

*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

ALLAN PICKERING,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 29 March, 1960.*

## New South Wales



ANNO NONO

## ELIZABETHÆ II REGINÆ

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Act No.       , 1960.

An Act to increase the maximum amount payable, in respect of theft or fraudulent misapplication by any one solicitor, out of the Solicitors' Fidelity Guarantee Fund established under the Legal Practitioners Act, 1898-1954; for this and other purposes to amend the Legal Practitioners Act, 1898-1954; and for purposes connected therewith.

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Legal Practitioners (Amendment) Act, 1960".

Short title  
and  
citation.

98019       196—

(2)

*Legal Practitioners (Amendment).*

(2) The Legal Practitioners Act, 1898, as amended by subsequent Acts and by this Act, may be cited as the Legal Practitioners Act, 1898-1960.

2. The Legal Practitioners Act, 1898-1954, is amended—  
Amendment  
of Act No.  
22, 1898.

5 (a) by inserting at the end of section fifty-seven the following new subsection :—  
Sec. 57.  
(Claims  
against  
the fund.)

(6) In respect of any theft or fraudulent misapplication committed after the commencement of the Legal Practitioners (Amendment) Act, 1960, the provisions of this section shall be read as though—

- 10 (a) subsection three were omitted therefrom; and  
(b) the words "ten thousand pounds" were omitted from subsection four of this section and the words "fifteen thousand pounds" were inserted in lieu thereof.
- 15

(b) by inserting next after subsection one of section sixty-five the following new subsection :—  
Sec. 65.  
(Examina-  
tion of  
account.)

(1A) Unless the accountant who examines the trust accounts of any solicitor or firm of solicitors pursuant to subsection one of this section certifies to the council that his examination of the accounts discloses that the solicitor or firm of solicitors has complied in all respects with the provisions relating to trust accounts contained in this Act or the regulations made under this Act, the solicitor or firm of solicitors shall upon written demand made by the council pay to the council the expenses incurred by the council in connection with the examination :

30 Provided that the council may if it thinks fit waive payment of any such expenses.

No. , 1960.

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## A BILL

To increase the maximum amount payable, in respect of theft or fraudulent misapplication by any one solicitor, out of the Solicitors' Fidelity Guarantee Fund established under the Legal Practitioners Act, 1898-1954; for this and other purposes to amend the Legal Practitioners Act, 1898-1954; and for purposes connected therewith.

[MR. MANNIX;—22 March, 1960.]

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**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Legal Practitioners (Amendment) Act, 1960".

Short title  
and  
citation.

Act No. , 1960.

*Legal Practitioners (Amendment).*

(2) The Legal Practitioners Act, 1898, as amended by subsequent Acts and by this Act, may be cited as the Legal Practitioners Act, 1898-1960.

2. The Legal Practitioners Act, 1898-1954, is amended—

- 5 (a) by inserting at the end of section fifty-seven the following new subsection :—
- (6) In respect of any theft or fraudulent misapplication committed after the commencement of the Legal Practitioners (Amendment) Act, 1960, the provisions of this section shall be read as though—
- 10 (a) subsection three were omitted therefrom; and
- (b) the words "ten thousand pounds" were omitted from subsection four of this section and the words "fifteen thousand pounds" were inserted in lieu thereof.
- 15 (b) by inserting next after subsection one of section sixty-five the following new subsection :—
- (1A) Unless the accountant who examines the trust accounts of any solicitor or firm of solicitors pursuant to subsection one of this section certifies to the council that his examination of the accounts discloses that the solicitor or firm of solicitors has complied in all respects with the provisions relating to trust accounts contained in this Act or the regulations made under this Act, the solicitor or firm of solicitors shall upon written demand made by the council pay to the council the expenses incurred by the council in connection with the examination :
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- 30 Provided that the council may if it thinks fit waive payment of any such expenses.

Amendment  
of Act No.  
22, 1898.

Sec. 57.  
(Claims  
against  
the fund.)

Sec. 65.  
(Examina-  
tion of  
account.)

## LEGAL PRACTITIONERS (AMENDMENT) BILL, 1960.

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### EXPLANATORY NOTE.

