION**

**Definition**

36.1 A course assessment is an assessment under rule 97 of the Board Rules (Chapter 7, Board Rules).

36.2 A course assessment identifies what exemptions from Board subjects can be given.

36.3 A course assessment is sometimes incidental to a prerequisite assessment (Chapter 7, Prerequisite assessment), is sometimes an independent assessment and is sometimes incidental to a current knowledge assessment (Chapter 7, Current knowledge assessment).

**Prerequisite assessments**

36.4 If you apply for a qualifications assessment and you come within rule 11(1) of the Admission Rules (Chapter 7, Admission Rules), your application will be treated as an application under that provision for a prerequisite assessment.

36.5 But you will also be given a course assessment via rule 97(7B) of the Board Rules (Chapter 7, Board Rules).

36.6 This is in case you decide to complete any required study with the Board.

36.7 This is also in case you will be seeking to satisfy the qualification requirement by completing at least 10 subjects with the Board and being assessed as exempted from the rest - see rule 80 of the Board Rules (Chapter 7, Board Rules).

**Course assessments**

36.8 If you apply for a qualifications assessment and you fall outside rule 11(1) of the Admission Rules (Chapter 7, Admission Rules), your application will be treated as an application under rule 97(1) of the Board Rules (Chapter 7, Board Rules) for a course assessment.

36.9 The course assessment will be indicative of what you need to do to satisfy the areas requirement and the duration requirement, and will sometimes be relevant to the qualification requirement, as discussed below.

**Current knowledge assessments**

36.10 If you apply for a current knowledge assessment (Chapter 7, Current knowledge assessment) you will also be given a course assessment.

36.11 This is in case you decide to complete any required study with the Board.

36.12 This is also in case you will be seeking to obtain the Board's Diploma by completing at least 10 subjects with the Board and being assessed as exempted from the rest - see rule 80 of the Board Rules (Chapter 7, Board Rules).

**SUBJECT EXEMPTIONS**

36.13 If you have registered with the Board as a student-at-law and you are seeking an exemption based on subjects which you intend to take or have taken elsewhere after registration, you will need to make a preliminary application for permission to take these subjects or to seek the exemption - see rule 97(9) of the Board Rules (Chapter 7, Board Rules).

36.14 The Board's course consists of 13 core subjects, four other compulsory subjects and three elective subjects, as listed at lec.sydney.edu.au/course-overview/curriculum/.

36.15 An exemption from a core subject (LPAB: 01-11, 15, 17) will normally not be given unless you have adequately covered the content of the subject and you do not need to do the subject to satisfy the duration requirement. As regards adequate coverage, you should note that an issue that would prevent credit being given in an Academic Area (Chapter 2 and Chapter 3) may prevent credit being given in a core subject that covers the Area.

36.16 An exemption from any other subject will normally not be given unless you have adequately covered the content of the subject or you do not need to do the subject to satisfy the duration requirement. As regards adequate coverage, you should note that an issue that prevents credit being given in an Academic Area (Chapter 2 and Chapter 3) may prevent credit being given in a subject.

36.17 An exemption from an unspecified elective reduces the number of electives to be taken. But it is normally given only for a law subject that does not substantially overlap with a Board subject and is comparable to a typical Board elective subject in length, breadth and depth. The subject need not relate to law that is comparable to NSW law. An unspecified elective credit may sometimes also be given for a number of subjects in a course that is less than an accredited course (Chapter 7, Accredited course).

**AREAS REQUIREMENT (Part 3)**

36.18 Even if you are not eligible for a prerequisite assessment, a course assessment is indicative of what you need to do to satisfy the areas requirement, whether through studies with the Board or studies away from the Board (Chapter 6, Studies away from the Board).

36.19 This is because an exemption from a subject that covers an Academic Area (LPAB: 01-11, 15, 17) will be given only if, on a prerequisite assessment, you would be given credit in the Area (Chapter 2 and Chapter 3).

36.20 So the remaining subjects will always be enough to satisfy the areas requirement.

36.21 Indeed they may be more than enough to satisfy the areas requirement. For example, even if you would be given credit in Personal Property, LPAB: Commercial Transactions 08 may be amongst the remaining subjects to satisfy the duration requirement.

**DURATION REQUIREMENT (Part 4)**

36.22 Even if you are not eligible for a prerequisite assessment, a course assessment is indicative of what you need to do to satisfy the duration requirement, whether through studies with the Board or away from the Board (Chapter 6, Studies away from the Board).

36.23 This is because an exemption from a subject will be given only if you do not need to do the subject to satisfy the duration requirement (Chapter 2 and Chapter 3).

36.24 So the remaining subjects will always be enough to satisfy the duration requirement.

**QUALIFICATION REQUIREMENT (Part 5)**

36.25 A course assessment is not indicative of what you need to do to satisfy the qualification requirement.

36.26 This is because an exemption may be given even if it reduces the number of remaining subjects below the 10 required for the award of the Board's Diploma, and a course assessment says nothing as regards the award requirements for other courses.

