



Legal Profession
Admission Board
of New South Wales

Guide for Applicants

for admission as a lawyer in NSW

in accordance with the
Legal Profession Uniform Admission Rules 2015

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1. Introduction	4
Using this Guide	4
About admission	4
Overview of the application process	5
Relevant legislation	6
2. Using the online Admission Portal	7
Mobile phones and JavaScript	7
Signing up for a profile	8
Registering your application	8
Saving your draft application	8
Verifying your identity	9
Paying the admission fee	9
Lodging your documentary evidence	9
Keeping copies of your documentation	10
Deadlines for lodging applications	11
Public notice of your admission application	12
Notifying you of the outcome of your application	12
3. Personal details and identity	13
Ensure your name is consistent in your documentation	13
Double check your contact details	13
4. Academic qualifications prerequisite	14
Evidence of completion of Australian law course	14
AHEG Statement cannot be accepted	15
Accredited law courses	15
Studies completed more than 5 years ago	15
Law courses completed in a foreign jurisdiction	16
5. Assessment of academic studies	17
Applying for an assessment	17
Undertaking any required further academic study	18
Applying for admission after assessment	19
6. Practical legal training (PLT) prerequisite	20
Evidence of completion of PLT	20
Accredited PLT providers	21
Supervised legal training	21
Admitted in a foreign jurisdiction	21
PLT completed more than 5 years ago	21
NSW Government employee service	21

Early commencement of PLT.....	22
7. Assessment of practical legal training.....	23
Applying for an assessment.....	23
Undertaking any required further PLT.....	24
8. English language proficiency requirements	25
Applying for a special exemption.....	25
Consideration of an application for special exemption.....	26
International English Language Testing System (IELTS).....	26
9. Fitness and propriety to be admitted.....	27
National Police History Check.....	27
Police reports from foreign jurisdictions (outside Australia)	29
Good behaviour bonds.....	29
Driving record.....	30
Centrelink Overpayments and Debts.....	31
Student conduct.....	31
Mental health and capacity.....	33
Disclosures.....	33
Your duty of disclosure	34
Consequences of failure to disclose.....	35
Character references.....	35
Certificate of good standing.....	36
Early assessment of suitability	37
10. Conditional admission of foreign lawyers.....	39
Applications are not being accepted or processed.....	39
Variation or revocation of conditions (after admission)	39
11. Outcomes of admission applications	41
Deferred	41
Refused but the applicant may consider re-applying.....	41
Refused outright.....	42
Deferred pending refusal outright	42
Approved.....	42
Approved with conditions	42
12. Appeals against a refusal.....	43
13. Admission ceremonies from February 2021	44
Making your election about how you are admitted.....	44
Remote admission dates.....	44
Being admitted through the remote process.....	44

Admission ceremony dates and times	45
Ceremony venue in Sydney.....	45
Strict limit of 2 guests for each admittee	45
Live streaming of every ceremony	46
Moving your admission.....	46
Ceremonies cannot be guaranteed throughout 2021	46
Changing your choice of ceremony.....	46
Cancellation of ceremony bookings	46
Accessibility at the Law Courts Building.....	47
Security at the Law Courts Building	47
Transport and parking near the Law Courts Building.....	47
Arrival at the Law Courts Building.....	47
Photography or filming.....	48
Ceremony procedure.....	48
Signing the Supreme Court Roll.....	48
Obtaining your Certificate of Admission.....	48
14. After admission	49
Practising Certificate	49
Immigration and Skills Assessments	49
Certificate of Current Admission.....	49
Replacement Certificate of Admission.....	50
Appendix 1 – Definition of ‘Significant Disclosure’.....	51
Appendix 2 – Meaning of ‘inherent requirements of practice’	53
A guide for treating medical practitioners	53
Appendix 3 – Identity Documents.....	54
Commencement documents (must provide one of the following)	54
Primary documents (must provide one of the following).....	55
Secondary documents (must provide one of the following)	55
Change of name.....	56
Difficulties meeting identity requirements	56
Translation of identity documents not in English.....	56
15. Contact us.....	57
16. Give us your feedback.....	57
17. Document history	57

1. Introduction

Using this Guide

We recommend that you read this Guide in full, before you start your application for admission as a lawyer. The Guide will help you understand the requirements of an application and avoid delay in your admission.

Please ensure you are reading the latest version of this Guide, as updates may be issued at any time. The latest version can be found on the website www.lpab.justice.nsw.gov.au under 'Admission as a lawyer'.

About admission

The Supreme Court of New South Wales may admit a person to the Australian legal profession as an Australian lawyer if the person:

- is aged 18 years or over; and
- is not already admitted to the Australian legal profession; and
- has attained the specified academic qualifications prerequisite, and
- has satisfactorily completed the specified practical legal training prerequisite, and
- is a fit and proper person to be admitted to the Australian legal profession, and
- takes an oath of office, or makes an affirmation of office, in the form required by the Supreme Court.¹

A person who proposes to be admitted in New South Wales may apply to the Legal Profession Admission Board (the Board) for a compliance certificate. Throughout this Guide, this is referred to as an 'application for admission'.

The role of the Board is to assess and determine such applications. If satisfied of the eligibility and suitability of an applicant, the Board may issue the Supreme Court with a compliance certificate in respect of the applicant. The successful applicant is then required either to attend an admission ceremony at the Supreme Court or to be admitted 'on the papers' through a remote admission process.

Admission does not of itself entitle a person to engage in legal practice, but is a prerequisite for being able to apply for an Australian practising certificate, which entitles the holder to engage in legal practice. An application for a practising certificate in New South Wales must be made either to the Law Society of NSW (to practise as a solicitor) or the NSW Bar Association (to practise as a barrister).

¹ Sections 16(1) and 17(1) of the *Legal Profession Uniform Law (NSW)*.

Overview of the application process

To apply for admission as a lawyer in New South Wales, you need to:

- 1) sign up to use the online Admission Portal
- 2) register your application, by completing the online admission application form
- 3) print your Admission Checklist, sign the Application Summary, scan them along with your documentary evidence, and email the scan to the Office of the LPAB
- 4) forward by post the originals of selected items of your documentary evidence, if requested to do so by the Office of the LPAB.

If approved, you must also take an Oath of Office (or make an Affirmation of Office), and sign the Supreme Court Roll.

Generally speaking, the documentary evidence you will be required to lodge includes:

- **original evidence** of your academic qualification in law²
- **original evidence** of your completion of practical legal training³
- a statement disclosing any matter which may affect the Board's assessment of whether you are a fit and proper person to be admitted to the Australian legal profession (with supporting evidence)
- two character references which were signed before an adult witness.

There may be other requirements for documentary evidence which apply to your particular circumstances, so please read this Guide in full before commencing your application.

You must also:

- read the 'Disclosure Guidelines for Applicants for Admission to the Legal Profession' at www.lpab.justice.nsw.gov.au
- provide your signed consent to the LPAB arranging a compulsory National Police History Check of any police history information about you in Australia
- provide your signed consent to the LPAB obtaining student conduct reports about you directly from any tertiary institution or practical legal training provider which you have attended
- sign the statutory declaration on your printed Application Summary, in the presence of an authorised witness, and
- pay the prescribed application fee.

² In some cases, you must have your academic qualification assessed by the LPAB prior to applying for admission. For more information, see Section 5 of this Guide.

³ In some cases, you must have your practical legal training assessed by the LPAB prior to applying for admission. For more information, see Section 7 of this Guide.

Relevant legislation

Part 2.2 of the [Legal Profession Uniform Law \(NSW\) 2015](#) provides for admission to the Australian legal profession.

The [Legal Profession Uniform Admission Rules 2015](#) provide the procedural requirements for admission and specify the academic qualifications and practical legal training prerequisites. They also provide for the assessment of: i) academic qualifications completed in a foreign jurisdiction and ii) practical legal training completed by a person admitted in a foreign jurisdiction.

The [NSW Admission Board Rules 2015](#) provide for the operation of the LPAB. They also provide for the assessment of: i) stale Australian academic qualifications or practical legal training and ii) incomplete academic study undertaken in Australia and/or a foreign jurisdiction.

2. Using the online Admission Portal

You can use the online Admission Portal if you:

- have never previously been admitted as a lawyer anywhere (including anywhere in Australia or overseas), or
- have been previously admitted as a lawyer anywhere, except for Australia or New Zealand.

The online Admission Portal enables you to:

- register your application for admission as a lawyer
- save and edit your draft application as often as you wish, prior to submitting it
- be guided about all the requirements of the admission process, including the documentary evidence you are required to lodge with the Office of the LPAB
- avoid obtaining an Australian National Police Certificate yourself (as we will arrange a compulsory police history check, on your behalf)
- view the status of your submitted application
- print a summary of your application as many times as you wish
- receive regular updates to your email address about the progress of your application
- book the admission ceremony date and time of your choice.

However, you cannot use the online Admission Portal if you:

- have ever been removed from the Roll of Lawyers in New South Wales and are seeking re-admission⁴
- are admitted as a lawyer in New Zealand.⁵

Mobile phones and JavaScript

You should only use the online Admission Portal with an updated web browser and JavaScript enabled.

We recommend that you do not attempt to complete the online admission application form using a mobile phone. Depending on your device, some questions may not display correctly, leading to the risk that you will register an incomplete application form.

⁴ To apply for re-admission, download Form 12 from www.lpab.justice.nsw.gov.au, complete it on paper and send it by post to the Office of the LPAB. Electronic versions of Form 12 cannot be accepted.

⁵ If you are admitted as a lawyer in New Zealand, you will need to lodge an application directly with the Supreme Court of NSW, pursuant to the *Trans-Tasman Mutual Recognition Act 1997* of the Commonwealth. The Practice Direction and forms can be found on the Supreme Court's website at www.supremecourt.justice.nsw.gov.au.

Signing up for a profile

You need to sign up to use the online Admission Portal. The Admission Portal is at:

www.admissionlpab.justice.nsw.gov.au

To sign up, enter a valid email address and password. You will receive a validation link by email, asking you to confirm your email address.

You can change your email address at any time after you have confirmed your address. However, it is a condition of your use of the Admission Portal that you do not sign up more than once (ie that you do not create more than one profile or user identity).

After confirming your email address, you need to enter your full name, to complete your profile. You must enter your name exactly as it is shown on your identity documents, because we use that name to verify your identity and check for any criminal history.

For reasons of data integrity, you cannot change your name in the Admission Portal during the application process. If you enter an incorrect name when you sign up, please contact the Office of the LPAB in order to correct the name on your admission application. Do not create another profile.

Registering your application

After completing your profile, you need to register your application by selecting 'Online Application' in the top menu bar of the Admission Portal. The online form will ask you to enter details from various documents.

We recommend you have the following documents with you, before you start the online form:

- your **identity documents** (if you have at least two identity documents which were issued by a government agency in Australia)
- your **transcript of academic record** which shows completion of your qualification in law
- your **PLT certificate or letter of completion**, unless the LPAB has exempted you from PLT (Practical Legal Training).

Although you may be required to lodge other documents with the Office of the LPAB, you can still complete the online admission application form without having those other documents in your possession at the time you fill in the form.

The online form will create a personalised Admission Checklist for you, which lists every document that you will need to lodge with the Office of the LPAB, according to your particular circumstances.

Saving your draft application

You may choose to save your online application form as a draft at any time, and return to finish it later. Your answers will also be automatically saved whenever you complete each page of the application form.

Verifying your identity

If you have identity documents which were issued by a government agency in Australia, you will have the option of verifying your identity through a quick and easy online process which is part of the online admission application form.

This process will reduce the number and type of paper identity documents you will need to lodge with us. For this reason, we recommend that you rely on identity documents issued by a government agency in Australia (if you have them). Please see Appendix 3 for an outline of documents required for identity verification.

