

FIRST PRINT

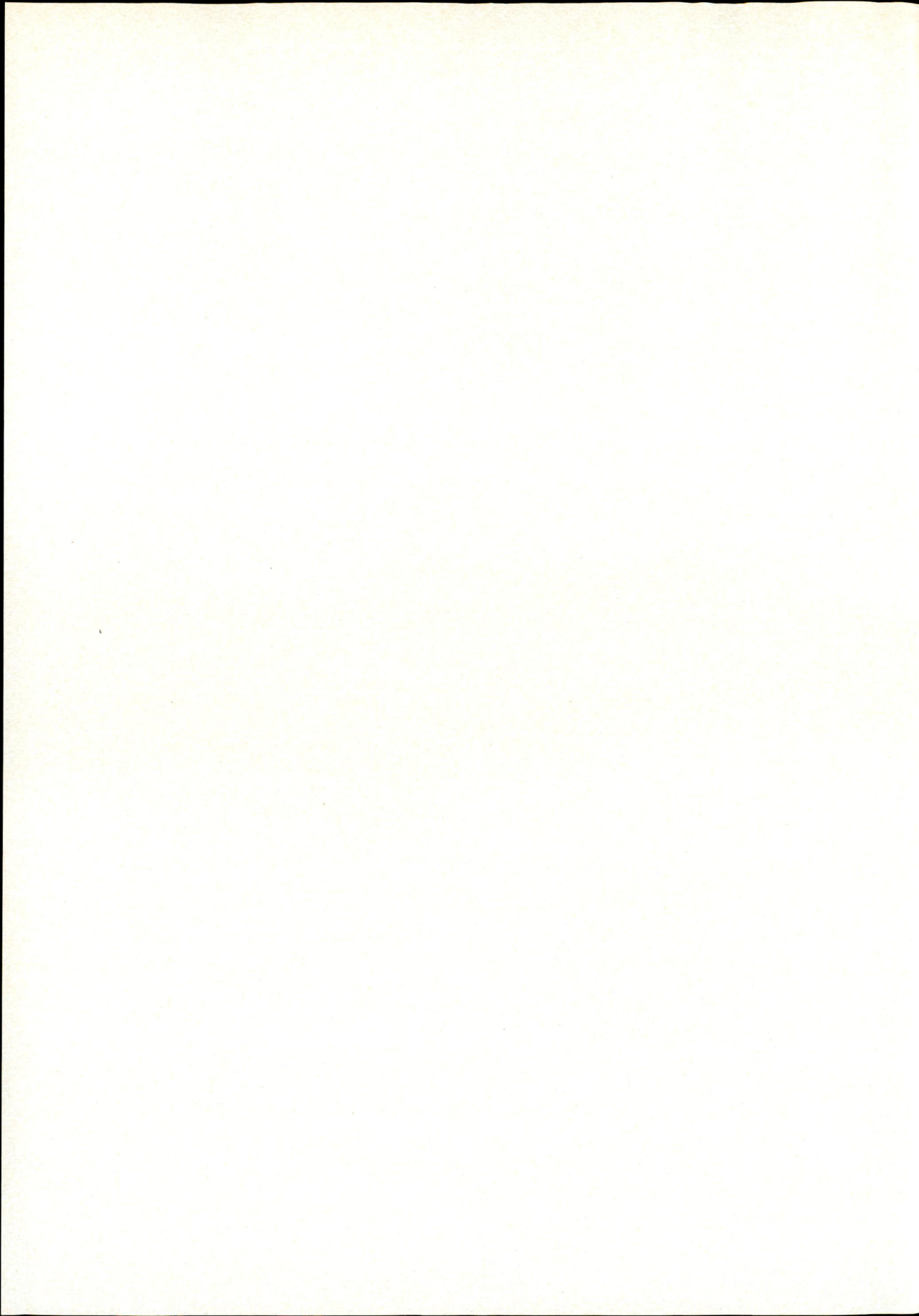
**LEGAL PRACTITIONERS (COMMERCIAL ARBITRATION)
AMENDMENT BILL, 1984**

EXPLANATORY NOTE

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

This Bill is cognate with the Commercial Arbitration Bill, 1984.

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 the solicitor's taxed costs.



**LEGAL PRACTITIONERS (COMMERCIAL ARBITRATION)
AMENDMENT BILL, 1984**

No. , 1984.

A BILL FOR

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

Legal Practitioners (Commercial Arbitration) Amendment 1984

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 (Commercial Arbitration) Amendment Act, 1984".

Commencement.

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

(2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the Commercial Arbitration Act, 1984.

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.

(2) The question as to whether an arbitration has commenced shall, for the purposes of this section, be determined in accordance with section
25 3 (5) of the Commercial Arbitration Act, 1984.

**LEGAL PRACTITIONERS (COMMERCIAL ARBITRATION)
AMENDMENT ACT, 1984, No. 164**

New South Wales



ANNO TRICESIMO TERTIO

ELIZABETHÆ II REGINÆ

Act No. 164, 1984.

An Act to amend the Legal Practitioners Act, 1898, so as to enable orders to be made under that Act in relation to the costs of a solicitor in connection with an arbitration. [Assented to, 14th December, 1984.]

Legal Practitioners (Commercial Arbitration) Amendment 1984

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:—

Short title.

1. This Act may be cited as the "Legal Practitioners (Commercial Arbitration) Amendment Act, 1984".

Commencement.

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

(2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the Commercial Arbitration Act, 1984.

Amendment of Act No. 22, 1898.

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.

Transitional provision.

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

(2) The question as to whether an arbitration has commenced shall, for the purposes of this section, be determined in accordance with section 3 (5) of the Commercial Arbitration Act, 1984.

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

*Government House,
Sydney, 14th December, 1984.*

J. A. ROWLAND,
Governor.