36.27 But a course assessment is relevant to the Board's Diploma - even if you do 10 subjects with the Board, you also need to be assessed as exempted from the rest - see rule 80 of the Board Rules (Chapter 7, Board Rules).

36.28 If you do not have an overseas law qualification and are seeking to satisfy the qualification requirement through an Australian qualification, you may need to do extra subjects to obtain an appropriate award.

**CHAPTER 5 - CURRENT KNOWLEDGE ASSESSMENTS**

**PART 37 - CURRENT KNOWLEDGE ASSESSMENTS**

**INTRODUCTION**

37.1 If you have completed an accredited course (Chapter 7, Accredited course), and there may or will be a gap of more than five years after the final year of your enrolment before you apply for admission, you can apply for a current knowledge assessment as to what study (if any) should be completed to avoid further study being required when you apply for admission - note rule 5(2) of the Admission Rules (Chapter 7, Admission Rules).

37.2 There is no need to give reasons for not applying for admission previously. The question is simply what further studies, if any, should now be completed before you apply for admission.

**RELEVANT MATTERS**

**Introduction**

37.3 The Academic Exemptions Sub-Committee will take into account the matters mentioned below, to the extent they are relevant to your case, and anything else which is relevant.

**Academic studies - evidence**

37.4 If you have completed law or law-related subjects in an academic course, including a conveyancers licensing course, you should provide a transcript of subjects completed (Chapter 7, Evidence). But note the following.

37.5 No weight is given to a subject if a transcript shows only an exemption from the subject. You should provide a transcript showing the earlier subject and the result on which the exemption was based (Chapter 7, Evidence).

**Time involved**

37.6 The Academic Exemptions Sub-Committee will take into account the time that has passed since your final year of enrolment in your accredited course. The longer the time, the more extensive the further studies that will be required, even after the following matters are taken into account.

**High results**

37.7 The Academic Exemptions Sub-Committee will take high marks into account, on the basis that knowledge that is well acquired lasts longer than knowledge that is only adequately acquired. But sometimes results are not high and the time involved is very long.

**Further academic studies**

37.8 If you have completed or partly completed further law or law-related academic studies, you should provide evidence of this (Chapter 7, Evidence). If you are about to start any further law or law-related academic studies, you should provide details of this.

**Practical legal training**

37.9 If you have completed or partly completed any practical legal training, you should provide evidence of this (Chapter 7, Evidence). If you are about to start any practical legal training, you should provide details of this. Practical legal training has some refreshing and updating effect, although this effect may be negligible if the time involved since your final year of enrolment is long.

**Professional exams**

37.10 If you passed the Board's former examination in Legal Ethics and Trust Accounts, you should provide evidence of this (Chapter 7, Evidence).

**Experience**

37.11 If you have any legal or law-related experience, you should provide details of this. For example if you did legal or law-related work, you should give the dates between which you worked and details of the type of work you did and your level of responsibility.

**Proposed area of practice**

37.12 If you intend to practise in a particular area after admission, you should provide details of this.

**CHAPTER 6 - POST-ASSESSMENT PROCEDURES**

**PART 38 - DECISION LETTERS**

**INTRODUCTION**

**Requirements**

38.1 If you have applied for a qualifications assessment, the decision letter may require you to undertake further study. This may be because of the areas requirement, the duration requirement or the qualification requirement, as discussed below. Or the letter may list exemptions, as discussed below.

38.2 If you have applied for a current knowledge assessment (Chapter 7, Current knowledge assessment), the decision letter may require you to undertake further study, as discussed below.

**Submissions**

38.3 If the letter invites submissions, see Chapter 6, Submissions, as to possible submissions.

38.4 If the invitation relates to an Academic Area, see Chapter 7, Academic Area for the definition of the Area.

38.5 If the invitation mentions a subject outline, see Chapter 7, Subject outline for the definition of a subject outline.

**Period of validity**

38.6 If the letter requires you to undertake further studies, the letter will impose or should be taken to impose a time limit on completing those studies and applying for admission - see Chapter 6, Periods of validity.

38.7 It is not enough just to complete the studies within the set period.

38.8 You need to apply for admission within the set period or seek an extension - see Chapter 6, Periods of validity.

**Review by Legal Qualifications Committee**

38.9 Before you apply for a review of a decision by the Legal Qualifications Committee, you should consider the comments in Chapter 6, Decision letters. You should also consider whether anything in Chapter 2, Chapter 3, Chapter 4 or Chapter 5 stands in your way. You should also consider whether there is any submission you can usefully make - see Chapter 6, Submissions, as to pointless or possible submissions.

38.10 If you still wish to apply for a review, see Chapter 6, Reviews by the Legal Qualifications Committee.

**AREAS REQUIREMENT (Part 3)**

**Schedule 1 areas**

38.11 If the decision letter mentions an area set out in Schedule 1 to the Admission Rules (Chapter 7, Admission Rules), this generally indicates a requirement to study the whole of the area.

