



Legal Profession (Strengthening Disciplinary Matters) Amendment Bill 2026



Queensland

Legal Profession (Strengthening Disciplinary Matters) Amendment Bill 2026

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2026

A Bill

for

**An Act to amend the *Legal Profession Act 2007* and the
legislation mentioned in schedule 1 for particular purposes**

[s 1]

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3

This Act may be cited as the *Legal Profession (Strengthening Disciplinary Matters) Amendment Act 2026*. 4
5

Clause 2 Commencement 6

This Act commences on a day to be fixed by proclamation. 7

Part 2 Amendment of Legal Profession Act 2007 8
9

Clause 3 Act amended 10

This part amends the *Legal Profession Act 2007*. 11

Note— 12

See also the amendments in schedule 1. 13

Clause 4 Amendment of s 10 (Information notices) 14

(1) Section 10(1)— 15

omit, insert— 16

(1) An *information notice* is a written notice to a person about a decision relating to the person stating— 17
18

(a) the decision; and 20

(b) the reasons for the decision; and 21

	(c) if the person may appeal to the Supreme Court or another court against the decision—	1 2 3
	(i) that the person may appeal to the court against the decision; and	4 5
	(ii) the day by which the appeal must be started.	6 7
	<i>Note—</i>	8
	See sections 265(4) and 277(4) in relation to appeals that may, in the circumstances, be made to a court other than the Supreme Court.	9 10 11
	(2) Section 10(3), ‘apply for a review, or appeal,’—	12
	<i>omit, insert—</i>	13
	appeal	14
	(3) Section 10(3), ‘to apply for review or’—	15
	<i>omit.</i>	16
Clause 5	Amendment of s 26 (Associates who are disqualified or convicted persons)	17 18
	Section 26(4)(b), from ‘apply’ to ‘decision’—	19
	<i>omit, insert—</i>	20
	appeal to the Supreme Court against the decision	21
Clause 6	Amendment of s 29 (Definitions for pt 2.3)	22
	(1) Section 29, definition <i>Supreme Court</i> , paragraph (a), ‘a single Supreme Court judge’—	23 24
	<i>omit, insert—</i>	25
	a single judge of the Supreme Court	26
	(2) Section 29, definition <i>Supreme Court</i> , after paragraph (a)—	27
	<i>insert—</i>	28

[s 7]

- | | | |
|-----|--|-------------|
| | (aa) for giving a direction mentioned in section 32(3)(b)—a single judge of the Supreme Court; or | 1
2
3 |
| | (ab) for deciding an appeal made under section 33A—a single judge of the Supreme Court; or | 4
5
6 |
| (3) | Section 29, definition <i>Supreme Court</i> , paragraphs (aa) to (b)—
<i>renumber</i> as paragraphs (b) to (d). | 7
8
9 |

Clause 7 Amendment of s 32 (Early consideration of suitability) 10

- | | | |
|-----|--|----------------------------------|
| (1) | Section 32(3)(b), ‘tribunal’—
<i>omit, insert</i> —
Supreme Court | 11
12
13 |
| (2) | Section 32—
<i>insert</i> —
(3A) If an application is referred to the Supreme Court under subsection (3)(b), the court may give a direction to the board as the court considers appropriate. | 14
15
16
17
18
19 |
| (3) | Section 32(4), ‘mentioned in subsection (3)(b)’—
<i>omit, insert</i> —
given under subsection (4) | 20
21
22 |
| (4) | Section 32(5)—
<i>omit.</i> | 23
24 |
| (5) | Section 32(3A) and (4)—
<i>renumber</i> as section 32(4) and (5). | 25
26 |

Clause 8	Replacement of s 33 (Involvement of tribunal and Supreme Court)	1
		2
	Section 33—	3
	<i>omit, insert—</i>	4
	33 Appeal to Court of Appeal against board’s refusal to make suitability declaration	5
		6
	(1) This section applies if, on referral of an application under section 32(3)(b), the Supreme Court directs the board to refuse to make a declaration mentioned in section 32(2).	7
		8
		9
		10
	(2) The board must give the applicant for the declaration an information notice about the refusal.	11
		12
		13
	(3) The applicant may, within 28 days after being given the information notice, appeal to the Court of Appeal against the refusal.	14
		15
		16
	(4) The appeal is by way of rehearing on the evidence given in the matter before the Supreme Court.	17
		18
	(5) However, subsection (4) does not prevent the Court of Appeal from giving leave to introduce further evidence, whether fresh, additional or substituted, if the court considers the further evidence may be material to the appeal.	19
		20
		21
		22
		23
	(6) The Court of Appeal may make any order it considers appropriate on the appeal.	24
		25
	(7) For the appeal, section 10(1) applies to the information notice as if the reference in the provision to the decision were a reference to the refusal mentioned in subsection (1).	26
		27
		28
		29
	33A Appeal to Supreme Court against board’s refusal to make suitability declaration	30
		31
	(1) This section applies if the board decides under section 32(3)(c) to refuse to make a declaration	32
		33