If you do not have sufficient identity documents issued by a government agency in Australia, or if the online identity verification process is not successful in your case, you may still register an online admission application form. However, you will have to lodge certified copies of your paper identity documents, to match the requirements in Appendix 3. You may also be required to attend the Office of the LPAB in person or supply additional documents to complete the identity verification process.

Paying the admission fee

The online admission application enables you to pay the admission fee online by card (Visa and Mastercard only) using a Westpac secure payment gateway.

Effective from 1 July 2020:

- a surcharge for credit card transactions is no longer applied, and
- cash payments are no longer accepted by the LPAB.

During the COVID-19 pandemic, we are also not accepting cheque or money order payments.

If you did not pay the admission fee online at the time of submitting your completed online admission application, you can subsequently pay the fee online with a card by visiting the 'Fees' page on the LPAB website.

If you are unable to make a payment with a card, you can email us to request the LPAB's bank details, in order to pay the admission fee by direct deposit.

Lodging your documentary evidence

After you have submitted the online admission application form, you need to:

- print your personalised Admission Checklist and gather all the required documentary evidence
- print your Application Summary, and sign the:
 - statutory declaration⁶ in the presence of an authorised witness⁷

⁶ Part 2B of the *Electronic Transactions Act 2000* (NSW) provides that a signature on a statutory declaration may be witnessed by audio visual link in accordance with Division 1 of that Part. Part 2B also permits a NSW statutory declaration to be made before a person before whom a statutory declaration under the *Statutory Declarations Act 1959* of the Commonwealth may be made. Part 2B will be repealed on 1 January 2022, unless that date is changed by resolution of Parliament.

⁷ The witness must be independent and impartial. If the witness is related to you by blood, marriage or as a domestic partner, your statutory declaration may be rejected.

- consent to a National Police History Check in Australia⁸
 - consent to a check of your student conduct⁹
- scan all of the above material into a single PDF digital file with:
 - the Admission Checklist and Application Summary at the beginning
 - all documentary evidence in the order set out in the Admission Checklist
- email the PDF to lpab@justice.nsw.gov.au

Do not email the PDF if any documentary evidence is missing, and do not email multiple separate PDFs. All documentary evidence must be included in a single PDF file.

If you need clarification about any of the required documentary evidence which is listed on your personalised Admission Checklist, please contact the Office of the LPAB.

After you email your PDF, the Office of the LPAB will:

- check your application, and advise you if anything is not in order
- notify you if we require you to post the original of any documentary evidence to the Office of the LPAB.

Once your PDF is confirmed as complete and in order, we will record your application as having been received.

However, if we have required you to post the original of any documentary evidence, your application cannot be approved, until after we have received and assessed the requested originals.

Keeping copies of your documentation

You must keep, for at least 12 months after your admission as a lawyer, the hard copy originals of:

- your Application Summary including your signed:
 - statutory declaration in the presence of an authorised witness
 - consent to a National Police History Check in Australia
 - consent to a check of your student conduct
- your documentary evidence including:
 - your character references
 - if you made any disclosure, any separate statutory declaration that you made about the disclosure
 - any evidence you lodged about any disclosure you made
 - any other hard copy original material which you included in your PDF (or otherwise provided to the Office of the LPAB), and which you were not required to post to the Office.

⁸ For further information about National Police History Checks, see Section 9 of this Guide.

⁹ For further information about checks of your student conduct, see Section 9 of this Guide.

The Office of the LPAB may request the originals at any time during the 12 months after your admission as a lawyer.

In addition, when you apply for a practising certificate, the Law Society of NSW will require a copy of your disclosure statement (if you made one) and the associated documentary evidence which you supplied to the Board.

By law the LPAB is required to retain your original academic transcripts and other original documents you supply, such as any Certificate of Good Standing or foreign police history.

Deadlines for lodging applications

If you have a particular admission date in mind, you should lodge your application at least 5 weeks before that admission date.

However deadlines are different for complex applications. A complex application is one in which the applicant is:

- making a significant disclosure (see Appendix 1)
- applying for conditional admission (see Section 10), and/or
- seeking the Board's dispensation from a requirement of the Uniform Admission Rules.

A complex application can only be determined at a Board meeting. The deadlines for lodging an application in order to be considered at the next Board meeting are listed in the 'Events and deadlines' calendar on our website at www.lpab.justice.nsw.gov.au.

Public notice of your admission application

Before issuing a compliance certificate in respect of your admission, the LPAB must give notice of your application on its website, and afford the opportunity for any person to object to the issue of the compliance certificate.¹⁰

Public notice of your admission will be published on the LPAB's website for 14 calendar days. The notice will be published usually within one working day of our receipt of all your hard copy documentary evidence.

If an objection is received, the LPAB will, at its next available meeting, first consider whether or not the objection may affect your eligibility or suitability for admission. If the LPAB does consider the objection may affect your eligibility or suitability, the LPAB will defer consideration of your application until a later meeting.

The Executive Officer will then write to advise you of the deferral, provide a copy of the objection(s), and allow a period of a minimum of 3 weeks for you to respond to the objection(s).

The LPAB will then, at a subsequent meeting, consider the objection(s) and your response, and may either approve, refuse or further defer the admission application.

Notifying you of the outcome of your application

We will notify you by email as soon as your application is approved. If you have not already booked your admission date, you will be prompted to go into the online Admission Portal and book. If you have already booked, we will also send you a separate email to confirm the date and time.

If your application has been deferred or refused by the LPAB, we will notify you by letter (with a copy sent to your email address) as soon as possible after the relevant scheduled meeting of the LPAB.

For further information about outcomes of admission applications, please see Section 12 of this Guide.

¹⁰ Section 19(8) of the *Legal Profession Uniform Law (NSW)* and Rule 12(2) of the *Legal Profession Uniform Admission Rules 2015*.

3. Personal details and identity

Ensure your name is consistent in your documentation

You will be admitted as a lawyer in the name shown on your current valid and verifiable identity documents.

Please ensure that your name is consistent throughout your documentary evidence and especially on:

- your academic transcript, and
- your practical legal training (PLT) transcript or certificate.

If your name is not consistent on all the above documentation, processing of your application may be delayed, as you may be required to produce further evidence to explain any discrepancy.

You will be required to enter all names that you have been known by including your name before marriage (maiden name) and/or alias names. For example Lucianne Jones commonly uses the name Lucy when introducing herself in the community. She would need to add Lucy Jones.

If you have changed your name since completing your academic qualification or PLT, you will be required to provide copies of:

- your official marriage certificate (issued by a government authority), or
- your change of name certificate issued by a Registry of Births, Deaths and Marriages in an Australian state or territory.

Double check your contact details

The online Admission Portal will send you emails at key stages, to keep you updated about the progress of your application, and to explain the next steps you need to take.

Please double check, and notify us of any subsequent changes to:

- your email address and telephone numbers, because incorrect details may delay processing of your application, and
- your postal address, because we will post your Certificate of Admission to you, if you elect to be admitted through the remote admission process.

4. Academic qualifications prerequisite

The academic qualifications prerequisite (for the issue of a compliance certificate for admission as a lawyer) is successful completion of a tertiary academic course in Australia which:

- a) includes the equivalent of at least 3 years' full-time study of law, and
- b) is accredited by the Board, and
- c) provides appropriate understanding and competence in each element of the academic areas of knowledge set out in Schedule 1 of the Legal Profession Uniform Admission Rules 2015.

Evidence of completion of Australian law course

If you completed an accredited law course in Australia, you must provide evidence in the form of your academic transcript.¹¹ Your academic transcript may be provided either:

- in digital form, or
- as a hard copy original.

If you wish to provide your academic transcript in digital form:

- you should handwrite a note to that effect on your Admission Checklist
- the digital transcript must be either:
 - shared with the LPAB via a digital token or web link that has been generated by the My eEquals digital credentials platform, or
 - emailed by the issuing institution directly to lpab@justice.nsw.gov.au in PDF file format
 - the sender's email must be an address that we can verify as being an official address of the institution's student administration
 - we will not accept a PDF transcript which you email to us, even if you are forwarding an email that you have received directly from your institution.

If you wish to provide your academic transcript as a hard copy original, you should:

- include a scanned copy in the single PDF digital file that you must email to us with your Admission Checklist and documentary evidence
- retain the original until we ask you to post it to us, along with any other originals of your documentary evidence we may require you to provide
- ensure you provide all pages of the original transcript.

¹¹ Rule 15(1)(a) of the Legal Profession Uniform Admission Rules 2015.

Your academic transcript must contain wording which leaves no doubt that you have completed all the requirements for the award of the qualification, for example:

- a date referred to as the 'date of completion' or 'date of conferral' or similar, or
- wording such as 'has completed the course requirements for award of the degree' or similar.

If your academic transcript does not contain wording to that effect, you should contact the institution and arrange for a fresh original to be issued which does contain the appropriate wording. In the absence of such wording, the LPAB cannot, for the purposes of admission, rely on other methods of determining whether or not the requirements of the course have been completed (such as by analysing the credit points or subjects listed in an academic transcript).

If you studied law at more than one tertiary institution, you must provide an academic transcript from each institution where you studied academic areas of knowledge listed in Schedule 1 of the Legal Profession Uniform Admission Rules, and not only from the institution which awarded the qualification. All transcripts are required, to enable the LPAB to confirm that any exemptions or credits for previous studies were appropriately granted.

If you completed the Board's Diploma in Law Course, you do not need to attach an academic transcript to your documentary evidence. Instead you only need to enter your student number when prompted by the online admission application form.

AHEG Statement cannot be accepted

You must provide an academic transcript, and not an Australian Higher Education Graduation Statement (AHEGS).¹² These are different documents although they do contain some of the same information. The transcript is the official record of your study and contains security information to prevent copying.

Accredited law courses

A list of law courses in NSW which have been accredited by the LPAB for the purpose of providing the academic qualification prerequisite can be found on the website at www.lpab.justice.nsw.gov.au.

Any other law course that is recognised by another Australian jurisdiction (as satisfying the academic requirements for admission and requiring a student successfully to complete the academic qualifications prerequisite) is also deemed to be accredited. Details of law courses accredited in other Australian states and territories of Australia are available by contacting the relevant state or territory admitting authorities.

Studies completed more than 5 years ago

If you completed an accredited Australian law course more than 5 years before applying for admission in NSW, you must have your qualification assessed by the LPAB's Academic Exemptions Sub-Committee.¹³

¹² Board decision on 7 February 2012.

¹³ Rule 5(2) of the Legal Profession Uniform Admission Rules 2015. The requirement to have your qualification assessed applies even if you have subsequently been admitted or practised outside Australia.

‘More than 5 years before applying for admission’ means:

if the final year of your enrolment in your law course was more than 5 years before the date you apply for admission.

For more information, refer to Section 5 ‘Assessment of academic studies’ in this Guide.

Law courses completed in a foreign jurisdiction

If you completed the academic requirements for admission in a foreign jurisdiction (outside Australia) at any time,¹⁴ you must have your qualification assessed by the Board’s Academic Exemptions Sub-Committee.

You need to obtain this assessment, and satisfy any further academic requirements, *before* you make your application for admission as a lawyer.

For more information, refer to Section 5 ‘Assessment of academic studies’ in this Guide.

¹⁴ This does not apply if you are admitted as a lawyer in New Zealand. Instead you will need to lodge an application directly with the Supreme Court of NSW, pursuant to the *Trans-Tasman Mutual Recognition Act 1997* of the Commonwealth. The Practice Direction and forms can be found on the Supreme Court’s website at www.supremecourt.justice.nsw.gov.au.

5. Assessment of academic studies

Your academic studies must be assessed, before you apply for admission, if you:

- completed the academic requirements for admission in a foreign jurisdiction (outside Australia) at any time, or
- completed an accredited Australian law course more than 5 years before applying for admission in NSW, or
- have undertaken some tertiary academic studies in law, either in Australia or in a foreign jurisdiction, but have not completed the requirements for the award of a qualification.

