

# Issues and the AGM

Both the Law Society Council and Secretariat are putting together the elements of the Annual Report and preparing for the Annual General Meeting (AGM). The AGM will be held at the Novotel Atrium Hotel, the Esplanade, Darwin on 12 October 2005 starting at 4.30pm. Light refreshments will follow.

Members are urged to consider whether they would like to be on Council, or alternatively, who they would like to represent them on Council. The Committees of Council also have a busy schedule of work ahead in 2005-2006 and some will be looking for further members to share the workload.

At the time of writing, practice certificate renewal documentation will be sent to members shortly. Renewal documents should be sent back to the Law Society by 22 September 2005 to give us time for processing and to deal with any issues that may arise. Those seeking premium funding need to lodge their applications earlier.

One of the issues that the Law Society Council and Committees will need to consider is some of the legislation likely to be prepared in draft, enacted or commenced in the next Council year. Most members are aware that a new Legal Practitioners Bill enacting the National Model Laws is on the agenda. I will shortly be holding a Continuing Professional Development (CPD) session giving an update on where things are at and a Council committee is looking at all issues. Some other projects are as follows:

- \* The Professional Standards Act (NT) should commence shortly. The LSNT will need to consider development of a professional standards scheme under the legislation.
- \* The Youth Justice Bill is likely to be passed at the August 2005 Legislative Assembly sittings. The commencement date is unknown at this stage. It will have major implications for those practitioners dealing with youth issues. It is hoped to work with the Department of Justice to ensure CPDs are held and there is otherwise a

smooth transfer to the new legislation.

- \* The Care and Protection of Children and Young People Bill is currently undergoing further review. The Law Society commented on a previous version of the Bill and is looking forward to seeing a further draft in due course.
- \* The Criminal Code (Criminal Responsibility Amendment) Bill (No.2) is apparently the first of many major amendment Bills proposed for the NT Criminal Code to bring it in line with the national model.
- \* The Family Law (Shared Parental Responsibility) Bill is currently being considered by a Commonwealth Parliamentary Committee. When enacted it will provide for 'parenting orders' and will have a major effect on 'child contact' issues. A CPD program is proposed to be conducted through the Family Law Section of the Law Council of Australia.
- \* The Law Society is monitoring developments in the area of Tort Law, including the development of Rules under the Personal Injuries (Civil Claims) Act and the possible implementation of further Ipp recommendations.
- \* Anti Money Laundering (AML) legislation is very much on the Commonwealth Government's agenda and it is anticipated, after much consideration, that an exposure draft Bill will be released shortly with legislation enacted next year. Lawyers who have trust accounts and act in relation to property transactions are considered to have the potential to be "gatekeepers" to possible suspicious activities so will need to have systems in place to identify and report relevant activity.



Barbara Bradshaw, Chief Executive Officer

This issue also raises concerns about client legal privilege. There are implications for the trust accounting requirements in the National Model Legal Practice Bill and Regulations. The next edition of *Balance* will feature an article on this issue.

Those with queries about any of the above issues should contact me at the Law Society. We will continue to provide updates and, where appropriate, other compliance assistance including explanatory material and CPDs.

Finally, I offer my sympathy to the family and friends of John George and John Withnall, both long-term senior practitioners who made a major contribution to the legal profession and indeed the Territory community. Both were true NT characters. Also my sympathy to Secretariat member Julie Davis on the loss of her partner Paul Basher.①

## Balance contributions

The Law Society NT encourages members and readers to contribute to *Balance*.

Submissions can be sent to the Editor via email at [publicrelations@lawsocnt.asn.au](mailto:publicrelations@lawsocnt.asn.au) or fax to (08) 8941 1623.