[s 9]

	mentioned in section 32(2).	1
	(2) The board must give the applicant for the declaration an information notice about the decision.	2 3 4
	(3) The applicant may appeal to the Supreme Court against the decision.	5 6
Clause 9	Amendment of s 46 (Suitability to hold local practising certificate)	7 8
	Section 46(2)(d)(i), ‘Supreme Court’—	9
	<i>omit, insert—</i>	10
	former disciplinary body	11
Clause 10	Amendment of s 51 (Grant or renewal of local practising certificate)	12 13
	Section 51(9), from ‘apply’ to ‘decision’—	14
	<i>omit, insert—</i>	15
	appeal to the Supreme Court against the decision	16
Clause 11	Amendment of s 54 (Applications relating to conditions)	17
	(1) Section 54(2)(b), from ‘apply’ to ‘decision’—	18
	<i>omit, insert—</i>	19
	appeal to the Supreme Court against the decision	20
	(2) Section 54(4)(b), from ‘may’ to ‘decision’—	21
	<i>omit, insert—</i>	22
	may appeal to the Supreme Court against the decision	23 24

Clause 12	Amendment of s 61 (Amending, suspending or cancelling a local practising certificate)	1 2
	Section 61(3)(b), from ‘apply’ to ‘decision’—	3
	<i>omit, insert—</i>	4
	appeal to the Supreme Court against the decision	5
Clause 13	Amendment of s 62 (Operation of amendment, suspension or cancellation of local practising certificate)	6 7
	Section 62(3)(a), from ‘the tribunal’ to ‘QCAT Act,’—	8
	<i>omit, insert—</i>	9
	the Supreme Court may, on application by the certificate holder,	10 11
Clause 14	Amendment of s 63 (Immediate amendment or suspension of local practising certificate)	12 13
	(1) Section 63(9)(a), from ‘apply’ to ‘tribunal’—	14
	<i>omit, insert—</i>	15
	apply to the Supreme Court	16
	(2) Section 63(9)(b), ‘tribunal’—	17
	<i>omit, insert—</i>	18
	court	19
	(3) Section 63(9)(b), ‘tribunal’s’—	20
	<i>omit, insert—</i>	21
	court’s	22
Clause 15	Amendment of s 69 (Refusal, amendment, suspension or cancellation of local practising certificate because of failure to show cause)	23 24 25
	Section 69(3)(b), from ‘apply’ to ‘decision’—	26
	<i>omit, insert—</i>	27

[s 16]

	appeal to the Supreme Court against the decision	1
Clause 16	Amendment of s 70 (Restriction on making further application)	2 3
(1)	Section 70(3), from ‘apply’ to ‘decision’— <i>omit, insert—</i>	4 5
	appeal to the Supreme Court against the decision	6
(2)	Section 70(4)(a), ‘application for review of’— <i>omit, insert—</i>	7 8
	appeal against	9
Clause 17	Amendment of s 76 (Additional condition on interstate legal practitioner engaging in legal practice in this jurisdiction)	10 11 12
	Section 76(3)(b), from ‘apply’ to ‘decision’— <i>omit, insert—</i>	13 14
	appeal to the Supreme Court against the decision	15
Clause 18	Amendment of s 87 (Health assessment)	16
	Section 87(5), from ‘apply’ to ‘decision’— <i>omit, insert—</i>	17 18
	appeal to the Supreme Court against the decision	19
Clause 19	Amendment of s 98 (Law society and bar association to notify other jurisdictions about particular matters)	20 21
(1)	Section 98(1)(b), from ‘an application’ to ‘decision’— <i>omit, insert—</i>	22 23
	an appeal to the Supreme Court against a decision	24
(2)	Section 98(2) and (3)(b)(ii), ‘review’—	25