38.12 For example the following terms indicate a requirement to study the whole of an area set out in Schedule 1 to the Admission Rules (Chapter 7, Admission   
Rules) -

'Federal and State Constitutional Law (LPAB: Legal Institutions 01 and LPAB: Australian Constitutional Law 06)' - the Academic Areas State Constitutional Law and Federal Constitutional Law

'Property (LPAB: Real Property 05 and LPAB: Commercial Transactions 08)' - the Academic Areas Real Property and Personal Property.

38.13 But the following terms indicate a requirement to study the following parts of areas listed in Schedule 1 to the Admission Rules (Chapter 7, Admission   
Rules) -

'Federal and State Constitutional Law (LPAB: Legal Institutions 01)' - the Academic Area State Constitutional Law, the non-federal aspects of the Schedule 1 area

'Federal and State Constitutional Law (LPAB: Australian Constitutional Law 06)' - the Academic Area Federal Constitutional Law, the federal aspects of the Schedule 1 area

'Property (LPAB: Real Property 05)' - the Academic Area Real Property, the land aspects of the Schedule 1 area

'Property (LPAB: Commercial Transactions 08)' - the Academic Area Personal Property, the non-land aspects of the Schedule 1 area.

38.14 A requirement to study Personal Property does not require the study of a subject devoted to intellectual property.

**Exemptions**

38.15 If the decision letter instead lists exemptions from Board subjects, the required study is the study of the remaining Board subjects, which will bring your existing studies and experience up to the level of study required by the areas requirement.

**Studies away from the Board**

38.16 Whether the letter lists required studies or exemptions, studies away from the Board may be acceptable (Chapter 6, Studies away from the Board).

**DURATION REQUIREMENT (Part 4)**

**Additional subjects**

38.17 If the decision letter requires the study of Board subjects that go beyond the areas set out in Schedule 1 to the Admission Rules (Chapter 7, Admission Rules), the combination of the required area studies and the study of the additional subjects will bring your existing studies and experience up to the level of study required by the duration requirement.

**Exemptions**

38.18 If the decision letter instead lists exemptions from Board subjects, the required study is the study of the remaining subjects, in order to bring your existing studies and experience up to the study required by the duration requirement.

**Studies away from the Board**

38.19 Whether the letter lists required studies or exemptions, studies away from the Board may be acceptable (Chapter 6, Studies away from the Board).

**QUALIFICATION REQUIREMENT (Part 5)**

**Introduction**

38.20 If you do not have an overseas law qualification, the decision letter will or should be taken to say that you will need an overseas or Australian law qualification to be admitted.

**Studies with the Board**

38.21 If you do not have an overseas law qualification and are seeking to satisfy the qualification requirement by studies in the Board's course, you should note that you will need to pass at least 10 Board subjects and be assessed as exempted from the rest to be eligible for the Board's Diploma in Law - see rule 80 of the Board Rules (Chapter 7, Board Rules).

**Studies away from the Board**

38.22 If you do not have an overseas law qualification and are seeking to satisfy the qualification requirement by studies in some other accredited course (Chapter 7, Accredited course), you will need to consider the award requirements of that course.

**CURRENT KNOWLEDGE ASSESSMENTS (Chapter 5)**

**Introduction**

38.23 If you have applied for a current knowledge assessment (Chapter 7, Current knowledge assessment), the decision letter will indicate any further study necessary to avoid the possible exercise by the Board of its power under rule 5(2) of the Admission Rules (Chapter 7, Admission Rules) when you apply for admission.

**Studies away from the Board**

38.24 Studies away from the Board may be acceptable (Chapter 6, Studies away from the Board).

**PART 39 - REVIEWS BY THE LEGAL QUALIFICATIONS COMMITTEE**

**INTRODUCTION**

39.1 Before you apply for a review of a decision by the Legal Qualifications Committee, you should consider the comments in Chapter 6, Decision letters. You should also consider whether anything in Chapter 2, Chapter 3, Chapter 4 or Chapter 5 stands in your way. You should also consider whether there is any submission you can usefully make - see Chapter 6, Submissions, as to possible or pointless submissions.

**FORM**

39.2 The relevant form is available at [www.lpab.justice.nsw.gov.au/Pages/forms-fees/assessment-skills-qualifications-forms.aspx](http://www.lpab.justice.nsw.gov.au/Pages/forms-fees/assessment-skills-qualifications-forms.aspx) -

Form R1 - Application for review of decision of the Academic Exemptions Sub-Committee.

**PART 40 - SUBMISSIONS**

**INTRODUCTION**

**Applications for academic assessments**

40.1 There is no need to make submissions with an application for an academic assessment.

40.2 If the Academic Exemptions Sub-Committee invites submissions, you should consider the comments below.

40.3 If the invitation relates to an Academic Area, see Chapter 7, Academic Area for the definition of the Area.

40.4 If the invitation mentions a subject outline, see Chapter 7, Subject outline for the definition of a subject outline.

**Reviews by the Legal Qualifications Committee**

40.5 Before you apply for a review of the decision by the Legal Qualifications Committee, you should consider the comments in Chapter 6, Decision letters. You should also consider whether anything in Chapter 2, Chapter 3, Chapter 4 or Chapter 5 stands in your way. You should also consider whether there is any submission you can usefully make - see Chapter 6, Submissions, as to possible or pointless submissions.