Applying for an assessment

To apply for an assessment of your academic studies, you need to:

- complete Form 16 (available at www.lpab.justice.nsw.gov.au)
- compile:
 - evidence of your studies in the form of original academic transcript(s), and
 - details of any experience in practising the law
- scan all of the above material into a single PDF digital file and email the PDF to lpab@justice.nsw.gov.au
- pay the prescribed fee online:
 - via the online form at www.lpab.justice.nsw.gov.au under the menu item 'Forms and Fees', and then 'Fees'.

Do not email the PDF if any evidence or details are missing, and do not email multiple separate PDFs. All documentary evidence must be included in a single PDF file.

After you email your PDF, the Office of the LPAB will:

- check your application, and advise you if anything is not in order
- notify you if we require you to post the originals of your academic transcripts (or any other documentary evidence) to the Office of the LPAB
 - in some cases, we may be able to verify your transcripts directly with selected institutions outside Australia, but we reserve absolute discretion to decide whether or not it would be feasible and efficient for us to attempt to do so, in any particular case
 - in all other cases, you must post the originals to us.

If you are required to post the originals of your academic transcripts to us, your Form 16 application cannot be determined, until after we have received and assessed all the requested originals.

Having considered your qualification and any experience in practising the law, the LPAB's Academic Exemptions Sub-Committee will determine what additional study you need to complete, if any, in order to meet the academic requirements for admission in New South Wales.

Determinations are made with reference to the 'Uniform Principles for Assessing Qualifications of Overseas Applicants for Admission to the Australian Legal Profession' which is available at www.lpab.justice.nsw.gov.au.

Please allow 6 to 8 weeks, from the time that you email your PDF, for the receipt of the determination.

Undertaking any required further academic study

If you are required to undertake further academic study, you may complete that academic study at any Australian tertiary institution which offers a law course that is accredited for the purpose of admission.

Should you wish to undertake the further academic study in the Board's Diploma in Law course, information about registering and enrolling in the Board's course is at www.lpab.justice.nsw.gov.au. The registration application form (Form 1) is available under 'Forms and Fees'.

Generally, registration applications for the Board's course need to be lodged by 1 March for the Winter semester which starts in May, and by 1 September for the Summer semester which starts in November. These deadlines may be extended in some circumstances, so please contact us if you are unable to meet the registration deadline.

Prospective assessment

The compulsory 'academic areas of knowledge' (as listed in Schedule 1 of the Legal Profession Uniform Admission Rules 2015) are taught in subjects with names which may vary from institution to institution. At some institutions, an academic area of knowledge may require completion of more than one subject. For this reason, you must take care to ensure you enrol in the correct subjects.

If you wish, before enrolling you may apply to the Board for a prospective assessment of your proposed study. The purpose of a prospective assessment is to ensure that your proposed study will provide you with the academic qualifications prerequisite for admission. You can apply for a prospective assessment using Form 16 which is available at www.lpab.justice.nsw.gov.au, and selecting option vii in Question 4. A fee applies for a prospective assessment.

After completing the required study, you should provide the LPAB with an original academic transcript showing successful completion. The LPAB will then issue you with a letter confirming that you have met the academic qualifications prerequisite for admission.

There is no need for a prospective assessment, if you are undertaking your further academic study in the Board's Diploma in Law course.

Final assessment

If you do not obtain a prospective assessment and do not undertake your further academic study in the Board's course, you will need to obtain a final assessment of the further academic study you have completed, prior to applying for admission. You can apply for a final assessment using Form 16 which is available at www.lpab.justice.nsw.gov.au, and selecting option vi in Question 4. The prescribed fee for a Form 16 assessment applies to a final assessment.

If you have successfully completed the required further study, the LPAB will issue you with a letter confirming that you have met the academic qualifications prerequisite for admission.

Applying for admission after assessment

When applying for admission, you will need to include a copy of all of the abovementioned LPAB's assessment letters about your academic qualifications, along with your other documentary evidence.

6. Practical legal training (PLT) prerequisite

The practical legal training prerequisite (for the issue of a compliance certificate for admission as a lawyer) is:

- the acquisition and demonstration of appropriate understanding and competence in each element of the skills, values and practice areas set out in Schedule 2 of the Legal Profession Uniform Admission Rules 2015.¹⁵

In New South Wales, this requirement may be satisfied by successfully completing a practical legal training (PLT) course conducted by a provider accredited by the LPAB.

Evidence of completion of PLT

If you completed an accredited PLT course in Australia, you must provide evidence in the form of a Certificate of Completion (or official letter of completion) which:

- was issued by an accredited PLT provider, and
- states that you have completed all the requirements of your PLT, or words to similar effect.¹⁶

Your Certificate of Completion (or official letter of completion) may be provided either in digital form, or as a hard copy original.

If you wish to provide your PLT certificate/letter in digital form:

- you should handwrite a note to that effect on your Admission Checklist
- the digital certificate/letter must be either:
 - shared with the LPAB via a digital token or web link that has been generated by the My eEquals digital credentials platform, or
 - emailed by the issuing PLT provider directly to lpab@justice.nsw.gov.au in PDF file format
 - the sender's email must be an address that we can verify as being an official address of the PLT provider's student administration
 - we will not accept a PDF transcript which you email to us, even if you are forwarding an email that you have received directly from your PLT provider.

If you wish to provide your PLT certificate/letter as a hard copy original, you should:

- include a scanned copy in the single PDF digital file that you must email to us with your Admission Checklist and documentary evidence
- retain the original until we ask you to post it to us, along with any other originals of your documentary evidence we may require you to provide
- scan only your Certificate of Completion, not your transcript or testamur.

¹⁵ Rule 6(1) of the Legal Profession Uniform Admission Rules 2015.

¹⁶ Rule 15(1)(b) of the Legal Profession Uniform Admission Rules 2015.

It is no longer necessary to provide additional certification (previously referred to as a 'Dean's Certificate') that completion of the PLT course results in the attainment of certain competencies.

Accredited PLT providers

A list of PLT providers in NSW which have been accredited by the LPAB for the purpose of providing the practical legal training prerequisite can be found at www.lpab.justice.nsw.gov.au.¹⁷

Any other PLT provider that is recognised by another Australian jurisdiction (as satisfying the practical legal training requirements for admission and requiring a student successfully to complete the PLT prerequisite) is also deemed to be accredited. Details of PLT providers accredited in other Australian states and territories of Australia are available by contacting the relevant state or territory admitting authorities.

Supervised legal training

The LPAB has determined that, until further notice, supervised legal training may *not* be undertaken in New South Wales for the purpose of satisfying the practical legal training prerequisite in Rule 6 of the Legal Profession Uniform Admission Rules 2015.

Admitted in a foreign jurisdiction

If you have completed the practical legal training requirements for admission and been admitted in a foreign jurisdiction (outside Australia),¹⁸ you will need to apply to the LPAB's Practical Training Exemptions Sub-Committee for an assessment of your training and experience against the practical legal training prerequisite.¹⁹

You need to obtain this assessment before you apply for admission as a lawyer.

For more information, refer to Section 7 'Assessment of practical legal training' in this Guide.

PLT completed more than 5 years ago

If you completed the PLT more than 5 years before applying for admission, you will need to apply to have your qualification assessed by the LPAB's Practical Training Exemptions Sub-Committee against the current practical legal training prerequisite.²⁰

'More than 5 years before applying for admission' means:

if the final year of your enrolment in practical legal training was more than 5 years before the date you apply for admission.

For more information, refer to Section 7 'Assessment of practical legal training' in this Guide.

NSW Government employee service

¹⁷ Rule 7(5) of the Legal Profession Uniform Admission Rules 2015.

¹⁸ This does not apply if you are admitted as a lawyer in New Zealand. Instead you will need to lodge an application directly with the Supreme Court of NSW, pursuant to the *Trans-Tasman Mutual Recognition Act 1997* of the Commonwealth. The Practice Direction and forms can be found on the Supreme Court's website at www.supremecourt.justice.nsw.gov.au.

¹⁹ Rule 11(2) of the Legal Profession Uniform Admission Rules 2015.

²⁰ Rule 6(4) of the Legal Profession Uniform Admission Rules 2015.

You may be granted exemption from some or all PLT if you:

- are at least 30 years of age, and
- have completed either:
 - 7 years service as a New South Wales government, or government related, employee performing legal services, or
 - 15 years service in courts administration in New South Wales.²¹

For information about applying for an assessment of your eligibility, refer to Section 7 'Assessment of practical legal training' in this Guide.

Early commencement of PLT

If your PLT course is not integrated with your academic qualification in law, you must not commence PLT until after you have completed your academic qualification.

However, you may commence PLT before you complete your academic qualification if you:

- have no more than two academic subjects to complete, neither of which is one of the academic areas of knowledge set out in Schedule 1 of the Legal Profession Uniform Admission Rules 2015, and
- are currently enrolled in the relevant academic subject(s) while you are undertaking the PLT, and
- applied for and received prior permission from the LPAB to commence PLT early.²²

To apply for prior permission from the LPAB to commence PLT early, you need to:

- complete the application form (available at www.lpab.justice.nsw.gov.au under the menu item 'Forms and Fees', and then 'Other Forms')
- include a statement giving reasons your application should be approved, and detailing your capacity to undertake concurrent academic and PLT studies
- attach a letter from the Dean of the Law School which verifies:
 - your completion of the academic areas of knowledge set out in Schedule 1 of the Legal Profession Uniform Admission Rules 2015, and
 - your current enrolment in the last two subjects of the qualification, neither of which is one of the academic areas of knowledge set out in Schedule 1 of the Legal Profession Uniform Admission Rules 2015, and
- scan all of the above material into a single PDF digital file and email the PDF to lpab@justice.nsw.gov.au
- pay the prescribed fee online via the online form at www.lpab.justice.nsw.gov.au under the menu item 'Forms and Fees', and then 'Fees'.

²¹ Rule 98(2)(c) of the NSW Admission Board Rules 2015.

²² Rule 6(3) & Clause 4, Schedule 2 of the Legal Profession Uniform Admission Rules 2015.

7. Assessment of practical legal training

Your practical legal training may be assessed against the PLT prerequisite for the purposes of admission if you:

- completed practical legal training requirements for admission in a jurisdiction outside Australia or New Zealand *and* are admitted in a jurisdiction outside Australia or New Zealand, or
- completed a course of practical legal training within Australia that already is, or will be, more than five years old as at the date you apply for admission, or
- attained the age of 30 years and have completed either seven years service as a New South Wales government or government related employee performing legal services, or 15 years service in courts administration in New South Wales.

Applying for an assessment

To apply for an assessment of your practical legal training, you need to:

- complete Form 17 (available at www.lpab.justice.nsw.gov.au)
- indicate the exemptions you are seeking from the skills and practice areas listed in Schedule 2 of the Legal Profession Uniform Admission Rules 2015
- compile evidence of:
 - your practical legal training, and
 - any experience in practising the law which is relevant to the exemptions you are seeking (or other non-practising experience which may be relevant)
 - when describing your experience, please limit your description to no more than 2 pages per exemption you are seeking
- scan all of the above material into a single PDF digital file and email the PDF to lpab@justice.nsw.gov.au
- pay the prescribed fee online:
 - via the online form at www.lpab.justice.nsw.gov.au under the menu item 'Forms and Fees', and then 'Fees'.

Do not email the PDF if any evidence or details are missing, and do not email multiple separate PDFs. All documentary evidence must be included in a single PDF file.