	<i>omit, insert—</i>	1
	appeal	2
Clause 20	Amendment of s 183 (Grant or renewal of local registration)	3 4
	Section 183(4)(b), from ‘apply’ to ‘decision’—	5
	<i>omit, insert—</i>	6
	appeal to the Supreme Court against the decision	7
Clause 21	Amendment of s 185 (Refusal to grant or renew registration)	8 9
	(1) Section 185(2)(c), ‘a disciplinary body’—	10
	<i>omit, insert—</i>	11
	a disciplinary body, the former disciplinary body	12
	(2) Section 185(7)(b), from ‘apply’ to ‘decision’—	13
	<i>omit, insert—</i>	14
	appeal to the Supreme Court against the decision	15
Clause 22	Amendment of s 188 (Amending, suspending or cancelling registration)	16 17
	Section 188(3)(b), from ‘apply’ to ‘decision’—	18
	<i>omit, insert—</i>	19
	appeal to the Supreme Court against the decision	20
Clause 23	Amendment of s 189 (Operation of amendment, suspension or cancellation of registration)	21 22
	Section 189(3)(a), from ‘the tribunal’ to ‘QCAT Act,’—	23
	<i>omit, insert—</i>	24
	the Supreme Court may, on application by the person,	25 26

[s 24]

Clause 24	Amendment of s 194 (Refusal, amendment, suspension or cancellation of local registration—failure to show cause)	1 2 3
	Section 194(3)(b), from ‘apply’ to ‘decision’—	4
	<i>omit, insert—</i>	5
	appeal to the Supreme Court against the decision	6
Clause 25	Amendment of s 195 (Restriction on making further applications)	7 8
	Section 195(3)(b), from ‘apply’ to ‘decision’—	9
	<i>omit, insert—</i>	10
	appeal to the Supreme Court against the decision	11
Clause 26	Amendment of s 197 (Immediate suspension of registration)	12 13
	(1) Section 197(8)(a), from ‘apply’ to ‘tribunal’—	14
	<i>omit, insert—</i>	15
	apply to the Supreme Court	16
	(2) Section 197(8)(b), ‘tribunal’—	17
	<i>omit, insert—</i>	18
	court	19
	(3) Section 197(8)(b), ‘tribunal’s’—	20
	<i>omit, insert—</i>	21
	court’s	22
Clause 27	Amendment of s 208 (Additional conditions on practice of interstate-registered foreign lawyers)	23 24
	Section 208(4)(b), from ‘apply’ to ‘decision’—	25
	<i>omit, insert—</i>	26
	appeal to the Supreme Court against the decision	27

Clause 28	Amendment of s 278 (Disqualification of person as external examiner)	1 2
(1)	Section 278(2), (3) and (4), ‘information notice’— <i>omit, insert—</i> QCAT information notice	3 4 5
(2)	Section 278— <i>insert—</i> (7) A defect in the QCAT information notice does not affect the individual’s right to apply under subsection (6) for a review of the decision to disqualify the individual. (8) In this section— <i>QCAT information notice</i> means a notice complying with the QCAT Act, section 157(2).	6 7 8 9 10 11 12 13 14
Clause 29	Amendment of s 328 (Setting aside costs agreements)	15
	Section 328— <i>insert—</i> (1B) For a proceeding on an application to the tribunal, the tribunal is to be constituted by a legally qualified member under the QCAT Act.	16 17 18 19 20
Clause 30	Amendment of s 375 (Time limit for making claims)	21
(1)	Section 375(1)(b) and (c)— <i>omit, insert—</i> (b) within a further period, if any, allowed by the law society under subsection (2); or (c) within a further period, if any, allowed by the Supreme Court under subsection (4).	22 23 24 25 26 27
(2)	Section 375— <i>insert—</i>	28 29

[s 31]

- (1A) The law society may allow a further period for making a claim on its own initiative or if asked by the prospective claimant. 1
2
3
- (1B) If, on request by the prospective claimant, the law society decides to refuse to allow a further period for making a claim— 4
5
6
- (a) the law society must give the prospective claimant an information notice about the decision; and 7
8
9
- (b) the prospective claimant may appeal to the Supreme Court against the decision. 10
11
- (1C) The Supreme Court may, on an appeal mentioned in subsection (3)(b), allow a further period for making the claim. 12
13
14
- (3) Section 375(2), from ‘The tribunal’ to ‘subsection (1)’— 15
omit, insert— 16
The law society or the Supreme Court may allow a further period mentioned in subsection (2) or (4) 17
18
- (4) Section 375(2)(b), ‘the tribunal or law society’— 19
omit, insert— 20
the law society or the court 21
- (5) Section 375(1A) to (2)— 22
renumber as section 375(2) to (5). 23