**Evidence**

40.6 You can provide evidence or information with your submissions (Chapter 7, Evidence).

**Format**

40.7 If you prepare a document as part of your submissions you must prepare the document in portrait mode not landscape mode.

**AREAS REQUIREMENT (Part 3)**

**Introduction**

40.8 If you are seeking credit in an Academic Area, you should note the following comments on some particular Academic Areas, and some particular topics.

**Administrative Law**

40.9 If you have been required to study the Academic Area Administrative Law, this may be because Chapter 3 denies credit because of comparable law issues or because you have not completed studies in which the equivalent of at least one semester was devoted to the area, as defined in Schedule 1 to the Admission Rules (Chapter 7, Admission Rules).

**Equity**

40.10 If you are seeking credit in the Academic Area Equity, you need to show adequate coverage of both the trusts and non-trusts topics in the Area (Chapter 7, Equity).

**Ethics and Professional Responsibility**

40.11 If you are seeking credit in the Academic Area Ethics and Professional Responsibility for studies undertaken as part of a practical legal training course, there is no point in relying on the Principles. There is an unfavourable statement in Principles 2.5, and the favourable suggestions in Principles, Schedule 2 in relation to England and Wales, Northern Ireland and Scotland have not been adopted by the Board, as noted in Chapter 3. You need to provide evidence showing the coverage of the area in the particular course (Chapter 7, Subject outline).

40.12 If you are seeking a credit in Ethics and Responsibility based on experience, you should note that corporate or in-house experience does not normally justify a credit.

**Federal Constitutional Law**

40.13 If you have been required to study the Academic Area Federal Constitutional Law, and your studies and experience are confined to the law of one or more overseas jurisdictions, there is normally no point in making a submission about this requirement.

40.14 This is because normally no credit is given in this Academic Area for studies and experience relating to the law of any overseas jurisdiction, because of comparable law issues - see Part 3, Comparable law and Principles 3.2 first paragraph, third sentence.

40.15 Distinguish cases where your studies or experience relate to Australian federal constitutional law e.g. Australian studies (Chapter 3, Australia), special overseas studies (Chapter 3, England and Wales) or Australian experience (Chapter 3, Australia).

**Law (Part 3, Comparable law)**

40.16 If you are seeking credit in an Academic Area for studies or experience relating to the law of an overseas jurisdiction, and you are addressing a comparable law issue with the jurisdiction (Chapter 3), you should provide an outline of the constitutional history and law of the jurisdiction, an outline of the sources of law in the jurisdiction (including the extent to which the law of any other jurisdiction contributes to the law of the jurisdiction) and a comparison between the law of NSW in the Area (Chapter 7, Academic Area) and the law of the overseas jurisdiction in the Area.

**Institution (Part 3, Academic studies, Institution)**

40.17 If you are seeking credit in an Academic Area for studies at an institution whose standards of assessment may not have been accepted in accordance with comments in Chapter 3, you should provide information about the language of instruction at the institution, the standards of the institution (or anything that indirectly indicates its standards e.g. its ranking, reputation or standing within the jurisdiction or the world) and the marking criteria (Chapter 7, Marking criteria) that were used for the assessment of your work (or if these are unavailable, marking criteria which were used near the time of the assessment).

**Course (Part 3, Academic studies, Course)**

40.18 If you are seeking credit in an Academic Area and you are relying on studies in a jurisdiction not listed in Chapter 3, you should provide information about the extent to which the studies satisfy the academic requirements for admission in the jurisdiction.

**Subject (Part 3, Academic studies, Subject)**

40.19 If you are seeking credit in an Academic Area and you are relying on coverage by an academic subject, you should consider the scope of the Area (Chapter 7, Academic Area) and provide evidence of the length, breadth and depth of the coverage of the Area in the subject e.g. a subject outline (Chapter 7, Subject outline).

40.20 If you are seeking credit in an Academic Area, and there is more than one set of topics in the definition of the related Schedule 1 area (Chapter 7, Academic Area), you can address either set or both sets of topics. But you may find it easier to address the first set, as it is always more specific.

40.21 In the case of Equity, you need to address both the trusts and non-trusts topics in the definition (Chapter 7, Equity).

40.22 In the case of Federal Constitutional Law, Personal Property, Real Property or State Constitutional Law, you only need to address the relevant aspects of the related Schedule 1 area (Chapter 7, Academic Area).

**Result (Part 3, Academic studies, Result)**

40.23 If you are relying on a mark or grade that is too low, having regard to comments in Chapter 3, you need to show the mark or grade should be accepted.

**Gap (Part 3, Academic studies, Gap)**

40.24 If you have been required to study one or more Academic Areas you have already studied in your academic course, the study may have been required to refresh and update your academic knowledge.

40.25 If this is the case, there is no point in saying you have already studied the required Areas or that there has been little change in the required Areas. The purpose of the requirement is to refresh and update your knowledge of all the Areas.

