



Legal Profession Admission Board

What to expect when seeking academic exemptions

Guidance for applicants

who obtained a qualification outside Australia

If you have obtained an academic qualification in law outside Australia and you wish to apply for admission as a lawyer in New South Wales, you first need to have your qualification assessed by the Legal Qualifications Committee.

To apply for an assessment, you need to complete [Form 16](#) and provide details of your studies and any experience in practising the law. This fact sheet outlines how the process works, and provides a general guide about what to expect in terms of academic exemptions.

How applications are determined

- Applications for academic exemptions made to the Legal Qualifications Committee are determined by its Academic Exemptions Sub-Committee.
- Having considered your academic qualifications and/or your experience in practising the law, the Sub-Committee will determine which additional subjects you need to complete, in order to meet the academic requirements for admission in New South Wales.
- In reaching its determination, the Sub-Committee has regard to [Rule 11\(1\) of the Legal Profession Uniform Admission Rules 2015](#), [Rule 97 of the NSW Admission Board Rules 2015](#) and the [Uniform Principles for Assessing Qualifications of Overseas Applicants for Admission \(Uniform Principles\)](#).
- Determinations are based on the academic subjects which make up the Board's Diploma in Law course. A list of those subjects is set out in Rule 53 of the NSW Admission Board Rules 2015. An exemption may be granted for some or all of those subjects.

Which academic exemptions may be granted

- Exemptions from a significant number of the Board's subjects are not usually granted for qualifications obtained in a jurisdiction where the system of law is essentially different from Australia's common law system.
- An exemption will usually only be granted if there is a close correspondence between the content of the Board's subject and the content of the subject studied.
- If academic qualifications do not justify an exemption, an exemption may still be granted on the basis of extensive experience practising the law in the specific subject area.
- An exemption may not be granted if the mark awarded in the corresponding subject is too low or the studies are too old.

An exemption is not usually granted for:

- studies taken as part of a practical legal training course such as the English Legal Practice Course
- studies taken in preparation for a professional examination, such as an American Bar Examination or the English Qualified Lawyers Transfer Test
- law subjects taken as part of an economics or business course
- subjects taken at an institution where the Sub-Committee has no information about the academic standing of that institution
- subjects taken at an institution where the Sub-Committee is not satisfied, having regard to the assessment criteria applied by that institution, that the applicant has reached a level of achievement in that subject sufficient to justify an exemption.

For more information as to what you can usually expect, see **Appendices A** and **B**.

Requesting a review

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

You will be required to demonstrate that the original decision was incorrect and to put forward your arguments in relation to the information contained within these Guidelines and the Uniform Principles, which are available on the LPAB's website www.lpab.justice.nsw.gov.au.

You should use the form titled '[Application for review of determination of the Academic Exemptions Sub-Committee](#)' and pay the prescribed fee.

More information

For more information, telephone us on (02) 9338 3500 or email lpab@justice.nsw.gov.au.

What to expect - by subject

01 Legal Institutions

An exemption from this subject will not usually be granted:

- for studies or experience in a civil law jurisdiction
- unless you have adequately covered the general constitutional law part of the Priestley 11 subjects - see the subject guide at sydney.edu.au/lec/subjects/index.htm

02 Criminal Law And Procedure

An exemption from this subject will not usually be granted for studies or experience in a civil law jurisdiction or the Philippines.

03 Torts

An exemption from this subject will not usually be granted for studies or experience in a civil law jurisdiction, the Philippines or Quebec.

04 Contracts

An exemption from this subject will not usually be granted for studies or experience in a civil law jurisdiction, Israel or Quebec.

05 Real Property

An exemption from this subject will not usually be granted:

- for studies or experience in a civil law jurisdiction, Fiji, Israel, Papua New Guinea, the Philippines, Quebec, Scotland, South Africa, or Sri Lanka
- even if you have studied a corresponding subject in the United States unless that subject includes a sufficient study of the Torrens system of land registration.

06 Australian Constitutional Law

An exemption from this subject will not usually be granted for studies or experience in any overseas jurisdiction.

07 Equity

An exemption from this subject will not usually be granted for studies or experience in a civil law jurisdiction, Israel, Papua New Guinea, the Philippines, Quebec, Scotland, South Africa or Sri Lanka.

08 Commercial Transactions

An exemption from this subject will not usually be granted for studies or experience in a civil law jurisdiction, Israel or Quebec. In addition, an exemption from this subject will not usually be granted unless the applicant has adequately covered the personal property part of the Priestley 11 subjects - see the subject guide at sydney.edu.au/lec/subjects/index.htm.

09 Administrative Law

An exemption from this subject will not usually be granted for studies or experience in a civil law jurisdiction, Fiji, Israel, Papua New Guinea, the Philippines, Quebec, Sri Lanka or the United States of America.