- Clause 31** **Amendment of s 377 (Time limit for making claims following advertisement)** 24
25
- (1) Section 377(2)(b) and (c)— 26
omit, insert— 27
- (b) within a further period, if any, allowed by the law society under subsection (4); or 28
29
- (c) within a further period, if any, allowed by the Supreme Court under subsection (6). 30
31

-
- (2) Section 377— 1
insert— 2
- (3A) The law society may allow a further period for 3
making a claim on its own initiative or if asked by 4
a prospective claimant. 5
- (3B) If, on request by a prospective claimant, the law 6
society decides to refuse to allow a further period 7
for making a claim— 8
- (a) the law society must give the prospective 9
claimant an information notice about the 10
decision; and 11
- (b) the prospective claimant may appeal to the 12
Supreme Court against the decision. 13
- (3C) The Supreme Court may, on an appeal mentioned 14
in subsection (5)(b), allow a further period for 15
making the claim. 16
- (3) Section 377(4), from ‘The tribunal’ to ‘subsection (2)’— 17
omit, insert— 18
- The law society or the Supreme Court may allow 19
a further period mentioned in subsection (4) or (6) 20
- (4) Section 377(4)(b), ‘the tribunal or law society’— 21
omit, insert— 22
- the law society or the court 23
- (5) Section 377(3A) to (4)— 24
renumber as section 377(4) to (7). 25

- Clause 32 Replacement of ch 3, pt 3.6, div 7, hdg (Review)** 26
Chapter 3, part 3.6, division 7, heading— 27
omit, insert— 28
Division 7 Appeals 29

[s 33]

Clause 33	Amendment of s 392 (Review of decision on claim)	1
	(1) Section 392, heading, ‘Review of’—	2
	<i>omit, insert—</i>	3
	Appeal against	4
	(2) Section 392(1), from ‘apply’ to ‘review of’—	5
	<i>omit, insert—</i>	6
	appeal to the Supreme Court against	7
	(3) Section 392(2), from ‘an application’ to ‘(review application)’—	8
	<i>omit, insert—</i>	9
	an appeal under this section	10
	(4) Section 392(2)(a), ‘applicant’—	11
	<i>omit, insert—</i>	12
	appellant	13
	(5) Section 392(2)(b), from ‘the tribunal’ to ‘review application’—	14
	<i>omit, insert—</i>	15
	the Supreme Court may, on application by the law society, stay the appeal	16
		17
		18
		19
Clause 34	Amendment of s 393 (Review of failure to decide claim within 1 year)	20
	(1) Section 393, heading—	21
	<i>omit, insert—</i>	22
	393 Application for direction and order for failure to decide claim	23
	(2) Section 393(1) and (2)—	24
	<i>omit, insert—</i>	25
	(1) This section applies if the law society fails to decide a claim within 1 year after the claim was	26
		27
		28
		29

	made.	1
	(2) While the failure continues, the claimant may apply to the Supreme Court for a direction and an order under this section (a <i>relevant application</i>).	2 3 4
(3)	Section 393(3), from ‘On an’ to ‘(review application)’— <i>omit, insert—</i>	5 6
	If a relevant application is made	7
(4)	Section 393(3)(b), from ‘the tribunal’ to ‘review application’— <i>omit, insert—</i>	8 9 10
	the Supreme Court may, on application by the law society, stay the relevant application	11 12
(5)	Section 393(4), ‘The tribunal may decide the review’— <i>omit, insert—</i>	13 14
	The Supreme Court may decide the relevant application	15 16
(6)	Section 393(4)(a), ‘matter’— <i>omit, insert—</i>	17 18
	claim	19
(7)	Section 393(4)(a)(i), ‘tribunal’— <i>omit, insert—</i>	20 21
	court	22
Clause 35	Amendment of s 394 (Proceedings on review)	23
(1)	Section 394, heading, ‘review’— <i>omit, insert—</i>	24 25
	appeal	26
(2)	Section 394, ‘tribunal’— <i>omit, insert—</i>	27 28

[s 36]

