

Notes: Notice of intention to start providing legal services –

Unincorporated legal practice

Part 3.7 Legal Profession Uniform Law (Victoria)

Applicability of form

You are required to complete this form and provide it to the Victorian Legal Services Board (the Board) at least 14 days before starting to engage in legal practice as an unincorporated legal practice (ULP): Rule 28 of the *Legal Profession Uniform General Rules 2015* (the Uniform Rules).

The Legal Profession Uniform Law (the Uniform Law) defines a ULP as follows:

unincorporated legal practice means an unincorporated body or group that satisfies the following criteria—

- (a) it is—
 - (i) a partnership; or
 - (ii) an unincorporated body or group, or an unincorporated body or group of a kind, approved by the Legal Services Council under section 114 or specified in the Uniform Rules for the purposes of this definition;
- (b) it has given notice under section 104 that it intends to engage in legal practice in Australia and that notice is still operative;
- (c) the legal services it provides or proposes to provide are not limited to either or both of the following services—
 - (i) in-house legal services for the unincorporated body or group;
 - (ii) services that are not legally required to be provided by an Australian legal practitioner and that are provided by an officer or employee who is not an Australian legal practitioner;
- (d) it is not excluded by the Uniform Rules from being an unincorporated legal practice—
but does not include—
- (e) a law firm; or
- (f) a community legal service; or
- (g) an incorporated legal practice.

Obligations

The Board is required to maintain a register of Australian legal practitioners whose home jurisdiction is Victoria. Please advise the Board of any change to your contact or practice information within 14 days of the change occurring.

Furthermore, under s.104(1) of the Uniform Law, a ULP must give the Board written notice of its intention to engage in legal practice in this jurisdiction *before* it commences to do so.

Pursuant to s.105, a ULP must have at least one authorised principal. A principal is defined in Part 1.2, s.6, as follows:

principal of a law practice is an Australian legal practitioner who—

- (a) in the case of a sole practitioner—is the sole practitioner; or
- (b) in the case of a law firm—is a partner in the firm; or
- (c) in the case of a community legal service—is a supervising legal practitioner of the service referred to in s.117; or
- (d) in the case of an incorporated legal practice or an unincorporated legal practice—
 - (i) holds an Australian practising certificate authorising the holder to engage in legal practice as a principal of a law practice; and
 - (ii) is—
 - (A) if the law practice is a company within the meaning of the Corporations Act—a validly appointed director of the company; or
 - (B) if the law practice is a partnership—a partner in the partnership; or
 - (C) if the law practice is neither—in a relationship with the law practice that is of a kind approved by the Legal Services Council under s.40 or specified in the Uniform Rules for the purposes of this definition.

All other legal practitioners within the law practice must also ensure that they hold the appropriate practising certificate and hold or be covered by an approved insurance policy.

Please familiarise yourself with the additional obligations for ULPs under Part 3.7 of the Uniform Law.

Instructions for completion

Please ensure that you have completed all sections of this form and attached:

- certified copies of the current practising certificates of all principals of the law practice;
- a current certificate of insurance; and
- if the law practice has more than one office, a separate page providing details for each office.

Please return the completed form with attachments via e-mail to registry@lsbc.vic.gov.au

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Law practice details

Entity Name (Registered company name):
ABN:
Business trading name (provide all business names under which the entity intends to engage in legal practice): _____ _____ _____
Date for commencing engaging in legal practice:

Address for service (must be street address, not PO Box or DX)

Building, Level:	
Street:	
Suburb/Town:	
State:	Postcode:

Other addresses (optional)

PO/GPO Box:	Suburb:
Postcode:	State:
DX No.:	DX Suburb:

Preferred mailing address (please tick) Address for service (street address) PO Box DX

Other contact details

Phone:	Fax:
Email:	
Web address:	

If the law practice has more than one office, please attach a separate page providing details for each office.

Name of each legal practitioner partner (If insufficient space, please attach an extra sheet)

Practitioner ID:	Practitioner name:

Name of each non-practitioner partner (If insufficient space, please attach an extra sheet)

Name:	Date commenced:	Date terminated:

Privacy

The Victorian Legal Services Board complies with the privacy principles set out in the *Privacy and Data Protection Act 2014*. All personal information you provide will be handled in accordance with this Act. The collection of the information on this form is required by the *Legal Profession Uniform Law Application Act 2014*. Information held by the Victorian Legal Services Board may be disclosed to various organisations, including the Victorian Civil and Administrative Tribunal, the Law Institute of Victoria Ltd, Victorian Bar Inc., Victoria Police and corresponding interstate authorities in order to carry out its duties under the *Legal Profession Uniform Law Application Act 2014*.

Please remember: you must provide a current insurance certificate of currency.

I confirm that the information in this notice is true and correct

Signature of Legal Practitioner Partner

Name of Legal Practitioner Partner (please print) *Practitioner ID*

Date