

**IMPORTANT INFORMATION TO NOTE FOR SOUTH AFRICAN LAWYERS
WANTING TO PRACTICE LAW IN AUSTRALIA**

First of all, it is very important to note than an Attorney/Lawyer/Advocate cannot claim the 60 SOL points if he/she is not an admitted Solicitor in Australia.

Immigration Authorities have indicated to the Board that the assessment that they will find satisfactory is one that says '(applicants name)' has been admitted as a legal practitioner in NSW and, in the opinion of the Board, has suitable skills for a legal practitioner. Therefore in order to obtain a "Skilled Migration Letter", a person will need to have overseas qualifications assessed in accordance with rules 97 and 98 of the Legal Profession Admission Rules 2005 and then be admitted as a Lawyer.

Legal Practitioner's Admission Board NSW

During November 2005, a Candidate who was based in South Africa at the time did some research on the re-qualification process and came to the conclusion that the shortest route to do one's conversion exams is through New South Wales. There is a law of mutuality between the states (very similar to South Africa) and it doesn't really matter through which state you are doing the conversion exams. I am happy to report that this candidate is employed by a top law firm and is now based in Brisbane and the opportunity of securing employment was much easier as he was now in demand.

South African Attorneys can apply for Academic Exemption (Form 16) and Practical Legal Exemption (Form 17) from the Legal Professional Admission Board in New South Wales.

Academic Exemption

To apply for Academic Exemption, the candidate must complete **Form 16** for the Legal Professional Admission Board's perusal. The Legal Professional Admission Board Legal Qualification Committee meetings are conducted approximately 7 times a year and it is a forum where they basically decide whether academic exemption should be granted to the applicants that applied for academic exemption.

South African Attorneys are most of the time exempted from additional academic subjects except for Australian Constitutional Law, Equity & Trusts and Property Law. These subjects can be completed through various academic institutions, i.e. University of New England (UNE), as they offer distance education.

Jackie Welch is the South African representative for University of New England, and if you register through her, you don't pay enrolment fees. Her contact details are as follows:-

Jackie Welch

Cell: (082) 412 9903

Email: jwelch@kingsmead.co.za

Once a candidate has completed the required academic subjects, the candidate should apply for final academic exemption from the Legal Professional Admission Board.

Practical Legal Training Exemption:

To apply for Practical Legal Training Exemption, the candidate must complete **Form 17** for the Legal Professional Admission Board's perusal. The Legal Professional Admission Board Practical Training Exemptions Sub-Committee meetings are conducted approximately 7 times a year and it is a forum where they basically decide whether Practical Legal Training Exemption should be granted to the applicants that applied for Practical Legal Training Exemption.

South African Attorneys are most of the time required to do Trust & Accounting and Professional Responsibility. Some additional subjects might be required if the candidate does not have sufficient Post Admission Experience.

These Practical Legal Training subjects can be completed through various academic institutions, i.e. College of Law, as they offer distance education and they are very accommodating with examination dates etc.,

Final application for **Practical Legal Training Exemption** is not required and once final exemption for Academic Training is granted, the candidate can proceed with his/her application for Admission with **Form 11**. Please note that 2 character references, using **Form 3A**, must be included in the Application for Admission.

The Legal Professional Admission Board will advise the candidate of the Admission date. Also note that attendance in the Supreme Court of New South Wales is compulsory.

The process takes approximately 12 months; it obviously depends on your time available to study. Some of the subjects like Australian Constitutional Law, Equity & Trust are only offered in the 1st Semester at the University of New England, whilst Property Law is offered in the 2nd Semester.

For more information, kindly visit the Legal Professional Admission Board's website.