	Supreme Court	1
Clause 36	Amendment of s 396 (Limiting payments from fidelity fund to capped amount)	2 3
	Section 396(5), definition <i>allowed amount</i> , from ‘reviewed’ to ‘decided by QCAT’—	4 5
	<i>omit, insert—</i>	6
	appealed to the Supreme Court, the amount payable in relation to the claim as decided by the court	7 8 9
Clause 37	Amendment of s 420 (Conduct capable of constituting unsatisfactory professional conduct or professional misconduct)	10 11 12
	Section 420(1)(f), ‘a disciplinary body’—	13
	<i>omit, insert—</i>	14
	a disciplinary body or the former disciplinary body	15 16
Clause 38	Amendment of s 443 (Powers for investigations)	17
	Section 443(4)(b), (5) and (7), ‘tribunal’—	18
	<i>omit, insert—</i>	19
	Supreme Court	20
Clause 39	Amendment of s 452 (Starting proceeding before a disciplinary body)	21 22
	(1) Section 452(1)(a), ‘tribunal’—	23
	<i>omit, insert—</i>	24
	Supreme Court	25
	(2) Section 452(2)—	26
	<i>insert—</i>	27

	<i>Notes—</i>	1
	1 For other provisions relating to proceedings for discipline applications before the Supreme Court, see parts 6B.1 and 6B.2.	2 3 4
	2 For other provisions relating to proceedings for discipline applications before the committee, see chapter 6C.	5 6 7
Clause 40	Amendment of s 456 (Decisions of tribunal about an Australian legal practitioner)	8 9
	(1) Section 456, heading, ‘tribunal’—	10
	<i>omit, insert—</i>	11
	Supreme Court	12
	(2) Section 456(1), ‘tribunal’, first mention—	13
	<i>omit, insert—</i>	14
	Supreme Court	15
	(3) Section 456(1), ‘tribunal’, second and third mentions—	16
	<i>omit, insert—</i>	17
	court	18
	(4) Section 456(2), ‘The tribunal’—	19
	<i>omit, insert—</i>	20
	The Supreme Court	21
	(5) Section 456(2)(d)(iii), ‘tribunal’—	22
	<i>omit, insert—</i>	23
	court	24
	(6) Section 456(3), ‘The tribunal’—	25
	<i>omit, insert—</i>	26
	The Supreme Court	27
	(7) Section 456(3)(d)(iii), ‘tribunal’—	28
	<i>omit, insert—</i>	29

[s 41]

	court	1
(8)	Section 456(4), (5), (6) and (7), ‘tribunal’—	2
	<i>omit, insert—</i>	3
	Supreme Court	4
Clause 41	Replacement of s 457 (Enforcement of orders etc.)	5
	Section 457—	6
	<i>omit, insert—</i>	7
	457 Notification of Supreme Court orders	8
	(1) This section applies if the Supreme Court—	9
	(a) makes an order under section 456 or 462 or part 4.10 in relation to a discipline application; or	10 11 12
	(b) makes an order in relation to a discipline application on an appeal under section 469 against a decision of the committee.	13 14 15
	(2) The registrar must give the Minister a copy of the order and the reasons for the order.	16 17
Clause 42	Amendment of s 459 (Orders to be filed in Supreme Court and information notices to be given to parties etc.)	18 19
	(1) Section 459, heading—	20
	<i>omit, insert—</i>	21
	459 Notification and filing of committee orders	22
	(2) Section 459(1), ‘after’—	23
	<i>omit, insert—</i>	24
	if	25
	(3) Section 459(3), from ‘If’ to ‘the application’—	26
	<i>omit, insert—</i>	27
	If an appeal to the Supreme Court against the	28

	decision is not started within the time allowed for making the appeal	1 2
Clause 43	Amendment of s 461 (Compliance with decisions and orders)	3 4
	Section 461(2)(a) and (3), ‘tribunal’—	5
	<i>omit, insert—</i>	6
	Supreme Court	7
Clause 44	Amendment of s 462 (Costs)	8
	(1) Section 462—	9
	<i>insert—</i>	10
	(1A) Nothing in subsection (1) requires the disciplinary body to make an order requiring the person to pay costs relating to conduct in which the person has engaged that is not prescribed conduct.	11 12 13 14
	(2) Section 462(3), ‘subsection (2)’—	15
	<i>omit, insert—</i>	16
	subsection (3)	17
	(3) Section 462(6)—	18
	<i>insert—</i>	19
	<i>Note—</i>	20
	The Supreme Court may also make orders for costs under sections 581PW and 581PX.	21 22
	(4) Section 462(7) and (8)—	23
	<i>omit, insert—</i>	24
	(7) In this section—	25
	prescribed conduct means unsatisfactory professional conduct, professional misconduct or misconduct in relation to a relevant practice, as mentioned in section 456(1) or 458(1).	26 27 28 29

