



ANNO VICESIMO SEXTO

ELIZABETHAE II REGINAE

A.D. 1977

No. 46 of 1977

An Act to amend the Legal Practitioners Act, 1936-1972.

[Assented to 15th December, 1977]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the "Legal Practitioners Act Amendment Act, 1977". Short titles.

(2) The Legal Practitioners Act, 1936-1972, is hereinafter referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Legal Practitioners Act, 1936-1977".

2. The following section is enacted and inserted in the principal Act after section 68 thereof:— Enactment of s. 69 of principal Act—

69. (1) Notwithstanding any law, practice or custom, but subject to this section, a legal practitioner employed by the Crown in right of the State being— Legal practitioners employed by Crown may practise in and appear before any court.

(a) the Crown Solicitor or a legal practitioner who is employed by the Crown and acting on the instructions of the Crown Solicitor;

or

(b) a legal practitioner who is employed in the Department for Corporate Affairs,

and acting in the course of that employment and with the approval of the Attorney-General—

(c) shall have a right of audience before any court or tribunal established under any law of the State;

and

(d) may otherwise act as a legal practitioner in any such court or tribunal,

whether or not the Crown is a party to the proceedings.

(2) Notwithstanding subsection (1) of this section, the approval of the Attorney-General referred to in that subsection is not required in relation to the Crown Solicitor or a legal practitioner who is employed by the Crown and acting on the instructions of the Crown Solicitor.

(3) The approval of the Attorney-General referred to in subsection (1) of this section may be general or limited to a particular matter or matters of a particular class.

(4) Where in any proceedings a legal practitioner purports to be acting under this section, he shall, in the absence of proof to the contrary, be deemed to be duly acting under this section.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

K. SEAMAN, Governor