

1891-2.

Legislative Council.

LEGAL PRACTITIONERS' BILL (No. 2).

*(New Clauses to be proposed in Committee of the Whole by
MR. PIGOTT.)*

1. The word "Barrister" wherever used in this Act shall mean a Barrister admitted by the Supreme Court of New South Wales; and the word "Attorney" wherever so used shall mean an Attorney, Solicitor, and Proctor of the said Court.

2. From and after the passing of this Act every Attorney shall be competent to appear, and shall have the right of audience, in all Courts in New South Wales in all matters and proceedings in which he acts as such Attorney.

3. Every Barrister who has had not less than five years practice, and who shall be on his own application disbarred, and who shall satisfy the said Court that he is a fit and proper person to be admitted without examination to practice as an Attorney, shall be entitled to be admitted to practice as an Attorney; and every Attorney who has had not less than five years practice as such Attorney, and who shall be on his own application struck off the roll of Attorneys, and who shall satisfy the said Court that he is a fit and proper person to be admitted to practice as a Barrister, shall, without examination, be entitled to be admitted to practice as a Barrister.

LEGAL PRACTITIONERS BILL (No. 2)

(The Council to be composed of the Whole of the Members)

1. The word "Barrister" wherever used in this Act shall mean a Barrister admitted by the Supreme Court of New South Wales; and the word "Attorney" wherever so used shall mean an Attorney admitted by the Court of the said State.

2. From and after the passing of this Act every person who shall be admitted to practice as a Barrister or Attorney in any Court in New South Wales in all cases in which he is entitled to be admitted as such Barrister or Attorney shall be deemed to be admitted as such Barrister or Attorney in all cases in which he is entitled to be admitted as such Barrister or Attorney.

3. Any person who has had notice from the Registrar of the Law Society of New South Wales that he is entitled to be admitted as such Barrister or Attorney shall be deemed to be admitted as such Barrister or Attorney in all cases in which he is entitled to be admitted as such Barrister or Attorney.

4. Notwithstanding anything to the contrary contained in any Act in force at the passing of this Act, no person shall be admitted to practice as an Attorney or Barrister in any Court in New South Wales unless he has been admitted as such Attorney or Barrister in some Court in New South Wales.

5. Notwithstanding anything to the contrary contained in any Act in force at the passing of this Act, no person shall be admitted to practice as a Barrister or Attorney in any Court in New South Wales unless he has been admitted as such Barrister or Attorney in some Court in New South Wales.

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MR. PIGOTT.)*

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2. From and after the passing of this Act every Attorney shall be competent to appear, and shall have the right of audience, in all Courts in New South Wales in all matters and proceedings in which he acts as such Attorney.

3. Every Barrister who has had not less than five years practice, and who shall be on his own application disbarred, and who shall satisfy the said Court that he is a fit and proper person to be admitted without examination to practice as an Attorney, shall be entitled to be admitted to practice as an Attorney; and every Attorney who has had not less than five years practice as such Attorney, and who shall be on his own application struck off the roll of Attorneys, and who shall satisfy the said Court that he is a fit and proper person to be admitted to practice as a Barrister, shall, without examination, be entitled to be admitted to practice as a Barrister.

LEGAL PROFESSIONAL BILL (No. 2)

(The Council is composed of members of the House of
the House)

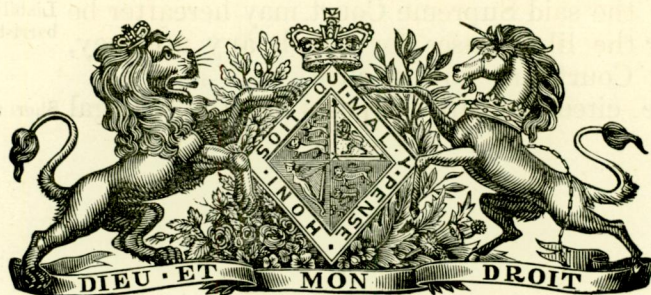
1. The word "Barrister" wherever used in this Act shall mean
a Barrister admitted by the Supreme Court of New South Wales; and
the word "Attorney" wherever used shall mean a person who is
admitted to practice as an Attorney in New South Wales.
2. From and after the passing of this Act, no person shall
be entitled to appear and act as a Barrister in any Court in
New South Wales in any matter or proceedings in which
he acts as a Barrister.
3. Every person who has been admitted as a Barrister
and who shall be on the roll of Barristers in New South Wales
under the said Court shall be a Barrister for the purposes of this
Act without prejudice to the practice of any Attorney who has
been admitted to practice as an Attorney in New South Wales
and who shall be on the roll of Attorneys in New South Wales.
4. On the first day of January next after the passing of this Act
the roll of Barristers shall be published in the Government Gazette
and shall be a public document. The roll of Attorneys shall
be published in the Government Gazette and shall be a public document.
5. The roll of Barristers shall be published in the Government Gazette
and shall be a public document.

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.

*Legislative Assembly Chamber,
Sydney, 26 August, 1891. }*

F. W. WEBB,
Clerk of Legislative Assembly.

New South Wales.