[s 45]

- (5) Section 462(1A) to (7)— 1
renumber as section 462(2) to (8). 2

- Clause 45 Replacement of ch 4, pt 4.10A, hdg (Appeals from decisions of disciplinary bodies)** 3
4
Chapter 4, part 4.10A, heading— 5
omit, insert— 6
Part 4.10A Appeals from committee decisions relating to discipline applications 7
8
9
10

- Clause 46 Omission of s 468 (Appeal may be made to Court of Appeal from tribunal's decision)** 11
12
Section 468— 13
omit. 14

- Clause 47 Amendment of s 469 (Application to tribunal for review of committee's decision)** 15
16
(1) Section 469, heading— 17
omit, insert— 18
469 Appeal to Supreme Court against committee's decision 19
20
(2) Section 469(1), from 'apply' to 'the decision'— 21
omit, insert— 22
appeal to the Supreme Court against the decision 23
(3) Section 469(2), 'QCAT for the review'— 24
omit, insert— 25
the Supreme Court for the appeal 26

	(4) Section 469(2)—	1
	<i>insert</i> —	2
	<i>Note</i> —	3
	For other provisions relating to proceedings for the appeal, see parts 6B.1 and 6B.3.	4 5
Clause 48	Omission of s 470 (Appeal to Court of Appeal in relation to a decision of committee)	6 7
	Section 470—	8
	<i>omit.</i>	9
Clause 49	Amendment of s 471 (Definition for pt 4.11)	10
	Section 471, definition <i>disciplinary action</i> , paragraphs (a) and (b), ‘tribunal’—	11 12
	<i>omit, insert</i> —	13
	former disciplinary body	14
Clause 50	Amendment of s 477 (General provisions about disclosure of information)	15 16
	(1) Section 477(1)(a), after ‘body’—	17
	<i>insert</i> —	18
	or the former disciplinary body	19
	(2) Section 477(1)(c), from ‘, including’ to ‘paragraph (a)’—	20
	<i>omit.</i>	21
Clause 51	Amendment of s 491 (Confidentiality of client communications)	22 23
	Section 491(1), ‘under the QCAT Act,’—	24
	<i>omit, insert</i> —	25
	or order of the Supreme Court	26

[s 52]

Clause 52	Insertion of new chs 6B–6D	1
	After chapter 6A—	2
	<i>insert—</i>	3
	Chapter 6B Provisions about proceedings before Supreme Court	4 5 6
	Part 6B.1 General matters	7
	581P Application of part	8
	This part applies in relation to a proceeding before the Supreme Court under a provision of this Act mentioned in schedule 1.	9 10 11
	581PA Procedure for conducting proceeding	12
	When conducting the proceeding, the Supreme Court—	13 14
	(a) must act as quickly, and with as little formality and technicality, as is consistent with a fair and proper consideration of the issues before it; and	15 16 17 18
	(b) is not bound by the rules of evidence; and	19
	(c) may inform itself in any way it considers appropriate.	20 21
	581PB Prohibited publication about hearing of proceeding	22 23
	(1) Before, during or immediately after the hearing of the proceeding, the Supreme Court may make an order prohibiting the publication of information stated in the order relating to—	24 25 26 27

-
- (a) the proceeding; or 1
- (b) the hearing; or 2
- (c) an order of the court. 3
- (2) A person must not contravene an order under 4
subsection (1). 5
- Maximum penalty—200 penalty units. 6
- (3) A person must not publish or allow someone else 7
to publish— 8
- (a) a question disallowed by the Supreme Court 9
at the hearing; or 10
- (b) an answer given to a question disallowed by 11
the Supreme Court at the hearing. 12
- Maximum penalty—200 penalty units. 13
- (4) Also, the Supreme Court may make an order 14
prohibiting— 15
- (a) the issue of the entire or part of a copy of the 16
record made under the *Recording of* 17
Evidence Act 1962; or 18
- (b) the publication of the entire or part of a copy 19
of the record made under the *Recording of* 20
Evidence Act 1962. 21
- (5) A person must not contravene an order under 22
subsection (4). 23
- Maximum penalty—200 penalty units. 24
- (6) In this section— 25
- publish* includes publish on radio, television or 26
the internet. 27
- record* includes an audio recording. 28

Part 6B.2 Discipline applications 29

[s 52]