After you email your PDF, the Office of the LPAB will:

- check your application, and advise you if anything is not in order
- notify you if we require you to post the originals of your evidence to us
 - in some cases, we may be able to verify your evidence directly with selected institutions outside Australia, but we reserve absolute discretion to decide whether or not it would be feasible and efficient for us to attempt to do so, in any particular case
 - in all other cases, you must post the originals to us.

If you are required to post the originals of your academic transcripts to us, your Form 17 application cannot be determined, until after we have received and assessed all the requested originals.

Having considered your practical legal training and any experience, the LPAB's Practical Training Exemptions Sub-Committee will determine what additional practical legal training understanding and competence, if any, you must acquire in order to meet the PLT requirements for admission.

Determinations are made with reference to the 'Uniform Principles for Assessing Qualifications of Overseas Applicants for Admission to the Australian Legal Profession' which is available at www.lpab.justice.nsw.gov.au.

Undertaking any required further PLT

If you are required to undertake further PLT, you may complete that PLT with any PLT provider which is accredited in NSW (see www.lpab.justice.nsw.gov.au), or with any other PLT provider that is recognised by another Australian jurisdiction (as satisfying the practical legal training requirements for admission and requiring a student successfully to complete the PLT prerequisite).

When you apply for admission after you have completed your further PLT, you will need to include a copy of the LPAB's assessment letter with your hard copy documentary evidence.

8. English language proficiency requirements

When determining whether or not a person is a fit and proper person to be admitted to the Australian legal profession, the LPAB is required to have regard to:

‘...whether the person has a sufficient knowledge of written and spoken English to engage in legal practice in this jurisdiction.’²³

The LPAB may be satisfied as to an applicant’s English language proficiency in three ways:

1. the applicant has undertaken the International English Language Testing System (IELTS) Academic test, and has attained or exceeded the specified minimum scores in any single instance of undertaking the test within the previous two years, or
2. the applicant has been granted a standard exemption from the IELTS test, on the basis of evidence that he or she undertook an academic qualification in law in a specified country, while living in that country for the entire duration of those studies, or
3. the applicant has undertaken the IELTS test, within the previous two years, not met the minimum scores over one or more attempts but is not far off and can demonstrate proficiency in other ways, and successfully applies for a special exemption.

For more information about:

- how the LPAB may, on its own motion, grant a standard exemption from the IELTS test during its assessment of an application for admission as a lawyer, and
- how an applicant may make a separate application for a special exemption

please refer to the ‘Guidelines for exemption from obtaining the minimum IELTS test scores’ (the Guidelines) which are available at www.lpab.justice.nsw.gov.au under the menu item ‘Publications and resources’ and then ‘Policy and tabled documents’.

Applying for a special exemption

To apply for a special exemption you need to:

1. read the ‘Guidelines for special exemption from obtaining the minimum IELTS test scores’ (available on the LPAB website)
2. complete the application form, making sure to read all of the instructions first
3. print the application form and sign it in front of an authorised witness
4. gather your original documentation as specified in the application form
5. scan all of the above material into a single PDF with the application form at the beginning
6. email the PDF to lpab@justice.nsw.gov.au.

After you email the PDF, the Office of the LPAB will:

1. check your application and advise you if anything is missing or incorrect
2. notify you if we require you to post the original of any documentary evidence.

²³ Rule 10(1)(l) of the Legal Profession Uniform Admission Rules 2015.

The LPAB will verify your IELTS test results directly with IELTS.

Consideration of an application for special exemption

The Executive Officer of the LPAB has the delegation to consider an application for a special exemption. Any exemptions granted by the Executive Officer must be consistent with the Guidelines. If an application falls outside the Guidelines, the Executive Officer may either refuse the application or refer it to the Board for determination.

International English Language Testing System (IELTS)

Applicants undertaking the IELTS test must take the 'Academic' test and not the 'General Training' test. Test results must be no more than two years old at the time of applying for admission. The specified minimum scores are:

Test area	Minimum score
Listening	7.0
Reading	7.0
Writing	8.0
Speaking	7.5

IELTS has 50 test centres in Australia, and more than 1,100 globally.

Some test centres may not be operating during COVID-19 restrictions. To find out which IELTS test centres are operating, and for information including dates of tests and costs, visit www.ielts.com.au (or www.ielts.org if you are located outside Australia).

9. Fitness and propriety to be admitted

Before issuing a compliance certificate in relation to your admission, the Board must be satisfied that you are a fit and proper person to be admitted to the Australian legal profession.

The assessment of your suitability for admission will generally rely on:

- a National Police History Check in Australia
- character references
- reports on your conduct as a law student
- your answers to questions on suitability matters
- your disclosure of any relevant matters which may affect your suitability, and your honesty and candour in making such disclosure
- information about you obtained by the LPAB from Australian or foreign authorities or courts, from institutions which provided your academic qualification or practical legal training, or through further enquiries with third parties to which you have consented.

Please read this section carefully to ensure you gather all the required documentation prior to lodging your admission application.

National Police History Check

Every applicant for admission as a lawyer must be subject to a National Police History Check in Australia.

How we check your National Police History

After we receive your signed consent to the National Police History Check, the LPAB will send a check request to the Australian Criminal Intelligence Commission (ACIC), the national information-sharing service for Australia's police, law enforcement and national security agencies.

This process will save you time and money, because you do not need to obtain an original National Police History Certificate yourself. Processing of your admission application by the LPAB will continue, while we await the response from ACIC.

You may still choose to obtain a National Police History Certificate yourself, if you wish. For example, if you have a criminal record but are not sure of the details, you may wish to confirm the details by obtaining your own copy of your National Police History Certificate, before you make your disclosure statement to the LPAB.²⁴

If you do not consent to the National Police History Check, the LPAB will not be able to commence processing your application for admission as a lawyer. Please contact the LPAB if you require further information.

²⁴ If you have a spent conviction, it may not appear on a National Police History Certificate that you obtain yourself. However it will appear on a National Police History Check which the LPAB obtains directly from ACIC. Refer to the information under 'Spent convictions' for further details.

What information about you we send to ACIC

To enable a National Police History Check, we will send the following details about you to ACIC:

- your surname and given name(s)
- all names under which you are or have been known
- your date and place of birth
- your gender (as shown on your identity documents)
- your residential address(es) for the past five (5) years
- your drivers licence number and state
- that the purpose of the National Police History Check is for admission to the Australian legal profession as an Australia lawyer.

ACIC will use this information to undertake a check of your National Police History within Australia. This information may also be used by police, law enforcement and national security agencies for general law enforcement purposes.

Disclosure of your Police History Information

ACIC and police agencies will access their records to obtain and disclose Police History Information (PHI) that relates to you. PHI may include outstanding charges, warrant information and criminal convictions/findings/pleas of guilt recorded against you.

PHI is disclosed according to applicable laws of the relevant jurisdiction and in accordance with the relevant jurisdiction's information release policies. Applicable laws include but are not limited to spent convictions legislation.

Spent convictions

A 'spent conviction' involves a minor offence which, after a specified crime-free period, may no longer need to be disclosed in certain circumstances. However Clause 6 of the Criminal Records Regulation 2014 (NSW) excludes an application for admission as a lawyer from the consequences of a conviction being spent.

This means that spent convictions must be disclosed when applying for admission as a lawyer, and that the LPAB receives and considers information about spent convictions in determining an admission application.

How we notify you about the result

After we receive the response from ACIC, we will notify you by email of the result of your National Police History Check. The result will be either 'Disclosable Court Outcomes' or 'No Disclosable Court Outcomes'.

If, after receiving the result, you wish to dispute the accuracy of your National Police History Check, or wish to obtain a copy of the details of any disclosable court outcomes, please contact the LPAB in the first instance.

How we use your National Police History

The LPAB is required by law to consider the results of your National Police History Check, before determining whether or not you are a fit and proper person to be admitted to the Australian legal profession.

The LPAB is also authorised by law to disclose information about you which we obtained in the process of assessing your application for admission (including the results of your National Police History Check) to the following relevant organisations within Australia:

- admitting authorities in other Australian states and territories
- organisations which regulate the legal profession, including in NSW as well as in other Australian states and territories and the Commonwealth, for example:
 - the Law Society of NSW
 - the NSW Bar Association
 - the NSW Legal Services Commissioner.

We may disclose information about you to a relevant organisation in Australia under the following circumstances (without limitation):

- if you apply for admission in another Australian state or territory
- if you apply for a practising certificate
- if a complaint is made about you to an organisation which regulates the legal profession.

We will not disclose the results of your National Police History Check to any person or organisation outside Australia, without obtaining your prior consent to that disclosure.

Police reports from foreign jurisdictions (outside Australia)

Applicants are not required to supply foreign police reports, when they apply through the online Admission Portal.²⁵ If the LPAB requires a foreign police report in your particular case, we will notify you after assessing your application.

If you are disclosing to the LPAB that you have a criminal conviction in a foreign country, you may wish to anticipate that the relevant foreign police report is likely to be required.

If a foreign police report is required from you, it must have been issued directly by a government authority of the relevant foreign country, and not by a third party service provider.

Good behaviour bonds

Where an applicant is currently subject to a good behaviour bond, the LPAB will generally refuse to issue a compliance certificate but will notify the applicant that he or she may consider re-applying for admission after:

- the expiry of the period of the bond, and

²⁵ Rule 18 of the Legal Profession Uniform Admission Rules 2015 (as varied under Rule 27 by Board decision on 5 July 2016).

- the receipt of confirmation that the applicant has not been subject to any further charges or proceedings.

When re-applying, the applicant will need to register a fresh application through the online Admission Portal. The Office of the LPAB will retain the applicant's academic transcript and PLT certificate, so those documents will not need to be lodged again. Other documentary evidence will be valid only for limited periods. When notifying the applicant of the refusal, the Office of the LPAB will explain which documents will need to be lodged again, based on various possible timings of a fresh application.

The applicant will also be required to pay the full application fee again at the time of the fresh application, or a reduced fee if the Board has advised that the applicant may re-apply within 6 months of the lodgment date of his or her original application. This is because, after the passage of 6 months, background checks such as a National Police History Check must be undertaken again.

In exceptional circumstances, the Board may depart from its usual practice of refusing to issue a compliance certificate where an applicant remains subject to a bond. If you are planning to apply for admission while subject to a bond and consider there are exceptional circumstances in your case, you are encouraged to discuss the matter with the LPAB's Legal Officer prior to lodging your application.

Driving record

We recommend that you obtain your online driving record (from the relevant jurisdictions) if:

- you have committed a significant number of driving infringements or offences (for example, more than 5 in any 3-year period), and/or
- you are making a disclosure in relation to any driving infringements or offences, and you cannot recall the details accurately.

Although you are *not required* to include your online driving record in the PDF of your documentary evidence, we recommend you do so if you have committed more than 5 driving infringements or offences in any 3-year period.

If you do not include your online driving record with your documentary evidence:

- you should still disclose any driving infringements or offences in accordance with the 'Disclosure Guidelines for Applicants for Admission to the Legal Profession', and
- we may still request that you supply your online driving record to us, after you have lodged your admission application.²⁶ We may do this following an assessment of your application or for the purposes of a random audit.

Please note that, even if you do include your online driving record with your documentary evidence, you must still address those matters in your disclosure statement, in your own words. You should *at the very least* state the number of each type of matter, the period of time over which you incurred those matters and whether there is any penalty outstanding, for example:

- 2 fines for exceeding speed limit over 20kmh (2008-2012), paid

²⁶ Section 19(2) of the *Legal Profession Uniform Law (NSW)*.

- 1 fine for using mobile phone while driving (2015), currently under payment plan
- 6 parking fines (2007-2015), paid
- 1 licence suspension for fine default (2012).

For any fine you received **within two years** of your admission application, you should provide documentary evidence demonstrating that you have fulfilled, or are fulfilling, any monetary penalty. This may include a payment receipt or a statement from the relevant authority, or documents evidencing a payment plan.