**Practical legal training (Part 3, Practical legal training)**

40.26 If you are seeking credit in an Academic Area and you are relying on a practical legal training course, you should provide evidence of the length, breadth and depth of the coverage of the Area in the course e.g. for any relevant subject, a subject outline (Chapter 7, Subject outline).

**Professional exams (Part 3, Professional exams)**

40.27 If you are seeking credit in an Academic Area and you are relying on a professional exam, you should provide evidence of the duration of the exam, the breadth and depth of the coverage of the Area in the exam, and the assessment method used in the exam (Chapter 7, Evidence).

**Experience (Part 3, Experience)**

40.28 If you are seeking credit in an Academic Area and you are relying on experience, you should provide details of the coverage of the Area (Chapter 7, Academic Area) by the experience.

40.29 There is no point in just saying you are an experienced practitioner or that you have practised for a long time. You need to relate your experience to the topics making up the Area (Chapter 7, Academic Area).

40.30 With the Academic Area Equity it is necessary to show adequate coverage of both the trusts and non-trusts parts of Equity (Chapter 7, Equity).

**Intended practice**

40.31 If you have been required to study an Academic Area, there is no point in saying that you intend to engage in practice that does not require knowledge of the area. The Academic Exemptions Sub-Committee and the Legal Qualifications Committee have not accepted the relevance of Principles, Schedule 5, paragraph (e). The academic requirements for admission are requirements for admission to the practice of law in general, including practice relating to any of the Academic Areas.

**DURATION REQUIREMENT (Part 4)**

40.32 If you have been required to undertake additional studies beyond the Academic Areas, this may have been because you have not already satisfied the duration requirement and will not satisfy the duration requirement via the required study of the Academic Areas.

40.33 If this is the case, there is no point in making a submission that these studies go beyond the Academic Areas. The additional studies relate to an independent requirement which must be independently satisfied.

40.34 Also, there is no point in making a submission that these studies are not mentioned in the Principles. The Principles treat a person as eligible for assessment only if they have already satisfied the duration requirement - see Principles 2.2, including 2.2(b) and the use of the word 'eligible'. So the Principles do not deal with cases where this requirement has not been satisfied but needs to be satisfied.

40.35 Also, there is no point in making a submission, based on Principles 2.3 first paragraph (b), that you have complied with this requirement just because you have completed a course that allows the commencement of practical legal training. The course you completed has been assessed as not long enough to satisfy the duration requirement. For examples see Chapter 3, England and Wales and Chapter 3, Ireland.

**QUALIFICATION REQUIREMENT (Part 5)**

40.36 If you do not have an overseas law qualification, the decision letter would or should be taken to say that you will need an overseas or Australian law qualification to be admitted and, if less than 10 Board subjects are mentioned in the letter, you will need to pass at least 10 of the Board’s subjects and be exempted from the rest to be eligible for the Board's Diploma in Law - see rule 80 of the Board Rules (Chapter 7, Board Rules).

40.37 This statement is based on the qualification requirement and rule 80 of the Board Rules (Chapter 7, Board Rules), and there is therefore no point in making a submission to the Academic Exemptions Sub-Committee or the Legal Qualifications Committee about this statement.

**CURRENT KNOWLEDGE ASSESSMENTS (Chapter 5)**

40.38 If you have applied for a current knowledge assessment (Chapter 7, Current knowledge assessment), and the decision letter requires the study of one or more Academic Areas, this is to refresh and update your knowledge of those Areas and any other Academic Areas.

40.39 There is therefore no point in making a submission that you have already studied an Area, or that there has been little change in that Area, as the Area is only part of the story. Much may need refreshing and updating in other related Areas.

40.40 There is also no point in making a submission that you should not have to study an Academic Area that was not a required area at the time you took your course. The current academic admission requirements must be satisfied.

**PART 41 - STUDIES AWAY FROM THE BOARD**

**INTRODUCTION**

**Studies with the Board**

41.1 If you complete any required study with the Board, you will not have to apply for any further assessment.

**Prospective assessments**

41.2 If you wish to complete any required studies away from the Board, you are strongly encouraged to apply for a prospective assessment of your proposed studies (Form A2, which is available at [www.lpab.justice.nsw.gov.au/Pages/forms-fees/assessment-skills-qualifications-forms.aspx](http://www.lpab.justice.nsw.gov.au/Pages/forms-fees/assessment-skills-qualifications-forms.aspx)). This will ensure that your proposed studies are sufficient and are not more than necessary. See the requirements discussed below.

41.3 An application for a prospective assessment can be partial i.e. it can cover part of your required studies, leaving the rest to be covered by a separate application or by studies with the Board.

41.4 An application for a prospective assessment can be made in the alternative e.g. you can propose to cover an Academic Area either by one subject at one institution or by another subject at another institution. If the proposed studies are approved, you can choose between the subjects later.

41.5 Applications for prospective assessments can be made in succession e.g. if you get approval for one subject at one institution, you can still make an application for approval of another subject at another institution. If the second approval is given, you can choose between the subjects later.

41.6 If you have already registered with the Board as a student-at-law, and you wish to take further studies elsewhere after your registration, you will need to make a preliminary application for permission to do so under rule 97(9) of the Board Rules (Chapter 7, Board Rules).

