

## NOTICE OF INTENTION TO START PROVIDING LEGAL SERVICES – INCORPORATED LEGAL PRACTICE - SECTION 2.7.7 LEGAL PROFESSION ACT 2004 (VIC)

### APPLICABILITY OF FORM

You are required to complete this form if you intend to provide legal services as an Incorporated Legal Practice ("ILP").

The *Legal Profession Act 2004* (Vic) ("the Act") defines an ILP as follows:

#### "2.7.4 Nature of incorporated legal practice

- (1) An incorporated legal practice is a corporation that engages in legal practice in this jurisdiction, whether or not it also provides services that are not legal services.
- (2) However, a corporation is not an incorporated legal practice if—
  - (a) the only legal services that the corporation provides are any or all of the following services—
    - (i) in-house legal services, namely, legal services provided to the corporation concerning a proceeding or transaction to which the corporation (or a related body corporate) is a party;
    - (ii) services that are not legally required to be provided by an Australian legal practitioner and that are provided by an officer or an employee who is not an Australian legal practitioner; or
  - (b) this Part or the regulations so provide.
- (3) The regulations may make provision for or with respect to the application (with or without specified modifications) of provisions of this Act to corporations that are not incorporated legal practices because of the operation of subsection (2).
- (4) Nothing in this Part affects or applies to the provision by an incorporated legal practice of legal services in one or more other jurisdictions."

### OBLIGATIONS

Section 6.2.24 of the Act requires a law practice to notify the Board of any change in the information recorded on the Register kept by the Board under section 6.2.23 within 14 days. This includes the establishment of a new law practice.

Furthermore, under section 2.7.7 of the Act, a corporation must give the Board written notice of its intention to engage in legal practice in this jurisdiction before it commences to do so.

Pursuant to section 2.7.10, an ILP must have at least one legal practitioner director. A legal practitioner director is defined in section 2.7.2 as follows:

**"legal practitioner director** means a director of an incorporated legal practice who is an Australian legal practitioner holding a practising certificate as a principal of a law practice;"

All other legal practitioners within the law practice must also ensure that they hold the appropriate practising certificate.

Law practices must obtain professional indemnity insurance ("PII") with the Legal Practitioners Liability Committee before commencing to engage in legal practice in Victoria, and must maintain PII at all times while engaged in legal practice in Victoria, unless exempted by the Board. A current certificate and/or schedule of insurance must be submitted with this form as evidence of PII, unless the law practice is seeking an exemption.

Please familiarise yourself with the additional obligations for ILPs under Part 2.7 of the Act.

### INSTRUCTIONS FOR COMPLETION

Please ensure that you have completed all sections of this form and **attached**:

- certified copies of the current practising certificates of all interstate principals of the law practice;
- a current certificate and/or schedule of insurance; and
- if the law practice has more than one office, a separate page providing details for each office.

**Please return the completed form with attachments to the Legal Services Board by facsimile, e-mail or to one of the above addresses.**

**NOTICE OF INTENTION TO START PROVIDING LEGAL SERVICES – INCORPORATED LEGAL PRACTICE - SECTION 2.7.7 LEGAL PROFESSION ACT 2004****LAW PRACTICE DETAILS**

Entity Name (Registered Company Name)	
ACN	ABN
Business/Trading Name(s)	
(provide all business names under which the entity intends to engage in legal practice)	
Date of Incorporation:	
Date for commencing engaging in legal practice	

**ADDRESS FOR SERVICE (must be street address, not P.O. Box or DX)**

Building, Level	
Street	
Suburb/Town	
State	Postcode

**OTHER ADDRESSES (OPTIONAL)**

PO/GPO Box	Suburb
Postcode	State

DX No	DX Suburb
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Preferred mailing address (please tick) ☐ Address for Service (Street address) ☐ PO Box ☐ DX**OTHER CONTACT DETAILS**

Phone	Fax
Email	
Web Address	

If the law practice has more than one office, please **attach** a separate page providing details for each office.

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