Centrelink Overpayments and Debts

If you have ever been overpaid by Centrelink, you must disclose:

- the total dollar value of the overpayment, and
- the cause(s) of the overpayment.

You should also provide, in the PDF of your Admission Checklist and documentary evidence:

- copies of documentation from Centrelink which evidences the details of your disclosure
- copies of evidence of:
 - your repayment of the debt in full, or
 - your entry into, and compliance with, a payment plan.

Student conduct

You must provide relevant official reports *if you have ever been the subject of disciplinary action* in relation to your student conduct by:

- any tertiary academic institution at which you obtained the academic qualification upon which you rely for the purposes of admission, and/or
- any practical legal training provider you attended.²⁷

The report(s) must:

- be a type of report that reveals whether or not you were, at any time in relation to your studies with the institution or provider, the subject of any disciplinary action, howsoever described, taken by the relevant institution or provider, and²⁸
- reveal the outcome of any such disciplinary action, and
- be prepared within 6 months before your admission application is received.

'Disciplinary action' includes, but is not limited to, any adverse finding against you which results in:

²⁷ Rule 19 of the Legal Profession Uniform Admission Rules 2015 (as varied under Rule 27 by Board decision on 23 June 2015).

²⁸ A report from the institution or provider which only relates to a specific incident or incidents of misconduct is insufficient on its own. You must supply a single comprehensive report about your conduct as a student at the institution or provider ie a report which lists every misconduct matter ever recorded by the institution or provider about you.

- a warning or reprimand
- a reduction in marks, or the award of zero marks
- failing the subject in question, or exclusion from the course, or
- any other penalty.

'Student conduct' includes both academic conduct as well as general conduct (ie your personal behaviour).

You do not have to provide a student conduct report if you have never been the subject of disciplinary action in relation to your student conduct.

If you wish to provide your student conduct report in digital form:

- you should handwrite a note to that effect on your Admission Checklist
- the digital report must be emailed directly to the LPAB by the issuing institution
 - this means you need to ask your institution to email the report directly to us at lpab@justice.nsw.gov.au
 - the sender's email must be an address we can verify as being an official address of the institution's student administration
- we will not accept a digital report which you email to us, even if you are forwarding an email that you have received directly from your institution.

If you wish to provide your student conduct report as a hard copy original, you should:

- include a scanned copy in the single PDF digital file that you must email to us with your Admission Checklist and documentary evidence
- retain the original until we ask you to post it to us, along with any other originals of your documentary evidence we may require you to provide
- ensure you provide all pages of the original student conduct report.

If you are unable to obtain a student conduct report

If you have been the subject of disciplinary action but you are unable to obtain the relevant student conduct reports, you should write to the Executive Officer of the LPAB at the earliest opportunity, with evidence of your efforts to obtain them. Given that delays can occur if you are not able to provide the required reports, you should not make plans to attend an admission ceremony on any particular date.

Any applicant may be subject to a random audit

The LPAB conducts random audits in relation to the student conduct of admission applicants, and will obtain reports directly from institutions or providers in relation to a random selection of applicants. Your application may be selected for a random check, regardless of whether or not you have disclosed that you were subject to disciplinary action in relation to your student conduct.

We seek your signed consent to enable the LPAB to directly obtain your student conduct reports from any relevant institution or provider, as a condition of the processing of your application. If the LPAB obtains your reports directly, it will meet the cost itself.

Mental health and capacity

The LPAB has a positive, encouraging approach to people seeking admission who experience mental, physical or other health conditions or disabilities.

If you currently have, or have experienced in the past, a mental, physical or other health condition or disability, you must read Section 8 in the 'Disclosure Guidelines for Applicants for Admission to the Legal Profession' at www.lpab.justice.nsw.gov.au. That section, titled 'Disclosures about capacity', provides guidance about any obligation you may have to disclose the condition or disability to the LPAB when you apply for admission.

If, in accordance with the guidance in Section 8 of the Disclosure Guidelines, you need to make a disclosure about a condition or disability, the LPAB will typically require a recent letter from your treating practitioner which:

- describes the condition or disability including any relevant past or current treatment, and the extent to which it is currently appropriately managed and stable, and
- addresses your ability to satisfactorily carry out the 'inherent requirements of practice as an Australian legal practitioner'²⁹ in light of that condition or disability.

A short guide for treating practitioners about the meaning of 'inherent requirements of practice as an Australian legal practitioner' is at Appendix 2. You are encouraged to provide a copy of Appendix 2 to your treating practitioner when requesting them to provide a letter about your condition or disability.

Disclosures

You must disclose to the Board the details of any matters which:

- might be relevant to the Board's consideration of whether or not you are a fit and proper person to be admitted to the Australian legal profession, and/or
- a reasonable applicant would consider that the Board might regard as not being favourable to you when considering whether or not you are a fit and proper person to be admitted to the Australian legal profession.

To assist you in determining what matters should be disclosed, you must read the 'Disclosure Guidelines for Applicants for Admission to the Legal Profession' at www.lpab.justice.nsw.gov.au.

If you have anything to disclose, you must provide a statement about your disclosure. You may either:

- type your statement in the space provided in the online admission application form (maximum of 3,000 characters), or
- provide your disclosure statement in a separate statutory declaration³⁰ in which case you must:

²⁹ This is one of the matters which the Board must have regard to before determining whether or not you are a fit and proper person to be admitted - see Rule 10 (k) of the *Legal Profession Uniform Admission Rules 2015*.

³⁰ A template for a NSW statutory declaration may be downloaded from www.lpab.justice.nsw.gov.au.

- include the signed and witnessed declaration within the single PDF of all your documentary evidence, along with your Admission Checklist, and
- retain the original until at least 12 months after you have been admitted as a lawyer. This is because we may ask you to post the original to us, at any time during that period.

In either case, your disclosure statement should set out the full details of the circumstances you are disclosing. It should also contain sufficient detail to enable the LPAB to understand the full extent and significance of the matters being disclosed.

Disclosure statements which are vague or lack essential details will invariably result in a request to you for further information and/or evidence, and this may delay the processing of your application. For example, if you are disclosing a past criminal offence, you should include in your disclosure statement (as a minimum):

- the date on which the offence was committed
- the full legal name of the offence with which you were charged (rather than a generic description)
 - for example: 'driving with middle range prescribed concentration of alcohol', and not simply 'drink driving'
- the date on which the matter was heard by a court
- the name (jurisdiction) of the court and its sitting location
- the outcome (such as whether or not you were convicted, or received a dismissal or discharge without conviction)
- the sentence imposed
- whether or not you have completed/served any sentence imposed and paid any fines, penalties or court costs imposed
- your explanation of the circumstances of the offence, and
- what steps you have taken since the offence to address the underlying cause of your offending and to re-establish your good fame and character in the community.

You must provide copies of any available documentary evidence relating to any matter you have disclosed. Appendix 1 lists examples of disclosures which the LPAB considers are significant, along with the types of evidence which the LPAB typically requires in relation to each type of significant disclosure.

If you do not provide such evidence because it is not available, we may request that you make further efforts to obtain it (or a suitable substitute). This is likely to be the case where the matter(s) you have disclosed may have a significant bearing on the assessment of your suitability for admission to the Australian legal profession.

Your duty of disclosure

You have a duty to make a full and complete disclosure in relation to any matter which a reasonable applicant would consider that the LPAB might regard as not being favourable to you, when considering whether you are:

- currently of good fame and character, and

- a fit and proper person to be admitted to the Australian legal profession.³¹

This includes any matter which may reflect negatively on your honesty, respect for the law, or your ability to meet professional standards.

You also have an ongoing obligation of disclosure to the LPAB whilst your application is in progress and up to your admission ceremony. If any relevant matter occurs subsequent to you signing your application, you must notify the LPAB in writing in a statutory declaration.

If, before your admission or after being admitted, you become aware that you did not make a full and complete disclosure in relation to any relevant matter, you should write to the Executive Officer of the LPAB at the earliest opportunity to make a 'post-admission disclosure', by way of a statutory declaration. Your further disclosure will then be placed before the LPAB to determine what, if any, action should be taken in relation to the disclosure.

Consequences of failure to disclose

A failure to disclose a matter, or an attempt to mislead the LPAB in relation to a disclosure, can have catastrophic consequences for you.

If the information you have provided in your disclosure statement is found to be false, misleading, or incomplete in a material particular:

- you may be refused admission to the Australian legal profession, or
- if the LPAB has already issued a compliance certificate in respect of your admission, the compliance certificate may be revoked, and
- if you have already been admitted, you may be struck from the Roll of Lawyers (at any time after being admitted).

Even if you state that you have nothing to disclose, you will be making that statement by way of statutory declaration, when you sign your admission application form.

It is a serious criminal offence to make a false statutory declaration. The penalties include imprisonment for up to five years.

Character references

When you lodge your hard copy documentary evidence, you must include two references as to your character³², made by persons who:

- have known you for at least two years (unless the LPAB determines some other period), and
- are not related to you by blood, marriage, or as a domestic partner, and
- (if you are or have ever been a legal practitioner in a foreign jurisdiction) have been associated in legal practice with you in that jurisdiction.³³

³¹ Rule 17(1) and (2) of the Legal Profession Uniform Admission Rules 2015.

³² Rule 16 of the Legal Profession Uniform Admission Rules 2015.

³³ This means that, if you are or have ever been a legal practitioner in a foreign jurisdiction, both your referees must also be persons who are or were legal practitioners in that jurisdiction. If you are unable to meet this requirement, please contact the Office of the Board. In limited circumstances the Executive Officer may be able to grant dispensation from the requirement, and instead accept one or more alternative character references.

There are four different forms for a character reference (Form 3A, 3B, 3C or 3D) which may be downloaded from www.lpab.justice.nsw.gov.au. Each contains the precise wording that is necessary to comply with the Uniform Admission Rules, depending on your circumstances ie:

- whether or not you have been admitted previously, and
- whether or not you are making a disclosure in your application.

As a result of the COVID-19 pandemic, character references do not currently need to be made by way of statutory declaration. However referees must sign their references in the presence of a witness who is aged over 18 years.

Please read the 'Guidance for character referees' at www.lpab.justice.nsw.gov.au, and ensure that a copy is given to both your referees, along with the correct form.

If you are making a disclosure in your admission application, your character referees must:

- have read your disclosure statement,³⁴ and
- attest in their references to having read your disclosure statement.

We may contact your referees to verify the information they have provided, and/or to confirm that they are aware of the details in any disclosure statement you have made.

There is no requirement for a character referee to be a certain age. However we recommend a referee be at least 21 years of age and understand the significance of the referee's role.

Certificate of good standing

If you have been admitted in a foreign jurisdiction (outside Australia), you must provide a statement from the relevant professional body in that jurisdiction that you:

- are a member of the legal profession in good standing, and
- are not subject to any current or pending disciplinary matters.

This statement (known as a 'Certificate of Good Standing') should show the date on which you were admitted in that jurisdiction and must be made no earlier than 2 months before the date your documentary evidence is received.

You may provide a Certificate of Good Standing to the Office of the LPAB either:

- in digital form, or
- as a hard copy original.

If you wish to provide a Certificate of Good Standing in digital form:

- you should handwrite a note to that effect on your Admission Checklist
- the digital Certificate must be emailed directly to us by the issuing professional body

³⁴ However, under Rule 17(4) you may make any disclosure relating to your physical or mental capacity in a separate statutory declaration which does not have to have been read by your character referees.

- this means you need to ask the issuing professional body to email the transcript directly to us at lpab@justice.nsw.gov.au
- the sender's email must be an address we can verify as being an official address of the issuing professional body
- we will not accept a digital Certificate which you email to us, even if you are forwarding an email that you have received directly from your institution.

