

LEGAL PRACTITIONERS—

COUNCIL OF LEGAL EDUCATION RULES. <sup>(1)</sup>

Short title.

1. These Rules may be cited as the *Council of Legal Education Rules*. <sup>(1)</sup>

Forms.

2. Any reference to a form in these Rules shall be read as a reference to a form in the Schedule to these Rules.

Conditions to be performed before issue of certificate.

3. At least seven clear days before the meeting of the Council at which he intends to apply for a certificate of qualification, every person who is entitled to practise as a barrister or solicitor, or both, in the High Court of Australia or in the Supreme Court of any State of the Commonwealth of Australia, shall—

- (a) cause a notice in accordance with Form 1 to be advertised once in the *New Guinea Gazette* and once in a newspaper published in the Territory;
- (b) file with the Secretary of the Council an application in accordance with Form 2; and
- (c) file with the Secretary of the Council an affidavit in accordance with Form 3.

Allegation of moral unfitness.

4. Where any allegation as to the moral unfitness of any person applying to the Council for a certificate of qualification is made to the Council, the Council shall take such steps for inquiring into such allegation as it may deem necessary and proper, and if such allegation is, in its opinion, proved, the Council may refuse to grant a certificate to such person.

THE SCHEDULE.

TERRITORY OF NEW GUINEA.

Form 1.

I hereby give notice that I intend to apply to the Council of Legal Education

(1) Particulars of these Rules are as follows:—

| Ordinance under which made.                    | Date on which made by the Council of Legal Education with concurrence of Chief Judge. | Date on which published in <i>N.G. Gaz.</i> | Date on which took effect.                                  |
|------------------------------------------------|---------------------------------------------------------------------------------------|---------------------------------------------|-------------------------------------------------------------|
| <i>Legal Practitioners Ordinance 1928-1938</i> | 2.7.1928                                                                              | 16.7.1928                                   | "Forthwith" <sup>(a)</sup> ( <i>N.G. Gaz.</i> of 16.7.1928) |

(a) The *Council of Legal Education Rules* stated in their introductory part that they were "to come into operation forthwith". At the relevant dates in 1928, Section 12 of the *Legal Practitioners Ordinance 1928-1938* (under which these Rules were made) provided that "Rules made in pursuance of this Ordinance shall—(a) be published in the *New Guinea Gazette* and (b) take effect from the date of publication, or from a later date specified therein." At the relevant dates in 1928 there was no other Ordinance or regulation of general application providing for the publication of rules, the date on which they were to take effect, or the meaning of "forthwith".

*Council of Legal Education Rules.*

for a certificate of qualification for admission as a barrister and solicitor of the Central Court of the Territory of New Guinea.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1928.

Signature

Name in full

Address

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Form 2.

TERRITORY OF NEW GUINEA.

To:—

The Council of Legal Education.

I hereby make application for a certificate of qualification for admission as a barrister and solicitor of the Central Court of the Territory of New Guinea.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1928.

Signature

Name in full

Address

Qualifications

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Form 3.

TERRITORY OF NEW GUINEA.

*Affidavit by Person Previously Admitted Elsewhere.*

In the Central Court of the Territory of New Guinea.

In the matter of A.B.

I, A.B., of \_\_\_\_\_, in the Territory of New Guinea, gentleman, make oath and say:—

(1) I was on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ admitted to practise as a \_\_\_\_\_ in the \_\_\_\_\_ Court of \_\_\_\_\_

*(If the applicant has been admitted to practise in any other Court or Courts, he should here set forth the date or dates of every such admission, and the name of every such Court in which he has been admitted.)*

(2) I have not done or committed any act or thing which would render me liable to have my name struck off the roll of \_\_\_\_\_ or to be suspended from practice in the said Court (or Courts, or any of them).

(3) To the best of my knowledge and belief my name still remains on the roll of the said Court (or Courts).

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- (4) The copies of certificates annexed are true copies of my certificates of admission therein.
- (5) I am the person named therein.
- (6) And I refer to C.D., of \_\_\_\_\_, and E.F., of \_\_\_\_\_, resident within the Territory of New Guinea, as persons to whom I am known.

Signed and sworn by the above-  
named A.B. at \_\_\_\_\_ }  
in the Territory of New Guinea, }  
this \_\_\_\_\_ day of \_\_\_\_\_ }  
\_\_\_\_\_, 19\_\_\_\_, before me }

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