Even if your studies and experience are in a jurisdiction whose administrative law is similar enough to the law covered in this subject, you need to show you have done enough administrative law for long enough. It is not enough to show that your studies and experience cover the right topics - you have to show you have studied those topics for long enough.

Most applicants with English qualifications have taken some studies in Administrative law, but these studies are often only part of a general course in constitutional law, and do not justify a credit in Administrative Law.

Subjects devoted to administrative law

If your transcript shows a one year or half-year subject called 'Administrative Law', this will usually be enough to show both the right topics and the right length of study.

If you have done a one year or half year subject that was devoted to administrative law, but not called 'Administrative Law', you need to lodge a subject description or subject outline or list of lecture dates and topics to show the content of the subject. There is no presumption that a subject called 'Public Law 2' or even 'Public Law 3' was necessarily devoted to administrative law.

Subjects partly devoted to administrative law

If you have done a one year subject, half of which was devoted to administrative law, you need to lodge a list of lecture dates and topics to show this devotion. There is no presumption that half of a subject called 'Constitutional and Administrative Law' was devoted to administrative law.

If you have done a one year subject, less than half of which was devoted to administrative law, you need to lodge a list of lecture dates and topics to show what coverage there was of administrative law, and details of any administrative law experience that might make up for lack of a half year of administrative law.

No administrative law studies

If you have not studied administrative law at all, you need to lodge details of any experience with administrative law.

10 Law of Associations

An exemption from this subject will not usually be granted for studies or experience in a civil law jurisdiction.

11 Evidence

An exemption from this subject will not usually be granted for studies in a practical course.

12 Taxation and Revenue Law

You may be granted an automatic exemption from this subject if your studies and any experience are extensive enough. Otherwise an exemption from this subject will depend on adequate coverage of the substance of this subject (see the subject guide at sydney.edu.au/lec/subjects/index.htm).

13 Succession

You may be granted an automatic exemption from this subject if your studies and any experience are extensive enough. Otherwise an exemption from this subject will depend on adequate coverage of the substance of this subject (see the subject guide at sydney.edu.au/lec/subjects/index.htm).

14 Conveyancing

You may be granted an automatic exemption from this subject if your studies and any experience are extensive enough. Otherwise an exemption from this subject will depend on adequate coverage of the substance of this subject (see the subject guide at sydney.edu.au/lec/subjects/index.htm).

15 Practice and Procedure

For the content of this subject, see the subject guide at sydney.edu.au/lec/subjects/index.htm

An exemption from this subject will not usually be granted for studies in a practical course, except for Advanced Civil Litigation in the Professional Practice Course (Ireland).

17 Professional Responsibility

An exemption from this subject will not usually be granted for studies in a practical course.

24 Jurisprudence

You may be granted an automatic exemption from this subject if your studies and any experience are extensive enough. Otherwise an exemption from this subject will depend on adequate coverage of the substance of this subject (see the subject guide at sydney.edu.au/lec/subjects/index.htm).

Electives

The electives to be taken are 3 electives chosen from the list of named electives at sydney.edu.au/lec/subjects/index.htm.

You may get an automatic exemption from all electives if your studies and experience are extensive enough.

Otherwise you will have to take three electives, unless this number is reduced by an exemption from a particular elective based on adequate coverage of that elective, or an exemption from an unspecified elective based on adequate coverage of a subject of equivalent educational standing to an elective. Credit is not given for a subject confined to criminology or legal research, or confined to only part of a named elective.

What to expect - by jurisdiction

Civil Law Jurisdictions

If you have been admitted and practised in a civil jurisdiction, you will usually have to take Subjects 01-11, 15 and 17. This is because you will usually get no exemptions from these subjects, but will usually get exemptions from the rest of the Board's subjects.

The same will usually apply if you have studied in a civil jurisdiction and satisfied the academic requirements for admission without being admitted.

If you have studied in a civil jurisdiction and not satisfied the academic requirements for admission, you will usually have to take all the Board's core subjects and may have to take up to three electives.

Common Law Jurisdictions

If you have been admitted and practised in a common law jurisdiction, you will usually have to take one or more of Subjects 01-11, 15 and 17. This is because you may get exemptions from some of these subjects, and will usually get exemptions from the rest of the Board's subjects.

The same will usually apply if you have studied in a common law jurisdiction and satisfied the academic requirements for admission without being admitted, and you have completed a course of study that is comparable in depth and scope with the Board's course.

If you have studied in a common law jurisdiction and not satisfied the academic requirements for admission, you will usually have to take a large number of the Board's subjects. The same will usually apply if you have not completed a course of study that is comparable in depth and scope with the Board's course.

Hybrid Jurisdictions

A hybrid jurisdiction is one that contains both common law elements and other elements. The comments above apply to hybrid jurisdictions in the same way as they apply to common law jurisdictions, but usually with more subjects to be taken.