If you wish to provide a Certificate of Good Standing as a hard copy original, you should:

- include a scanned copy in the single PDF digital file that you must email to us with your Admission Checklist and documentary evidence
- retain the original in case we ask you to post it to us, along with any other originals of your documentary evidence we may require you to provide
 - in some cases, we may be able to verify a scan of your Certificate directly with selected institutions outside Australia, but we reserve absolute discretion to decide whether or not it would be feasible and efficient for us to attempt to do so, in any particular case
 - in all other cases, you must post the original to us.

If you are required to post the original of a Certificate of Good Standing to us, your admission application cannot be determined, until after we have received and assessed the original.

Early assessment of suitability

Before you apply for admission, you may seek a declaration from the LPAB that a specific matter or matters you wish to disclose will not adversely affect the LPAB's assessment of your suitability to be admitted.³⁵

An application for such a declaration:

- is usually made a number of years before the person intends to apply for admission
- may be appropriate for a person who is doubtful that he/she would be considered suitable for admission, on the basis of some aspect of his/her past conduct, and
- may be particularly relevant to a person who is considering legal studies, or the continuation of legal studies. He/she may not wish to pursue such studies while there is a risk that something in his/her past may ultimately prevent him/her being admitted as a lawyer in the future.

If the LPAB makes a declaration in relation to any or all of the matters disclosed, the declaration will be binding on the LPAB unless the applicant failed to make a full and fair disclosure of all relevant matters.

Any matters which were not disclosed in the application (including matters which took place after the application or declaration was made) may nevertheless adversely affect the LPAB's assessment of the person's suitability for admission.

³⁵ Section 21 of the Legal Profession Uniform Law (NSW).

To apply for a declaration, you need to:

- complete Form 4³⁶ and make a statutory declaration³⁷
- compile:
 - a disclosure statement referred to in Rule 17, as if you were applying for a compliance certificate for the purposes of admission, and include a statement setting out the grounds on which you consider the Board should make the declaration
 - evidence of your qualifications, character references, police reports, student conduct reports, and/or Certificate of Good Standing, as may be relevant to your application
 - copies of any other documents which may be relevant, and particularly those which support the facts as set out in your disclosure statement
- scan all of the above material into a single PDF digital file, with your Form 4 at the beginning, and email the PDF to lpab@justice.nsw.gov.au
- pay the prescribed fee online:
 - via the online form at www.lpab.justice.nsw.gov.au under the menu item 'Forms and Fees', and then 'Fees'.

Do not email the PDF if any documentary evidence is missing, and do not email multiple separate PDFs. All documentary evidence must be included in a single PDF file.

After you email your PDF to us, the Office of the LPAB will:

- check your application, and advise you if anything is not in order
- once all is in order, instruct you to post to us:
 - one complete printed copy of your application and all its attachments, and
 - the originals of any items of your documentary evidence which we may require.

The printed copies are required by the Law Society of NSW and the NSW Bar Association, which provide advice to the LPAB about all such applications.

For further information, please contact the Office of the LPAB.

³⁶ Form 4 can be downloaded from the website www.lpab.justice.nsw.gov.au.

³⁷ During the COVID-19 pandemic, a statutory declaration in NSW may be made before a wider range of witnesses, and may be witnessed by audio visual link, in accordance with strict requirements for such witnessing as set out in Schedule 1 of the Electronic Transactions Regulation 2017 (NSW). Note Schedule 1 will expire on 26 September 2020, unless that date is changed by further regulation or resolution of Parliament.

10. Conditional admission of foreign lawyers

Applications are not being accepted or processed

The acceptance and processing of applications for conditional admission pursuant to section 20 of the *Legal Profession Uniform Law (NSW)* are currently suspended until further notice.

Please direct any enquiries regarding conditional admission to: lpab@justice.nsw.gov.au

Variation or revocation of conditions (after admission)

After a foreign lawyer has been admitted subject to section 20 conditions, those conditions may only be varied or revoked by way of an application to the Supreme Court of NSW.

The Supreme Court will charge,³⁸ in relation to such an application for variation or revocation:

- a filing fee (\$1,160), and
- a hearing allocation fee (\$2,314) when a hearing date is set, and
- may charge other applicable fees, for example, if interlocutory steps are required.

If an applicant applies to the Court for variation or revocation on the basis that a condition imposed has been fulfilled, and such fulfilment is a matter within the knowledge of the LPAB (for example, that the lawyer has completed the areas of study directed by the LPAB), the LPAB will usually be prepared to assist by providing a letter of recommendation to the Court that the condition be varied or revoked, as appropriate.

The following steps are recommended for an application for variation or revocation pursuant to section 20(3) of the Uniform Law:

- 1) prior to lodging the application, the applicant should first inform the Board of their intention to make such application to the Supreme Court and discuss with the Board what assistance, if any, the Board may be able to provide by way of a letter of recommendation
- 2) the applicant must then make an application to the Supreme Court by filing, in the Common Law Division of the Court, a Summons in accordance with Uniform Civil Procedure Rules 2005 (UCPR) Form 4A/4B, along with a supporting Affidavit (UCPR Form 40)
 - the Summons should name the LPAB as defendant, as the LPAB will be affected by any orders that are made by the Court
 - the supporting Affidavit should annex, by way of evidence, any letter of recommendation provide by the Board, along with any other relevant information
- 3) once filed, the Summons must be served upon the LPAB
 - the LPAB will then put on notice any other body (for example, the Law Society of NSW or NSW Bar Association) which may be impacted by the variation or revocation of a condition, so that they may have the opportunity to raise any relevant matter for the Court's consideration

³⁸ The Supreme Court fee amounts quoted here took effect on 1 July 2020. Court fees are typically reviewed annually.

- it will then be up to the LPAB to either oppose the application or to file a submitting appearance
- 4) the applicant will need to appear before the Court upon any interim proceeding or hearing of any Summons by the Court (as the Court will not, for example, deal with such an application in chambers or on the papers)
- 5) if the Court varies or revokes a section 20 condition, the LPAB will:
- amend the Supreme Court Roll accordingly and maintain a record of the order on the applicant's admission file, and
 - notify the Law Society of NSW or NSW Bar Association (as appropriate) that the Roll has been so amended so that any notation about the imposition of section 20 conditions will be reflected in the next practising certificate that is issued.

11. Outcomes of admission applications

This section explains the different outcomes which are possible as a result of the assessment of your admission application.

Deferred

Where an application is 'deferred', it means that determination of the application has been delayed until a future time (usually specified), for the purpose of the Board obtaining additional information or undertaking further analysis.

If the additional information or analysis becomes available within 6 months of the lodgment date of the original application, the applicant will usually not need to register a fresh application through the online Admission Portal, or pay the admission fee again.

However, if received more than 6 months after the original lodgment date, the applicant will need to register a fresh application through the online Admission Portal, and may be required to pay some or all of the admission fee again. This is because, after the passage of 6 months, background checks such as a National Police History Check must be undertaken again.

Where an applicant needs to register a fresh application, the Office of the LPAB will retain the applicant's academic transcript and PLT certificate, so those documents will not need to be lodged again. Other documentary evidence will be valid only for limited periods. When notifying the applicant of the deferral, the Office of the LPAB will explain which documents will need to be lodged again, based on various possible timings of a fresh application.

Refused but the applicant may consider re-applying

Where an application is 'refused but the applicant may consider re-applying', it means that the Board has refused to issue a compliance certificate, and in doing so has made its final determination of the application.

However, in recognition that a fresh application in the future may achieve a different outcome, the applicant will be advised that he or she may consider re-applying at a future time (usually specified). For example, an applicant who is currently subject to a good behaviour bond (but otherwise meets the suitability criteria), will usually be refused but the applicant will be notified that he or she may consider re-applying.

In every case the applicant will need to register a fresh application through the online Admission Portal. The Office of the LPAB will retain the applicant's academic transcript and PLT certificate, so those documents will not need to be lodged again. Other documentary evidence will be valid only for limited periods. When notifying the applicant of the refusal, the Office of the LPAB will explain which documents will need to be lodged again, based on various possible timings of a fresh application.

The applicant will also be required to pay the full application fee again at the time of the fresh application, or a reduced fee if the Board has advised that the applicant may re-apply within 6 months of the lodgment date of his or her original application. This is because, after the passage of 6 months, background checks such as a National Police History Check must be undertaken again.

Refused outright

Where an application is 'refused outright', it means that the Board has refused to issue a compliance certificate, has made its final determination, and does not wish to advise the applicant that he or she may consider re-applying at a future time.

This usually means that the Board is unable to foresee when or if the applicant might meet the suitability criteria in future. It does not necessarily rule out the Board considering a fresh application in the distant future, but it does not suggest such an application. A person whose application has been refused outright, but who wishes to pursue admission, will need to lodge an appeal against the Board's decision in the Supreme Court.

Deferred pending refusal outright

Where an application is 'deferred pending refusal outright', it means that the Board is considering refusing the application outright but has delayed its determination until a future time (usually the next Board meeting).

The purpose is to enable the preparation of Reasons for Decision (to be considered by the Board at its next meeting), and also to notify the applicant and invite him/her to provide any further submissions about the matters at hand.

Approved

Where an application is 'approved', it means the Board has approved the issue of a compliance certificate, without conditions.

In order to be admitted to the Australian legal profession, the applicant must attend an admission ceremony, take an oath or swear an affirmation, and sign the Supreme Court Roll (see Sections 13 and 14 of this Guide).

Approved with conditions

Where an application is 'approved with conditions' in respect of a foreign lawyer, it means the Board has recommended that issue of the compliance certificate be subject to one or more conditions, pursuant to section 20 of the *Legal Profession Uniform Law (NSW)*.

Any such conditions will be specified in the notification letter to the applicant, and in the compliance certificate. Conditional admission is only available to foreign lawyers (ie people who are properly registered or authorised to engage in legal practice in a foreign country by the foreign registration authority for the country).

In order to be admitted to the Australian legal profession, the applicant must attend an admission ceremony, take an oath or swear an affirmation, and sign the Supreme Court Roll (see Sections 13 and 14 of this Guide).

12. Appeals against a refusal

An applicant for admission may appeal to the Supreme Court, under section 26 of the *Legal Profession Uniform Law (NSW)*, against a refusal of the LPAB to issue a compliance certificate. Should you wish to consider appealing the LPAB's refusal to the Supreme Court, you are encouraged to seek and be guided by independent legal advice.

The timeframe for an appeal is set out in Uniform Civil Procedure Rule 50.3, which states:

- 1) A summons commencing an appeal must be filed:
 - a) within 28 days after the material date, or
 - b) if the appeal relates to the decision of a judicial officer, within such further time as the judicial officer may allow so long as the application for such further time is filed within 28 days after the material date, or
 - c) within such further time as the higher court may allow.
- 2) An application for an extension of time under subrule (1) (c) must be included in the summons commencing the appeal.

In the case of a refusal to issue a compliance certificate, the 'material date' is the date of the letter advising the applicant of the LPAB's decision.

13. Admission ceremonies from February 2021

Prior to the COVID-19 pandemic, every admission applicant was required personally to attend the Supreme Court to take the oath/affirmation of office and sign the Supreme Court Roll.³⁹

From February 2021 and until further notice, each applicant may elect to be admitted either:

- in-person at an admission ceremony held at the Supreme Court, or
- 'on the papers' (ie through the remote admission process that was introduced in response to the COVID-19 pandemic).

Making your election about how you are admitted

To elect to be admitted at an admission ceremony, you need to use the online Admission Portal to book the available date and time of your choice.

- Bookings for 2021 ceremonies will open at 9:00am on Monday 14 December 2020.
- To ensure each ceremony is fully subscribed, ceremonies will be published progressively, in response to demand from admittees for places.