41.7 If and when your proposed studies have been completed, you need to lodge evidence of their completion (Chapter 7, Evidence) with a letter requesting a Board letter confirming completion of your required study. You will need to lodge the confirming letter with your application for admission.

**Final assessments**

41.8 If you complete any studies away from the Board without a prospective assessment, you run the risk of doing less than what is necessary or more than what is necessary. Also, you will still have to apply for an assessment of those studies, by way of a final assessment (Form A2, which is available at www.lpab.justice.nsw.gov.au/Pages/forms-fees/assessment-skills-qualifications-forms.aspx). Also, your admission may be delayed if the studies undertaken do not meet the academic requirements for admission. See the requirements discussed below.

41.9 If you registered with the Board as a student-at-law before undertaking the studies, and you wish to seek credit for the studies, you will need to make a preliminary application for permission to do so under rule 97(9) of the Board Rules (Chapter 7, Board Rules).

**Requirements**

41.10 If you were given a prerequisite assessment, you should ensure any studies away from the Board will enable you to satisfy the areas requirement, the duration requirement and the qualification requirement, as discussed below.

41.11 If you were given a current knowledge assessment (Chapter 7, Current knowledge assessment) and the decision letter requires further study, you should ensure your studies away from the Board will satisfy that requirement, as discussed below.

**AREAS REQUIREMENT (Part 3)**

**Adequate studies**

41.12 The Academic Exemptions Sub-Committee will accept any studies it would have accepted on an initial assessment.

41.13 For example the Academic Exemptions Sub-Committee will normally accept appropriate studies in an accredited course (Chapter 7, Accredited course).

41.14 For example the Academic Exemptions Sub-Committee will normally accept appropriate overseas studies. The Academic Exemptions Sub-Committee has not accepted the limitation in Principles 3.3, first paragraph.

41.15 For example the Academic Exemptions Sub-Committee will normally accept appropriate studies at more than one institution. The Academic Exemptions Sub-Committee has not accepted the limitation implied by the use of the singular in Principles 3.3, second paragraph.

41.16 And, for example, if you are required to study the Academic Area Real Property but not the Academic Area Personal Property, and an accredited course (Chapter 7, Accredited course) includes two property subjects, one relating to property generally and one devoted to Real Property, you may need to do only the second subject.

**Inadequate studies**

41.17 The Academic Exemptions Sub-Committee will not accept any studies it would not have accepted on an initial assessment.

41.18 For example, an Australian subject which is not part of an accredited course (Chapter 7, Accredited course) does not normally provide adequate coverage of an Academic Area.

41.19 For example, even with an accredited course (Chapter 7, Accredited course), you may need to do two subjects in the course to adequately cover an Academic Area.

41.20 For example you may need to do 'Contracts' plus 'Remedies' to adequately cover Contracts.

41.21 For example you may need to do 'Equity' plus 'Remedies' to adequately cover Equity.

41.22 For example you may need to do 'Equity' plus 'Trusts' to adequately cover Equity.

41.23 For example you may need to do 'Torts' plus 'Remedies' to adequately cover Torts.

41.24 For example, if you are required to study both the Academic Area Real Property and the Academic Area Personal Property, and an accredited course (Chapter 7, Accredited course) includes two property subjects, one about property generally, including Personal Property, and one devoted to Real Property, you will normally need to do both subjects.

**DURATION REQUIREMENT (Part 4)**

41.25 If you have not already satisfied the duration requirement through overseas studies, you should note that the Board subjects mentioned in the decision letter will enable you to satisfy the duration requirement but other subjects may not.

41.26 For example if you have been required to study the Schedule 1 area (Chapter 7, Schedule 1 area) Federal and State Constitutional Law, to the extent covered in two Board subjects, a single 'Constitutional Law' subject may enable you to satisfy the areas requirement but not the duration requirement.

41.27 For example if you have been required to study the Schedule 1 area (Chapter 7, Schedule 1 area) Property, to the extent covered in two Board subjects, a single 'Property' subject may enable you to satisfy the areas requirement but not the duration requirement.

**QUALIFICATION REQUIREMENT (Part 5)**

41.28 If you do not have an overseas law qualification and are therefore seeking to be eligible for the Board's Diploma in Law, you should note that you will need to pass at least 10 subjects with the Board and be assessed as exempted from the rest - see rule 80 of the Board Rules (Chapter 7, Board Rules). So for any subject not passed, you will need to ensure an exemption is given by the decision letter or will be both justified by your studies away from the Board and in fact given. See Chapter 4, Course assessments.

41.29 If you do not have an overseas law qualification and are therefore seeking to be eligible for a law degree based on full or partial completion of an accredited course at some other institution, you will need to ensure your studies away from the Board satisfy the requirements of the other institution.

**CURRENT KNOWLEDGE ASSESSMENTS (Chapter 5)**

41.30 If the decision letter requires study of an Academic Area, you will need to ensure your studies will adequately cover the area. See the discussion of the areas requirement above.