Division 1	Preliminary	1
581PC Application of part		2
	This part applies in relation to a proceeding before the Supreme Court for a discipline application.	3 4
Division 2	General provisions	5
Division 3	Panels and related matters	6
581PG Panel to help Supreme Court hear and decide discipline application		7 8
(1)	For hearing and deciding a discipline application, the Supreme Court is to be helped by 2 panel members chosen by the registrar and approved by the judge presiding over the proceeding.	9 10 11 12
(2)	However, the panel members do not constitute the Supreme Court for hearing and deciding the discipline application.	13 14 15
(3)	The panel members mentioned in subsection (1) must be—	16 17
(a)	1 member of the lay panel; and	18
(b)	1 of the following members—	19
(i)	if the complaint is about the conduct of a person who, at the time of performing the acts or omitting to do the acts constituting the conduct complained of, was a barrister or, in the opinion of the presiding judge, was engaged in legal practice in the manner of a barrister—a member of the practitioner panel who is a barrister;	20 21 22 23 24 25 26 27 28

-
- (ii) otherwise—a member of the practitioner panel who is a solicitor. 1
2
- (4) The registrar must keep a record of the names of the panel members helping the Supreme Court and the discipline application for which the hearing is held. 3
4
5
6

581PH Continuing hearing with only 1 panel member 7
8

- (1) This section applies if— 9
- (a) 1 of the panel members mentioned in section 581PG(1) (the *former panel member*) is helping, or is about to help, the Supreme Court hear and decide a discipline application; and 10
11
12
13
14
- (b) any of the following events happens— 15
- (i) the appointment of the panel member is ended or terminated under section 581PL(1) or (2); 16
17
18
- (ii) the panel member disqualifies themselves in relation to the hearing under section 581PN(2); 19
20
21
- (iii) the panel member becomes unavailable to help, or to continue to help, the court hear and decide the application; 22
23
24
- (iv) the panel member otherwise stops being a panel member or stops helping the court to hear and decide the application; and 25
26
27
28
- (c) the other panel member can continue to help the court hear and decide the application. 29
30
- (2) Despite section 581PG(1), the Supreme Court may continue to hear and decide the discipline application in the absence of the former panel member if the court considers— 31
32
33
34

[s 52]

- (a) it is in the interests of justice to continue to hear and decide the application; and
- (b) that not continuing to hear and decide the application would cause undue delay or expense for a party to the application.
- (3) This section does not authorise the Supreme Court to hear and decide a discipline application without being helped by at least 1 panel member.

Part 6B.3 Particular appeals to Supreme Court

581PP Application of part

This part applies in relation to an appeal to the Supreme Court against a decision under a provision of this Act mentioned in schedule 1, part 1.

581PQ Starting appeal

The appeal must be started within—

- (a) for a person who has been given an information notice about the decision—28 days after the day the person is given the notice; or
- (b) for a person who has not been given an information notice about the decision—28 days after the day the person becomes aware of the decision.

Note—

See, however, section 15(2) under which the Supreme Court may allow an appeal after the stated number of days to appeal.

581PR Appeal against decision of board etc.	1
(1) This section applies if the decision was made by the board, the bar association or the law society (each the <i>decision-maker</i>) under this Act.	2 3 4
(2) The appeal is by way of a fresh hearing unaffected by the decision.	5 6
(3) Fresh evidence or evidence in addition to, or in substitution for, the evidence before the decision-maker may be given on the appeal.	7 8 9
581PS Appeal against decision of committee	10
(1) This section applies if the decision was made by the committee.	11 12
(2) The appeal is by way of rehearing on the evidence given in the matter before the committee.	13 14
(3) However, subsection (2) does not prevent the Supreme Court from giving leave to introduce further evidence, whether fresh, additional or substituted, if the court considers the further evidence may be material to the appeal.	15 16 17 18 19
581PT Orders on appeal	20
In the proceeding for the appeal, the Supreme Court may make any of the following orders—	21 22
(a) an order confirming or amending the decision;	23 24
(b) an order setting aside the decision and substituting its own decision;	25 26
(c) an order setting aside the decision and returning the matter for reconsideration to the entity that made the decision, with the directions the court considers appropriate;	27 28 29 30

[s 52]

(d) any other order the court considers
appropriate. 1
2

Part 6B.4 Matters relating to costs 3 4

581PU Application of part 5

Unless otherwise provided, this part applies in
relation to a proceeding before the Supreme Court 6
under a provision of this Act mentioned in 7
schedule 1. 8
9