To elect to be admitted through the remote admission process, currently you need to notify the Office of the LPAB by sending an email to lpab-admission@justice.nsw.gov.au with your full name and your admission application number (eg ADM- 123456). At present you are not able to book a remote admission yourself through the online Admission Portal.

Remote admission dates

Remote admissions will be held no more than once per month. The following remote admission dates have been scheduled in 2021:

- 19 February 2021
- 26 March 2021
- 14 May 2021
- 9 July 2021
- 13 August 2021
- 10 September 2021
- 8 October 2021
- 12 November 2021
- 10 December 2021.

Being admitted through the remote process

Remote admittees will be required to follow instructions for returning a completed Oath or Affirmation of Office form no later than 7 calendar days before the date of remote admission.

We will email you the instructions after you notify us by email that you have elected to be admitted through the remote admission process.

³⁹ See Part 65C, Division 1 of the Supreme Court Rules 1970.

Admission ceremony dates and times

Until further notice, ceremonies will be held weekly instead of monthly, to meet the demand from admittees for places. Up to 6 ceremonies will be held each week in Sydney on an ongoing basis.

- Ceremony days will be every Thursday from 11 February 2021 as well as many Fridays.
- Ceremony start times will be 9:00am, 1:30pm and 4:30pm only.
- There will be a maximum of 16 places for admittees at each ceremony, to ensure compliance with physical distancing rules.

After we record your admission application as having been received, we will send you an email to advise that you can go into the online Admission Portal and book a ceremony. You will have the choice of any ceremony time and date, as long as there are available places and the admission date falls at least 4 weeks after we have received your documentary evidence.

Ceremony venue in Sydney

Ceremonies will be held in the usual Sydney venue:

Banco Court Room
Level 13, Law Courts Building
Queens Square (between Phillip and Macquarie Streets, near King Street)
Sydney NSW 2000.

Instructions for entering the Law Courts Building and the Banco Court Room in compliance with physical distancing rules will be issued closer to the ceremony dates.

Details about ceremonies in Newcastle in February 2021 are not yet available, but will be released shortly.

Strict limit of 2 guests for each admittee

To ensure compliance with physical distancing rules, **only 2 guests will be permitted for each admittee (including the admittee's mover, if the admittee chooses to arrange their own mover)**. Admittees and their 2 guests will be allocated specific seats in the Court Room, and must sit in those allocated seats.

The limit on the number of guests is necessary due to NSW laws currently in force which limit the number of people inside an indoor venue based on the floorspace of that venue. For that reason, the guest limit will be strictly enforced. **Only the first 2 guests to arrive for each admittee will be permitted to enter the Court Room.** Any additional guests arriving after that will be refused entry. Covid marshalls will be in place to ensure guest limits are not exceeded.

To avoid the disappointment of refused entry, please do not attempt to exceed the guest limit. There will not be any vantage point or waiting area within the Law Courts Building in which family and friends can watch or wait during the ceremony. If you are accompanied on the day by more than 2 guests, your other guests will need to wait outside the Law Courts Building.

Live streaming of every ceremony

Every ceremony will be live streamed so that anyone with a web connection will be able to watch live video remotely of the ceremony as it takes place. The web link for the live stream will be made available closer to the dates of the ceremonies.

Moving your admission

A mover is a legal practitioner who 'moves' the admission of a new lawyer in Court. Until further notice, you do not need to arrange a mover. However you may choose to arrange a mover if you wish.

If you do choose to arrange for a specific person to move your admission (for example a relative or friend), then you should:

- check that the mover currently holds a practising certificate as a solicitor or barrister in Australia, or is currently on the Supreme Court Roll in New South Wales
- enter the name of the mover when you book your ceremony in the online portal, and
- note that, aside from your mover, you will be permitted only 1 other guest.

Current members of the judiciary (ie judges and magistrates) may not move an admission.

If you choose not to arrange a mover, a Court representative will move your admission in Court.

Ceremonies cannot be guaranteed throughout 2021

It may be necessary to cancel ceremonies if there is a change in NSW Government health advice about the COVID-19 pandemic and/or a change to NSW laws that regulate physical distancing. Aside from such a change, the Court intends to maintain ceremonies in the above-described format for as long as that is permissible, and for as long as it is necessary.

Please note that the LPAB cannot take any responsibility for any impacts of the cancellation of an admission ceremony due to the COVID-19 pandemic.

Changing your choice of ceremony

Please choose your ceremony date and time carefully. If you change your mind, you will need to contact us and pay a miscellaneous application fee to change the time and/or date of your ceremony. (However that fee will not be applied if we have notified you that your ceremony has been cancelled due to the COVID-19 pandemic).

If you contact us to make a change within 7 calendar days of the date of your booked ceremony, you will also need to pay the fee for a replacement Certificate of Admission, because all certificates contain the date of the admission ceremony.

Cancellation of ceremony bookings

While a booking reserves a place for you at the ceremony in question, your booking will not be confirmed until your admission application has been approved.

If you book a ceremony and your admission application has not been approved by 7 calendar days prior to the date of that ceremony, your booking will be automatically cancelled, due to our lead times for ceremony preparations including the printing of certificates.

If your ceremony booking is automatically cancelled, you will receive an email notification, and you will need to re-book into another ceremony to be held on a later date.

Accessibility at the Law Courts Building

If you, or any of your guests attending your admission ceremony, have any special requirements in terms of accessibility, you are encouraged to tell us about those requirements in advance:

- when you book your ceremony via the online Admission Portal, or
- at any other time, by sending an email to the Office of the LPAB at lpab@justice.nsw.gov.au.

The Banco Court in the Law Courts Building has steep seating with many stairs. Wheelchair access into the Banco Court is available via a lift platform, but requires assistance.

Security at the Law Courts Building

For your security and safety, perimeter security screening is in operation and screening is a requirement for everyone entering the court building. Refusal to comply may result in denial of entry to the building. If you have medical concerns about the screening process, please talk to one of the security staff on duty.

Security guards are trained to conduct searches in a manner that protects your privacy and dignity. Further information about court security in the Law Courts Building is on the Supreme Court's website at www.supremecourt.justice.nsw.gov.au.

Transport and parking near the Law Courts Building

The closest railway stations to the Law Courts Building are St James and Martin Place. There are a number of parking stations, such as the Domain Parking station, MLC Centre and Sydney Hospital. The LPAB does not have any arrangements with parking stations.

Arrival at the Law Courts Building

You will need to arrive at the Law Courts Building at least 30 minutes prior to your ceremony. This is to allow you to clear the security area at the ground floor and make your way to the Banco Court on Level 13. Please remember that there are a number of other people attending the same ceremony along with their guests and movers. This can cause delays in getting through security and accessing a lift.

The Banco Court will be open 20 minutes before the ceremony and you will need to be seated well in advance of your ceremony time. The LPAB's Executive Officer or nominee conducting the ceremony will advise you on the process to be followed and what you will need to do during the ceremony.

You should expect to be at the Law Courts Building for around 75 minutes which includes the pre-ceremony instructions, the ceremony itself and your signing of the Supreme Court Roll.

Photography or filming

No photography or filming is allowed in court rooms or court buildings. However, photography is allowed in the area where you sign the Supreme Court Roll and collect your Certificate of Admission.

Ceremony procedure

The ceremony is in 3 parts:

1. Moving of Admissions

The Executive Officer will call the name of each admittee in turn. As his/her name is called, the admittee will stand, as does the mover. The mover will formally ask that the admittee's admission be granted. The Chief Justice will assent and the admittee and mover should then bow and sit down.

2. Oath or Affirmation of Office

The Executive Officer will call admittees to stand and take an Oath of Office or make an Affirmation of Office. The Oath will be read, and the admittees will then be asked to say together either 'So help me God' or 'I do.'

3. Chief Justice's Speech

The Chief Justice will make a speech. A copy of the speech will be available on the Supreme Court website.

Signing the Supreme Court Roll

Following the ceremony, admittees and their guests should proceed to the foyer on the ground floor of the Law Courts Building where applicants will sign the ceremonial Supreme Court Roll and collect their complimentary Certificates of Admission. Once you have signed the Roll you are a lawyer. Photography is allowed at this time.

Obtaining your Certificate of Admission

If you elect to be admitted at a ceremony, your Certificate of Admission will be issued to you at the conclusion of the ceremony after you sign the Supreme Court Roll.

If you elect to be admitted through the remote admission process, we will:

- email you a digital copy of your Certificate of Admission, on the date on which your admission takes effect (ie the date of your remote admission booking), and
- post a printed version of your Certificate of Admission to the postal address you gave in your admission application (at no charge) within 14 business days of your admission.

14. After admission

Practising Certificate

Before you can commence practice as a solicitor or barrister, you will need to apply for a practising certificate. You will need to arrange this through either the Law Society of NSW or the NSW Bar Association.

Immigration and Skills Assessments

In order to obtain a 'Skilled Migration Letter' from the LPAB, a person will need to have had their qualifications assessed in accordance with the Board's Rules and the 'Uniform Principles for Assessing Qualifications of Overseas Applicants for Admission', and been admitted as a lawyer in NSW. To apply for a Skilled Migration Letter after you have been admitted as a lawyer you should:

- complete the miscellaneous certificate/letter application form available from the Board's website
- email the application form to lpab@justice.nsw.gov.au
- pay the prescribed fee online:
 - via the online form at www.lpab.justice.nsw.gov.au under the menu item 'Forms and Fees', and then 'Fees'.

If you are applying for a sub class 485 Visa you can apply for a provisional skills assessment. To lodge this application you should contact the Office of the Board for more information.

Certificate of Current Admission

A Certificate of Current Admission is issued under the LPAB's seal and confirms that a person:

- has been entered into the NSW Roll of Lawyers, and
- remains on that Roll, as a the date of the Certificate.

Such a Certificate may be required when seeking admission in different jurisdictions or for the issue of practising certificates in other Australian states and territories.

If you require a Certificate of Current Admission you will need to:

- complete the application form available on the LPAB's website, and
- email the application form to lpab@justice.nsw.gov.au
- pay the prescribed fee online:
 - via the online form at www.lpab.justice.nsw.gov.au under the menu item 'Forms and Fees', and then 'Fees'.

The Certificate of Current Admission cannot be used as a substitute for a Certificate of Good Standing. To obtain a Certificate of Good Standing, you need to contact the Law Society of NSW or the NSW Bar Association.

Replacement Certificate of Admission

A copy of an original Certificate of Admission can only be issued if the original has been lost or destroyed. If a Certificate has been lost or destroyed, a statutory declaration setting out the reasons surrounding the loss must be lodged together with any application.

If you change your name and wish to have a replacement certificate issued, you will need to return the original Certificate to the Office of the LPAB.

If you require a replacement Certificate of Admission you will need to:

- email the application form, together with a scan of your signed and witnessed statutory declaration, to lpab@justice.nsw.gov.au
- pay the prescribed fee online:
 - via the online form at www.lpab.justice.nsw.gov.au under the menu item 'Forms and Fees', and then 'Fees' (using the drop-down list under 'Admission as a Lawyer').

