

CONCURRENCE COPY

LEGAL PRACTITIONERS (ARBITRATION) AMENDMENT BILL, 1982

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Commercial Arbitration Bill, 1982.

The object of this Bill is to amend section 39A of the Legal Practitioners Act, 1898, so as to enable orders to be made under that section in relation to the costs of a solicitor in connection with an arbitration. The result will be that the Supreme Court will be empowered to declare that such a solicitor has a charge on certain property for his taxed costs.

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**LEGAL PRACTITIONERS (ARBITRATION)
AMENDMENT BILL, 1982**

No. , 1982.

A BILL FOR

An Act to amend section 39A of the Legal Practitioners Act, 1898, so as to enable orders to be made under that section in relation to the costs of a solicitor in connection with an arbitration.

[MR WALKER—7 April, 1982.]

Legal Practitioners (Arbitration) Amendment.

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:—

5 Short title.

1. This Act may be cited as the "Legal Practitioners (Arbitration) Amendment Act, 1982".

Commencement.

2. (1) This section and section 1 shall commence on the date of assent
10 to this Act.

(2) Except as provided in subsection (1), this Act shall commence on the day appointed and notified under section 1 (3) of the Commercial Arbitration Act, 1982.

Amendment of Act No. 22, 1898.

15 3. The Legal Practitioners Act, 1898, is amended by inserting after section 39A (5) the following subsection:—

(6) This section shall apply to and in respect of an arbitration as if it were a proceeding in the Supreme Court, and the Supreme Court may make declarations and orders accordingly.

20 Transitional provision.

4. (1) Nothing in this Act applies to an arbitration commenced before the commencement of this section.

Legal Practitioners (Arbitration) Amendment.

(2) The question as to whether an arbitration has commenced shall, for the purposes of this section, be determined in accordance with section 2 (5) of the Commercial Arbitration Act, 1982.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1982

(12c)

