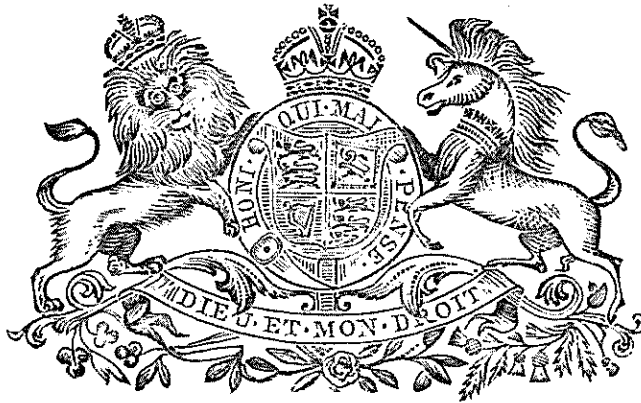


WESTERN AUSTRALIA.



ANNO NONO

EDWARDI SEPTIMI REGIS,

XXXIII.

No. 37 of 1909.

AN ACT to amend the Legal Practitioners Act,
1893.

[Assented to 21st December, 1909.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the *Legal Practitioners Act Amendment Act, 1909*, and shall be read as one with the Legal Practitioners Act, 1893, hereinafter referred to as the principal Act. Short title.

2. Any person who—

(a.) Shall have completed or may complete the term of ten years as a clerk in the office of a practitioner or practitioners practising in Western Australia, and shall have been for at least five of such ten years employed in the capacity of a managing clerk in such office or offices; and

Qualification of managing clerks for admission as practitioners.

(b.) Shall have obtained from the Barristers' Board a certificate to the effect that he is, in the opinion of the Board (whose decision shall be final), possessed of the qualifications required by the last preceding subsection, and a fit and proper person to be admitted a practitioner; and

(c.) Shall have passed the final examination prescribed by the rules framed under the principal Act for the examination of articled clerks,

shall be qualified to be and, subject to the provisions of the principal Act and the rules, may be admitted a practitioner.

Provided that it shall not be lawful for any person admitted under the provisions of this Act, at any time during the twelve months next following his admission, to practise as or engage in the practice of a legal practitioner, or be employed in the office of any legal practitioner, within three miles of the office of any practitioner by whom he shall have been engaged at any time during the twelve months next preceding his admission, except with the permission in writing of such practitioner.

Power of Barristers' Board to make rules.

3. The Barristers' Board may from time to time make, alter, vary, or repeal any general rule or rules under which the certificate set forth in subsection (b.) of section two is to be applied for by the applicant, and may, in addition thereto, require any particular applicant for such certificate to answer any question or questions, and to furnish such proof or proofs in support of his application as to such Board may seem expedient.

Refusal of Barristers' Board to grant certificate not open to review.

4. The refusal of the Barristers' Board to grant to any applicant the certificate set forth in subsection (b.) of section two shall not be liable to be challenged, appealed against, reviewed, quashed, or called in question by any Court of judicature, on any account whatsoever.

Power of Barristers' Board to dispense with part of term.

5. The Barristers' Board may, in its discretion, and on being satisfied that any applicant shall have *bona fide* completed the term of three years as a managing clerk in the office or offices of a practitioner or practitioners in any of the other States of the Commonwealth or in Great Britain or Ireland, dispense in the case of such applicant with any portion not exceeding in all three years of the term of years prescribed in subsection (a.) of section two hereof.

Provided that such term of three years or any part thereof shall be exclusive of the term of five years herein prescribed as the term during which the applicant shall have been employed as a managing clerk.

6. No person who has matriculated or graduated at or passed the matriculation examination of any university in Great Britain or Ireland, or the Commonwealth of Australia or the Dominion of New Zealand, shall be required to pass the preliminary examination required by the rules framed under the principal Act to be passed by articled clerks.

Preliminary examination not required of articled clerks who have matriculated.