THE objects of this Bill are—

- (a) to remove the limit on the amount of individual claims that may be made against the Solicitors' Fidelity Guarantee Fund ;
- (b) to increase from £10,000 to £15,000 the maximum amount payable, in respect of theft or fraudulent misapplication by any one solicitor, out of the Fund ;
- (c) to empower the council of the Incorporated Law Institute of New South Wales to recoup, in certain circumstances, the costs incurred by it in connection with the examination of solicitors' trust accounts.



PROOF

No. , 1960.

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## A BILL

To increase the maximum amount payable, in respect of theft or fraudulent misapplication by any one solicitor, out of the Solicitors' Fidelity Guarantee Fund established under the Legal Practitioners Act, 1898-1954; for this and other purposes to amend the Legal Practitioners Act, 1898-1954; and for purposes connected therewith.

[MR. MANNIX;—22 March, 1960.]

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**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Legal Practitioners (Amendment) Act, 1960".

Short title  
and  
citation.

98019 196—

(2)

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*Legal Practitioners (Amendment).*

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2. The Legal Practitioners Act, 1898-1954, is amended—  
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22, 1898.

5 (a) by inserting at the end of section fifty-seven the following new subsection :—  
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30 Provided that the council may if it thinks fit waive payment of any such expenses.



New South Wales



ANNO NONO

ELIZABETHÆ II REGINÆ

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Act No. 25, 1960.

An Act to increase the maximum amount payable, in respect of theft or fraudulent misapplication by any one solicitor, out of the Solicitors' Fidelity Guarantee Fund established under the Legal Practitioners Act, 1898-1954; for this and other purposes to amend the Legal Practitioners Act, 1898-1954; and for purposes connected therewith. [Assented to, 19th April, 1960.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Legal Practitioners (Amendment) Act, 1960".

Short title and citation.

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*Legal Practitioners (Amendment).*

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(2) The Legal Practitioners Act, 1898, as amended by subsequent Acts and by this Act, may be cited as the Legal Practitioners Act, 1898-1960.

Amendment  
of Act No.  
22, 1898.

2. The Legal Practitioners Act, 1898-1954, is amended—

Sec. 57.  
(Claims  
against  
the fund.)

(a) by inserting at the end of section fifty-seven the following new subsection :—

(6) In respect of any theft or fraudulent misapplication committed after the commencement of the Legal Practitioners (Amendment) Act, 1960, the provisions of this section shall be read as though—

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Sec. 65.  
(Examina-  
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account.)

(b) by inserting next after subsection one of section sixty-five the following new subsection :—

(1A) Unless the accountant who examines the trust accounts of any solicitor or firm of solicitors pursuant to subsection one of this section certifies to the council that his examination of the accounts discloses that the solicitor or firm of solicitors has complied in all respects with the provisions relating to trust accounts contained in this Act or the regulations made under this Act, the solicitor or firm of solicitors shall upon written demand made by the council pay to the council the expenses incurred by the council in connection with the examination :

Provided that the council may if it thinks fit waive payment of any such expenses.

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By Authority:

V. C. N. BLIGHT, Government Printer, Sydney, 1960

*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

ALLAN PICKERING,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 6 April, 1960.*

## New South Wales



ANNO NONO

# ELIZABETHÆ II REGINÆ

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### Act No. 25, 1960.

An Act to increase the maximum amount payable, in respect of theft or fraudulent misapplication by any one solicitor, out of the Solicitors' Fidelity Guarantee Fund established under the Legal Practitioners Act, 1898-1954; for this and other purposes to amend the Legal Practitioners Act, 1898-1954; and for purposes connected therewith. [Assented to, 19th April, 1960.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Legal Practitioners (Amendment) Act, 1960".

Short title  
and  
citation.

(2)

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

HOWARD T. FOWLES,  
*Chairman of Committees of the Legislative Assembly.*

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*Legal Practitioners (Amendment).*

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(2) The Legal Practitioners Act, 1898, as amended by subsequent Acts and by this Act, may be cited as the Legal Practitioners Act, 1898-1960.

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Provided that the council may if it thinks fit waive payment of any such expenses.

*In the name and on behalf of Her Majesty I assent to this Act.*

E. W. WOODWARD,  
*Governor.*

*Government House  
Sydney, 19th April, 1960.*