

**Notes: Notice of intention to start providing legal services –
Incorporated 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 at least 14 days before starting to engage in legal practice as an incorporated legal practice (ILP): see Rule 28 of the *Legal Profession Uniform General Rules 2015* (the Uniform Rules).

The Legal Profession Uniform Law (the Uniform Law) defines an ILP as follows:

incorporated legal practice means a corporation that satisfies the following criteria—

- (a) it is—
 - (i) a company within the meaning of the Corporations Act; or
 - (ii) a corporation, or a corporation of a kind, approved by the 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 corporation or a related entity;
 - (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;

Note: The Uniform Rules under section 10(3) may provide that certain entities are exempt from the operation of section 10(1), which provides that an entity must not engage in legal practice in this jurisdiction unless it is a qualified entity.

(d) it is not excluded by the Uniform Rules from being an incorporated legal practice— but does not include a community legal service.

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, an ILP 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, an ILP 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—

...

- (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.

The ILP itself must hold an approved insurance policy for this jurisdiction and the policy must cover the legal practice in which it is engaged. A current certificate and/or schedule of insurance *must be submitted* with this form.

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

Instructions for form completion

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

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

Please return the completed form with attachments to us via our Lawyer Enquiry web form:
<https://lsbc.vic.gov.au/lawyers/lawyer-enquiry-form>

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Law practice details

Entity Name (Registered company name):	
ACN:	ABN:
Business trading name: <i>(Please provide all business names under which the entity intends to engage in legal practice)</i>	
Date of incorporation:	
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 had more than one office, please attach a separate page providing details for each office.