**PART 42 - PERIODS OF VALIDITY**

**INTRODUCTION**

**Initial Academic Exemptions Sub-Committee decisions**

42.1 The letter advising of an initial Academic Exemptions Sub-Committee decision listing further studies required will be or should be taken to be subject to a condition that you must complete any further study required, satisfy any other admission requirements, and apply for admission within a period calculated from the date of the letter in accordance with the following formula.

42.2 The period depends on the number of Board subjects mentioned in the letter - 0 to 4 subjects two years, 5 to 6 subjects three years, 7 to 8 subjects four years, 9 or more subjects five years. This maximum is consistent with Principles 7, second paragraph.

42.3 It is not enough to complete the subjects within the set period.

42.4 You also need to apply for admission within the set period. Otherwise you need to seek an extension - see the discussion of extensions below.

**Other decisions**

42.5 An Academic Exemptions Sub-Committee decision in relation to a prospective or final assessment or a Legal Qualifications Committee decision on review does not automatically extend the period of validity.

**EXTENSIONS OF PERIODS OF VALIDITY**

42.6 You can at any time apply for an extension of the period of validity. You can apply before or after the period expires. You can apply more than once.

42.7 An application for an extension should be sent by email to [lpab@justice.nsw.gov.au](mailto:lpab@justice.nsw.gov.au) and should include the following information -

* The length of the extension you are seeking - this should be long enough for you to complete all remaining requirements for admission, including English proficiency requirements, and to apply for admission,
* The date to which you would like the period extended,
* The reason(s) why you were unable to apply for admission within the period of validity, and
* A brief summary of your study and work history since the Academic Exemptions Sub-Committee decision, or an up-to-date curriculum vitae.

42.8 The prescribed fee for this application is set out at www.lpab.justice.nsw.gov.au under ‘Forms and Fees’ and then ‘Fees’, Table of Fees, 'For services not listed in this table'.

42.9 The prescribed fee can be paid via the online payment portal at www.lpab.justice.nsw.gov.au under ‘Forms and Fees’ and then ‘Fees’.

42.10 One issue may be whether your academic knowledge as assessed at the time of the decision needs refreshing or updating by studies that go beyond any studies already required. You should provide details of any academic law studies or practical legal training you have undertaken since the decision, or any law-related experience you have had since the decision.

42.11 The application will be determined by the Executive Officer within certain limits or by the Academic Exemptions Sub-Committee beyond those limits.

**CHAPTER 7 - TERMINOLOGY**

**PART 43 - TERMINOLOGY**

**ACADEMIC AREA**

43.1 An Academic Area is an area in the list below.

43.2 Each Academic Area is an area or part of an area set out in Schedule 1 to the Admission Rules (Chapter 7, Admission Rules), as shown in brackets below.

Administrative Law (Area 9)

Civil Dispute Resolution (Area 11)

Company Law (Area 8)

Contracts (Area 5)

Criminal Law and Procedure (Area 3)

Equity (Area 7) (trusts and non-trusts topics - see Chapter 7, Equity)

Ethics and Professional Responsibility (Area 13)

Evidence (Area 12)

Federal Constitutional Law (federal aspects of Area 10, Federal and State Constitutional Law)

Personal Property (non-land aspects of Area 6, Property)

Real Property (land aspects of Area 6, Property)

State Constitutional Law (non-federal aspects of Area 10, Federal and State Constitutional Law)

Torts (Area 4).

**ACADEMIC ASSESSMENT**

43.3 An academic assessment may be a qualifications assessment (Chapter 7, Qualifications assessment) or a current knowledge assessment (Chapter 7, Current knowledge assessment).

**ACCREDITED COURSE**

43.4 An accredited course is a course accredited or deemed to be accredited by the Board under the Admission Rules (Chapter 7, Admission Rules) (for example the Board's course).

43.5 A list of courses accredited by the Board is available at [www.lpab.justice.nsw.gov.au/Pages/admission-lawyer/accredited-law-courses-plt-providers.aspx](https://www.lpab.justice.nsw.gov.au/Pages/admission-lawyer/accredited-law-courses-plt-providers.aspx).

43.6 A course accredited by another Australian Admitting Authority is usually but not necessarily deemed to be accredited by the Board - see rule 7(4) of the Admission Rules (Chapter 7, Admission Rules).

**ADMISSION RULES**

43.7 The Admission Rules are the Legal Profession Uniform Admission Rules 2015, which are available at www.legislation.nsw.gov.au/#/view/regulation/2015/240.

**BOARD RULES**

43.8 The Board Rules are the NSW Admission Board Rules 2015. The original version is available at [www.lpab.justice.nsw.gov.au/Pages/publications-resources/legislation-and-rules.aspx](http://www.lpab.justice.nsw.gov.au/Pages/publications-resources/legislation-and-rules.aspx).

**COURSE ASSESSMENT**

43.9 A course assessment (Chapter 4) addresses the requirements of the Board's course.

**CURRENT KNOWLEDGE ASSESSMENT**

43.10 A current knowledge assessment (Chapter 5) is based on an accredited course (Chapter 7, Accredited course), where there may or will be a gap of more than five years since your final year of enrolment by the time you apply for admission.