Appendix 1 – Definition of ‘Significant Disclosure’

A ‘significant disclosure’ includes **but is not limited to** any one or more of the following circumstances:

- any conviction for any criminal offence at any time in the past, including any spent conviction⁴⁰
 - evidence typically required includes but is not limited to:
 - a transcript of the court hearing, and/or
 - a transcript of the sentencing judgement, and/or
 - a copy of the police facts sheet
- any finding of guilt at any time in the past where no conviction was recorded and the offence involved dishonesty (including but not limited to stealing, larceny, embezzlement, theft, receiving, fraud, identity fraud, forgery, offences involving false and misleading statements, perjury, or perverting the course of justice), or any disclosure of such conduct even if no charge was laid
 - evidence typically required includes but is not limited to the evidence listed above in relation to a criminal conviction
- being currently subject to a good behaviour bond
 - evidence typically required includes but is not limited to the evidence listed above in relation to a criminal conviction
- being an undischarged bankrupt, or being discharged from bankruptcy within the past 10 years
 - evidence typically required includes but is not limited to:
 - if discharged, confirmation of discharge such as an extract report from the National Personal Insolvency Index issued by the Australian Financial Security Authority (AFSA), and
 - a copy of the administrator’s report and minutes of the creditor’s meeting
- being currently subject to a debt agreement under Part IX or a personal insolvency agreement under Part X of the *Bankruptcy Act 1966* (Cth)
 - evidence typically required includes but is not limited to:
 - a copy of the agreement, or
 - other official evidence which outlines the circumstances, amounts involved and relevant dates
- overpayment of any kind of Centrelink or social security entitlements at any time for any reason, where a) the overpayment has not yet been re-paid in full, or b) the total amount of the overpayment was more than \$5,000 even if re-paid in full
 - evidence typically required includes but is not limited to:
 - official documentation issued by Centrelink which evidences the cause(s) of the overpayment(s), the amounts involved and the relevant dates, and

⁴⁰ With the exception of a) convictions for driving with a prescribed concentration of alcohol within the novice, special, low or mid ranges (provided there is no more than one such conviction within any 5-year period during the past 15 years); and b) convictions for minor traffic offences (provided there are no more than 5 offences for every 3 years of the applicant’s driving experience).

- if repaid, official documentation issued by Centrelink which evidences the amounts and dates of repayment
- being or having been a company director or officer of a company which within the past 10 years entered voluntary administration, liquidation, receivership, winding up or external administration
 - evidence typically required includes but is not limited to official documentation which evidences the cause(s), the amounts of debts and liabilities involved, the relevant dates and the outcomes (including the extent to which debts and liabilities were subsequently paid or fulfilled)
- being subjected to a substantial penalty for academic misconduct (including but not limited to penalties of a) exclusion from the course, b) failure of the subject in question, c) receiving zero marks in the relevant assessment, or d) any similar or higher penalty)
 - evidence typically required includes but is not limited to a student conduct report (meaning a single comprehensive report *from the institution or provider* about your conduct as a student at the institution or provider ie a report which lists every misconduct matter ever recorded by the institution or provider about you). A report from the institution or provider which only relates to a specific incident or incidents of misconduct is insufficient on its own.
 - being subject to any adverse finding in relation to academic misconduct at an advanced stage of law study, including but not limited to a) in the final year of academic law study, b) in a PLT course, or c) during the 12 months prior to lodgement of the admission application evidence typically required includes but is not limited to the evidence listed above in relation to a substantial penalty for academic misconduct
- past or current acute mental health injury or mental illness (including but not limited to bipolar affective/mood disorder, severe personality disorder, dementia, psychiatric disorder, or any symptoms of delusions, hallucinations, serious disorder of thought, severe disturbance of mood, or sustained or repeated irrational behaviour), or any current substance use disorder
 - evidence typically required includes but is not limited to a letter from your treating practitioner which:
 - outlines the condition or disability including any relevant past or current treatment and the extent to which it is appropriately managed and stable, , and
 - addresses your current ability to satisfactorily carry out the inherent requirements of practice as an Australian legal practitioner.

Please note you also have an obligation to disclose other types of matters not listed above, in accordance with the 'Disclosure Guidelines for Applicants for Admission to the Legal Profession'. Before submitting your admission application, you must read those Disclosure Guidelines. A copy can be downloaded from www.lpab.justice.nsw.gov.au.

We also recommend that you read Section 9 of this Guide about 'Fitness and Propriety to be Admitted' before submitting your admission application.

Appendix 2 – Meaning of ‘inherent requirements of practice’

A guide for treating medical practitioners

A prerequisite for a person to be admitted to the Australian legal profession as an Australian lawyer is that the Legal Profession Admission Board of NSW (LPAB) must be satisfied that the person is a ‘fit and proper person’ to be admitted.

In the case of a person who has or had in the past a relevant mental, physical or other health condition or disability, one of the matters that the LPAB will have regard to in deciding whether the person is ‘fit and proper’ is whether the person is currently able to satisfactorily carry out the inherent requirements of practice as an Australian legal practitioner.

As the treating medical practitioner of an applicant for admission as a lawyer, you may have been requested to provide a report indicating whether or not you believe the applicant is currently able to satisfactorily carry out the inherent requirements of practice as an Australian legal practitioner. Noting that there is no strict definition of the term ‘inherent requirements’ in the legislation governing the Board’s decision making functions, the following may be taken as a guide as to what the term comprises:

The inherent requirements of practice as an Australian legal practitioner include:

- a) the ability to perform the day-to-day tasks associated with providing legal services, including the ability to communicate in a professional manner with the courts, law-enforcement agencies and other legal practitioners;
- b) the ability to discharge a legal practitioner’s professional and fiduciary duties to his or her clients; and
- c) the ability to discharge the legal practitioner’s duties to the Court, including:
 - i. the duty to be honest and courteous in all dealings in the course of legal practice;
 - ii. the duty not to engage in conduct, in the course of practice or otherwise, which is likely to a material degree to be prejudicial to, or diminish the public confidence in, the administration of justice, or bring the profession into disrepute; and
 - iii. the duty not to knowingly or recklessly mislead the Court.

Appendix 3 – Identity Documents

If you did not complete the online identity verification process, you will have to provide copies of three (3) identity documents:

- **one commencement document** to confirm your birth in Australia or arrival in Australia, and
- **one primary and one secondary document** to show the use of your identity in the community.

Your identity documents must provide, in one or more documents:

- evidence of your full name
- evidence of your date of birth, and
- a photograph of you.

At least one of your commencement and primary documents must include a photograph of you. If none of your commencement and primary documents include a photograph, you must submit a passport-style photograph certified by a person listed in Schedule 2 of the *Statutory Declarations Regulations 1993* (Cth).

To provide these documents to us:

- you should include a scanned copy of them, along with your Admission Checklist and other documentary evidence, in a single PDF digital file that you email to us
- we will then notify you, if we require you to post certified copies of your identity documents to the Office of the LPAB.

The Office of the LPAB may also request to view the originals at any time during the 12 months after your admission as a lawyer.

If your identity is not established to the satisfaction of the LPAB you may also be required to:

- provide additional documentation, and/or
- attend the Office of the LPAB in person, to complete the identity verification process.

Commencement documents (must provide one of the following)

- (a) full Australian birth certificate (not an extract or birth card)
- (b) current Australian passport (not expired)
- (c) Australian Visa current at time of entry to Australia as resident or tourist
- (d) ImmiCard issued by the Department of Immigration and Border Protection that enables the cardholder to prove their visa and/or migration status and enroll in services
- (e) certificate of identity issued by the Department of Foreign Affairs and Trade to refugees and non-Australian citizens for entry to Australia

- (f) document of identity issued by the Department of Foreign Affairs and Trade to Australian citizens or persons who possess the nationality of a Commonwealth country, for travel purposes
- (g) certificate of evidence of resident status.

Primary documents (must provide one of the following)

- (a) current Australian driver licence, learner permit or provisional licence issued by a state or territory, showing signature and/or photo and the same name as claimed
- (b) Australian marriage certificate issued by a state or territory (church or celebrant-issued certificates are not accepted)
- (c) current passport issued by a country other than Australia with a valid entry stamp or visa
- (d) current proof of age or photo identity card issued by an Australian government agency in your name with photo and signature
- (e) current shooter or firearm licence showing signature and photo (not minor or junior permit or licence)
- (f) for persons aged under 18 with no other Primary Use in Community Documents, a current student identification card with photo or signature.

Secondary documents (must provide one of the following)

- (a) certificate of identity issued by the Department of Foreign Affairs and Trade
- (b) document of identity issued by the Department of Foreign Affairs and Trade
- (c) convention travel document secondary (United Nations) issued by the Department of Foreign Affairs and Trade
- (d) foreign government issued documents (for example driver licence)
- (e) Medicare card
- (f) enrolment with the Australian Electoral Commission
- (g) security guard or crowd control photo licence
- (h) evidence of right to a government benefit (Centrelink or Veterans Affairs)
- (i) consular photo identity card issued by the Department of Foreign Affairs and Trade
- (j) photo identity card issued to an officer by a police force
- (k) photo identity card issued by the Australian Defence Force
- (l) photo identity card issued by the Australian Government or a state or territory government
- (m) Aviation Security Identification Card
- (n) Maritime Security Identification card

- (o) credit reference check
- (p) Australian tertiary student photo identity document
- (q) Australian secondary student photo identity document
- (r) bank card
- (s) credit card.

Change of name

If you provide identity documents using a former name, you must provide evidence of your name change. This means providing a change of name certificate issued by the Australian Registry of Births, Deaths and Marriages or an Australian marriage certificate issued by a state or territory, in addition to your other identity documents. Church or celebrant-issued certificates are not accepted.

Difficulties meeting identity requirements

The proof of identity requirements set out above reflect the requirements with which the LPAB itself is strictly required to comply, in order to access Australia's National Police History Checking Service. Admission applicants who are Australian citizens or Australian residents, or who are currently visiting Australia or have been issued with a visa to visit Australia, should generally be able to meet the identity requirements without difficulty.

If you are unable to meet the identity requirements, you should contact the Office of the LPAB by email to lpab@justice.nsw.gov.au for additional guidance. We may be permitted to accept alternative documentation that verifies your identity, and to exercise discretion to determine what alternative documentation is appropriate in the circumstances.

However before doing so we will be required to verify that the reason you provide for being unable to meet the identity requirements is legitimate. This would typically involve you providing us with a statutory declaration accompanied by the annexure of evidence which proves to our satisfaction the existence of your claimed reason.

Translation of identity documents not in English

If you provide one or more identity documents in a language other than English, you must provide a translation of each identity document.

The translation of each identity document must have been made by a translator who has been certified by the National Accreditation Authority for Translators and Interpreters (NAATI). The NAATI website (www.naati.com.au) has a directory which enables searching for a NAATI-certified translator by language and by location (including by locations within Australia and outside Australia).

If the NAATI website does not list a certified translator in a location convenient to you, there are numerous online businesses which offer translation services by NAATI-certified translators. The LPAB cannot recommend or make referrals to any particular business, but they are easily discoverable using an internet search engine.

15. Contact us

Legal Profession Admission Board of New South Wales

Phone: (02) 9338 3500
 Email: lpab@justice.nsw.gov.au
 Web: www.lpab.justice.nsw.gov.au
 Post: GPO Box 3980, Sydney NSW 2001
 Street: Level 4, 37 Bligh Street, Sydney NSW 2000, Australia

(NB: At the time of publication, the LPAB office at 37 Bligh Street is not accessible to the public. Please check the LPAB website for the latest information, before planning your visit).

16. Give us your feedback

We value feedback from applicants about the admission process, and about our client services generally. If you have a complaint, a compliment or a suggestion, you can either:

- send an email to lpab@justice.nsw.gov.au, or
- use the 'Your Feedback' symbols on the home page of the LPAB's website.

17. Document history

Version	Date	Reason
3.0	23 April 2020	Revised to reflect changes to application procedures and admission ceremonies due to the COVID-19 pandemic.
3.1	26 June 2020	Revised to reflect the acceptance of My eEquals digital credentials, the elimination of cash payments and the card payment surcharge, as well as updated information about IELTS testing and special exemptions.
3.2	11 December 2020	Revised to reflect the suspension of applications for conditional admission; to reflect the re-start of admission ceremonies in 2021; to amend the definition of 'significant disclosure' in relation to any adverse finding of academic misconduct at an advanced stage of law study; to explain what is meant by 'inherent requirements of practice'; to set out the procedure where an applicant cannot provide required identity documents; and to specify the need for identity documents not in English to be accompanied by a translation by a NAATI-certified translator.