ANNO QUINQUAGESIMO QUINTO

VICTORIÆ REGINÆ.

No. .

An Act to give Attorneys, Solicitors, and Proctors of the Supreme Court of the Colony of New South Wales right of audience in all Courts in the said Colony; and to extend the rights of Barristers, Attorneys, Solicitors, and Proctors, and the liabilities of Barristers; and for other purposes in connection therewith.

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 1. From and after the passing of this Act, every attorney, solicitor, and proctor of the Supreme Court of the Colony of New South Wales shall be competent to appear, and shall have the right of audience, in all Courts in the said Colony. Right of attorneys to appear and have audience in all Courts.

10 2. Every barrister of the said Supreme Court shall be entitled to practise as an attorney, solicitor, and proctor of that Court. Right of barristers to become attorneys.

Legal Practitioners (No. 2).

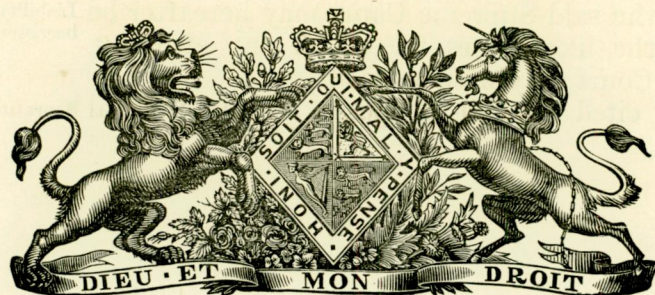
3. It shall not be necessary for any barrister or attorney solicitor and proctor of the said Supreme Court to wear either bands, gown, or wig when appearing before any Court, Judge, or judicial officer in the said Colony. Forensic costume unnecessary.
- 5 4. Any act or duty capable of being performed, and any office capable of being held by a barrister of the said Supreme Court shall be capable of being performed and held respectively by an attorney, solicitor, and proctor of that Court. And any act or duty capable of being performed by an attorney, solicitor, and proctor of that Court, shall be capable of being performed by a barrister of that Court. Certain acts or duties and offices capable of being performed and held respectively by attorneys.
- 10 5. It shall be lawful for any barrister or attorney, solicitor, and proctor of the said Supreme Court to appear and be heard in and upon any application, hearing, motion, trial, or other proceeding for and representing any other barrister or attorney, solicitor, and proctor of that Court, provided always that no fee shall be chargeable by any barrister or attorney, solicitor, and proctor of that Court against any of his clients for instructing, attending upon, or conferring with another barrister or attorney, solicitor, and proctor of that Court, being his partner in the practice of the law. Attorney may appear and be heard for another attorney. Certain fees not chargeable.
- 15 6. Every barrister of the said Supreme Court may hereafter be sued in like manner, and for the like causes for which any attorney, solicitor, and proctor of that Court may now be sued. Liability of barristers.
- 20 7. This Act may be cited for all purposes as the "Legal Practitioners Act of 1891." Short title.

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.

*Legislative Assembly Chamber,
Sydney, 26 August, 1891.* }

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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 1. From and after the passing of this Act, every attorney, solicitor, and proctor of the Supreme Court of the Colony of New South Wales shall be competent to appear, and shall have the right of audience, in all Courts in the said Colony. Right of attorneys to appear and have audience in all Courts.

10 2. Every barrister of the said Supreme Court shall be entitled to practise as an attorney, solicitor, and proctor of that Court. Right of barristers to become attorneys.

Legal Practitioners (No. 2).

3. It shall not be necessary for any barrister or attorney solicitor and proctor of the said Supreme Court to wear either bands, gown, or wig when appearing before any Court, Judge, or judicial officer in the said Colony. Forensic costume unnecessary.
- 5 4. Any act or duty capable of being performed, and any office capable of being held by a barrister of the said Supreme Court shall be capable of being performed and held respectively by an attorney, solicitor, and proctor of that Court. And any act or duty capable of being performed by an attorney, solicitor, and proctor of that Court, Certain acts or duties and offices capable of being performed and held respectively by attorneys.
- 10 shall be capable of being performed by a barrister of that Court.
5. It shall be lawful for any barrister or attorney, solicitor, and proctor of the said Supreme Court to appear and be heard in and upon any application, hearing, motion, trial, or other proceeding for and representing any other barrister or attorney, solicitor, and Attorney may appear and be heard for another attorney. Certain fees not chargeable.
- 15 proctor of that Court, provided always that no fee shall be chargeable by any barrister or attorney, solicitor, and proctor of that Court against any of his clients for instructing, attending upon, or conferring with another barrister or attorney, solicitor, and proctor of that Court, being his partner in the practice of the law.
- 20 6. Every barrister of the said Supreme Court may hereafter be sued in like manner, and for the like causes for which any attorney, solicitor, and proctor of that Court may now be sued. Liability of barristers.
7. This Act may be cited for all purposes as the "Legal Practitioners Act of 1891." Short title.