**DECISION LETTER**

43.11 A decision letter is any letter to an applicant setting out an Academic Exemptions Sub-Committee decision.

**EQUITY**

43.12 In the definition of Equity in Schedule 1 to the Admission Rules, the word 'Either' is misplaced. The definition should read as set out in Principles, Schedule 1, Equity - see Schedule 1 to the Admission Rules (Chapter 7, Admission Rules) paragraph 1, which refers to the Model Admission Rules 2014. Those rules as amended are available at [www.legalservicescouncil.org.au/Pages/about-us/law-admissions-consultative-committee.aspx](http://www.legalservicescouncil.org.au/Pages/about-us/law-admissions-consultative-committee.aspx).

43.13 So to show adequate coverage of Equity it is necessary to show adequate coverage of both the trusts and non-trusts topics in Equity.

**EVIDENCE**

43.14 Where a transcript or other evidence of passing or completing a subject is required, normally an original transcript or other evidence is required. The Academic Exemptions Sub-Committee has not accepted the reference to a certified copy in Principles 9(a).

43.15 Where evidence or information relating to overseas law is required, links to free online databases will normally be acceptable.

43.16 Where evidence or information relating to an exam is required, an official copy of the exam paper or a link to a free official database of past exam papers will normally be acceptable.

**MARKING CRITERIA**

43.17 The marking criteria of an institution are the criteria used by the institution that connect a percentage mark or alphanumeric grade to work of a certain standard e.g. '40-49 work that shows adequate knowledge' or 'D- work that contains serious defects'.

**MARKS AND GRADES GUIDELINES**

43.18 The Marks and Grades Guidelines are the Law Admissions Consultative Committee (LACC) Guidelines for Interpreting Overseas Marks and Grades, and are available at www.legalservicescouncil.org.au/Pages/about-us/law-admissions-consultative-committee.aspx.

43.19 The Guidelines start by quoting Principles 3.1, but there is in fact no need to lodge marking criteria (Chapter 7, Marking criteria) with an application. The Academic Exemptions Sub-Committee will ask for marking criteria if it needs them.

**NORMALLY**

43.20 In this document, 'normally' means as a general rule, subject to any recognised exception or any exception that should be made in a particular case.

**PR GUIDELINES**

43.21 The PR Guidelines are the Law Admissions Consultative Committee (LACC) Academic Exemptions Guidelines for Ethics & Professional Responsibility, and are available at [www.lpab.justice.nsw.gov.au/Pages/publications-resources/policy-and-tabled-documents.aspx](http://www.lpab.justice.nsw.gov.au/Pages/publications-resources/policy-and-tabled-documents.aspx).

**PREREQUISITE ASSESSMENT**

43.22 A prerequisite assessment (Chapter 2 and Chapter 3) addresses the academic requirements that flow from the definition of the academic prerequisite in rule 5(1) of the Admission Rules (Chapter 7, Admission Rules).

**PRINCIPLES**

43.23 The Principles are the Law Admissions Consultative Committee (LACC) Uniform Principles for Assessing Qualifications of Overseas Applicants for Admission to the Australian Legal Profession, and are available at www.lawcouncil.asn.au/resources/law-admissions-consultativecommittee/documents-about-present-admission-policies.

43.24 The Principles have no legislative force, use words such as 'commonly', 'generally' or 'normally', and are sometimes limited in their operation e.g. Principles, Schedule 2 applies only to a person admitted overseas - Schedule 2, second sentence.

43.25 The general rules and exceptions mentioned in this document take the Principles into account but are based on the practice of the Academic Exemptions Sub-Committee.

**QUALIFICATIONS ASSESSMENT**

43.26 A qualifications assessment is based on studies and experience that may or may not satisfy the academic requirements for admission.

43.27 It may take the form of a prerequisite assessment (Chapter 7, Prerequisite assessment) or a course assessment (Chapter 7, Course assessment), depending on whether you come within or fall outside rule 11(1) of the Admission Rules (Chapter 7, Admission Rules).

**SCHEDULE 1 AREA**

43.28 A Schedule 1 area is an area set out in Schedule 1 to the Admission Rules (Chapter 7, Admission Rules), which is available at legislation.nsw.gov.au/view/html/inforce/current/sl-2015-0240#sch.1.

43.29 Contrast an Academic Area (Chapter 7, Academic Area).

**SUBJECT OUTLINE**

43.30 A subject outline for a subject at an institution is a document or combination of documents from the institution that sets out -

1. a subject description listing topics to be covered, and
2. the duration of the subject in weeks, and

(c) the number of lectures or other teaching sessions per week, and

1. the duration of each lecture or other teaching session, and

(e) a list showing, week by week, for each lecture or other teaching session, the topic covered, and

(f) a case list, a legislation list and a reading list, and

(g) details of the assessments in the subject, including the format of the assessments and the allocation of marks between topics covered in the subject.

43.31 If the relevant institution cannot provide a subject outline that was current at the time a subject was taken, a subject outline that was current close to that time may be acceptable.

(end of document)