

10 January 2018

Mr William Clancy

Via email: [REDACTED]

Dear Mr Clancy

Practising Certificate Fees Review: Response to Submission

Thank you for your email of 25 October 2017 setting out your submission to the formal public consultation stage of the Practising Certificate Fees Review (the review) and the Regulatory Impact Statement (RIS) process.

The Victorian Legal Services Board (the Board) appreciates the time you have taken to make a written submission to the review and contribute your thoughts on the proposed options.

In your submission, you note that you are required to maintain a principal practising certificate to maintain your faculty as a public notary and the cumulative expenses involved in doing so. The Board has been mindful of the costs incurred by practitioners in running their practices and has sought through the review to ensure that fees for practising certificates do not create barriers to entry for new or existing practitioners. The analysis in the RIS indicates the costs of the proposed fees will not have this impact.

You also indicate your dissatisfaction with the obligation to undertake two points of continuing professional development (CPD) given you believe you satisfy all statutory criteria to qualify for an exemption. While I note your dissatisfaction, I cannot comment on the particulars of this decision which is outside the scope of the review. Should you wish to have your application for an exemption from the CPD requirements reviewed, you may contact the Law Institute of Victoria, which exercises a delegation on the Board's behalf with respect to CPD decisions, on 9607 9328.

The Board has now had the opportunity to consider all of the submissions received and is not proposing to make any adjustments to the proposed fee settings in Option 3 in light of those submissions.

The Board has decided to formally recommend new fees for practising certificates for the 2018-19 financial year and beyond, in line with Option 3 as outlined in the RIS, to the Attorney-General and the Governor-in-Council. It is intended that new regulations prescribing those fees will be in place to replace the current regulations which are due to expire in late February 2018.

Once again I would like to thank you for contributing to the formal consultation stage of the review. Your submission and our response will be published, together with all other submissions and responses, on our website.

Yours sincerely

[REDACTED]

Fiona R Bennett
Chairperson