

Rules approved by CJ

The Chief Justice has approved two amendments to the Professional Conduct Rules.

The first is the amendment in relation to Rule 3 (Advertising and Touting), published in the November issue of *Balance*.

Further, Rule 1 has been amended to make non-compliance with a request for information from the Professional Indemnity Insurance Claims Committee professional misconduct.

Specifically, the Rule is:

1.4 It is the duty of every practitioner whether or not he is a member of the Society:-

(1) (i) a legal practitioner or a former legal practitioner must give the Professional Indemnity Claims Committee such information and assistance as it reasonably requests within such period as is specified in the request;

(ii) a legal

practitioner or a former legal practitioner who fails to comply with a provision of this clause is (in addition to any penalty that may be imposed) liable to compensate the Law Society for any prejudice caused by the failure, and;

(iii) where a legal practitioner or former legal practitioner of whom a request is made under sub-clause (i) refuses or fails to comply with the requirement to the satisfaction of the Professional Indemnity Claims Committee the Professional Indemnity Claims Committee may report the the practitioner's refusal or failure to the Law Society which shall treat the report as a complaint of the type referred to in Section 46 of the Legal Practitioners Act.

Once again, I remind practitioners that the Rules are being produced as amended in loose-leaf form and should be circulated in the new year.

Further to the page 1 story in this issue, the Society is holding a few copies of the Trade Practices Commission's paper *The legal profession, conveyancing and the Trade Practices Act*. Anyone who is interested in reading and/or commenting on the paper should contact the Society on telephone 815104.

Another issue which has recently arisen of which practitioners should be aware is the discussion paper published by the Working Party in relation to the *Tenancy Act*. A committee is to meet to formulate a response to the paper, but the response will necessarily be limited given the time allowed.

The paper contains such gems as a proposal to exclude legal representation before the tenancy tribunal and provisions making it an offence by a legal practitioner not to secure registration of a lease within 30 days of execution by the tenant. Stay tuned for further developments.

The mutual recognition legislation continues to cause problems. A meeting was held in Canberra last weekend and was aimed at securing uniformity in admission standards between states for barristers, solicitors and barristers & solicitors.

It is still anticipated that the legislation will come into force in early 1993.

This is the final issue of *Balance* for 1992; the next issue will be February 1993. I take this opportunity to thank all those practitioners who have helped out with various Society activities throughout the year, and to wish everyone the best for the Festive Season.

There are some diary notes for early 1993. The Opening of the Legal Year will be celebrated in Darwin on 1 February and in Alice Springs on 3 February. Our guest speaker will be Robert Meadows, the President of the Law Council of Australia. Practitioners will be notified of the details well in advance of the event.

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