

LEGAL PRACTITIONERS ORDINANCE 1965

No. 18 of 1965

An Ordinance relating to legal practitioners of the
Supreme Court of the Northern Territory of
Australia

[Assented to 24th May, 1965.]

BE it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the *Northern Territory (Administration) Act 1910-1962*, as follows:—

Short title.

1. This Ordinance may be cited as the *Legal Practitioners Ordinance 1965*.

Definitions.

2. In this Ordinance, unless the contrary intention appears—

“duly admitted practitioner” means a person admitted to practise as a barrister or solicitor in—

(a) the High Court of Australia;

(b) the Supreme Court of a State; or

(c) the Supreme Court of the Territory or of another Territory of the Commonwealth;

“graduate in law” means a graduate in law of an Australian university;

“Judge” means the Judge appointed under sub-section (1.) of section seven of the *Northern Territory Supreme Court Act 1961* or a Judge appointed under sub-section (2.) of that section;

“practitioner” means a legal practitioner of the Court;

“the Court” means the Supreme Court of the Northern Territory of Australia as constituted by the *Northern Territory Supreme Court Act 1961*.

Qualifications
for admission
as practitioner.

3.—(1.) The Court may admit as a practitioner a person who—

(a) is a graduate in law and has entered into and served under articles as prescribed or is a duly admitted practitioner; and

(b) is in other respects a fit and proper person to be admitted as a practitioner.

(2.) For the purpose of the last preceding sub-section, the following provisions are prescribed for and in relation to serving under articles:—

- (a) the articles shall be articles of clerkship entered into with a practitioner who is actually practising as such a practitioner in the Territory;
- (b) the articles shall be approved by the Master of the Court and a copy of the articles shall be filed in the Court;
- (c) the service under the articles shall be for a period of at least—
 - (i) two years; or
 - (ii) in the case of a person who has had experience as an associate to a Judge for at least one year after he has become a graduate in law—one year, after the person serving under them has become a graduate in law.

4. The following persons shall be deemed to be actually practising as practitioners:— Crown officers.

- (a) the Crown Law Officer;
- (b) each person holding and performing in the Territory the duties of an office of Principal Legal Officer or Senior Legal Officer established under the *Commonwealth Public Service Act 1922-1964*.

5.—(1.) Subject to the next succeeding sub-section, a duly admitted practitioner is entitled to practise as a barrister and is entitled to practise as a solicitor in the Territory. Right to practise.

(2.) A duly admitted practitioner is not entitled to practise as a barrister or solicitor in the Territory during any period during which he is suspended from exercising the rights of a duly admitted legal practitioner by a court in which he has been admitted as a legal practitioner or by other competent authority.

(3.) For the purposes of the last preceding sub-section, a duly admitted practitioner is not suspended by reason only of the fact that he is not in possession of a current practising certificate.

6 If the Court is satisfied that a practitioner or a duly admitted practitioner is guilty of misconduct in the practice of his profession it may suspend his right to practise in the Territory for such period as it thinks proper. Suspension of practitioners.