581PV Costs for particular proceedings 10

(1) Each party to the proceeding must bear the party's
own costs of the proceeding. 11
12

(2) Subsection (1) applies subject to subsection (3)
and sections 581PW and 581PX. 13
14

(3) The Supreme Court may make an order requiring
a party to the proceeding to pay all or a stated part
of the costs of another party to the proceeding if
the court considers the interests of justice require
it to make the order. 15
16
17
18
19

(4) This section does not apply in relation to a
proceeding for a discipline application. 20
21

Note— 22

For orders for costs for proceedings for discipline
applications, see section 462. 23
24

581PW Costs against lawyer or other representative in interests of justice 25 26

(1) This section applies if the Supreme Court
considers a lawyer for, or another representative
of, a party to the proceeding, rather than the party, 27
28
29

-
- is responsible for unnecessarily disadvantaging another party to the proceeding. 1
2
- (2) The Supreme Court may make an order for costs requiring the lawyer or representative to pay a stated amount to the other party as compensation for the unnecessary costs. 3
4
5
6
- (3) Before making an order for costs under subsection (2), the Supreme Court must give the lawyer or representative a reasonable opportunity to be heard in relation to making the order. 7
8
9
10

581PX Costs against intervening parties 11

- (1) If the Attorney-General intervenes in the proceeding for the State, the Supreme Court may make an order for costs requiring the State to pay a stated amount to a party to the proceeding as compensation for all or a part of the costs reasonably incurred by the party as a result of the intervention. 12
13
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18
- (2) If the Supreme Court gives leave to a person to intervene in the proceeding, the court may make an order for costs requiring the person to pay a stated amount to a party to the proceeding as compensation for all or a part of the costs reasonably incurred by the party as a result of the intervention. 19
20
21
22
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24
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Chapter 6C Provisions about discipline applications before committee 26
27
28
29

Part 6C.1 Preliminary 30

[s 52]

581PY Application of part	1
This part applies in relation to a proceeding before the committee for a discipline application.	2 3
Part 6C.2 Hearings	4
Part 6C.3 Conduct of proceedings	5 6
Part 6C.4 Powers of committee	7
Chapter 6D Particular proceedings before Court of Appeal	8 9 10
581QP Definition for chapter	11
In this chapter—	12
<i>decision</i> , of the Supreme Court, includes—	13
(a) an order made by the court; and	14
(b) an order of the court mentioned in section 459(4); and	15 16
(c) a direction given by the court.	17
581QQ General requirements for appeals against particular Supreme Court decisions	18 19
(1) This section applies in relation to a decision of the Supreme Court made—	20 21
(a) on appeal, from a decision of the bar association, the board, the committee or the	22 23

law society, under a provision of this Act mentioned in schedule 1, part 1; or	1 2
(b) under a provision of this Act mentioned in schedule 1, part 2.	3 4
(2) However, this section applies in relation to a decision of the Supreme Court subject to sections 581QR and 581QS.	5 6 7
(3) A party who is dissatisfied with the decision, or the Minister, may appeal to the Court of Appeal against the decision.	8 9 10
(4) The appeal is by way of rehearing on the evidence given in the matter before the Supreme Court.	11 12
(5) However, subsection (4) does not prevent the Court of Appeal from giving leave to introduce further evidence, whether fresh, additional or substituted, if the court considers the further evidence may be material to the appeal.	13 14 15 16 17
(6) The Court of Appeal may make any order it considers appropriate on the appeal.	18 19
581QR Appeal against particular decisions only with leave	20 21
(1) This section applies in relation to a decision of the committee mentioned in section 459(1) that has become an order of the Supreme Court under section 459(4).	22 23 24 25
(2) An appeal to the Court of Appeal against the decision may be made only with the leave of the Court of Appeal.	26 27 28
(3) The appeal is by way of rehearing on the evidence given in the matter before the committee.	29 30
(4) However, subsection (3) does not prevent the Court of Appeal from giving leave to introduce further evidence, whether fresh, additional or substituted, if the court considers the further	31 32 33 34

[s 53]

	evidence may be material to the appeal.	1
	581QS Appeal against particular decisions only on question of law and with leave	2 3
	(1) This section applies in relation to a decision of the Supreme Court made on appeal from a decision of the committee under section 469(1).	4 5 6
	(2) An appeal to the Court of Appeal against the decision may be made only—	7 8
	(a) on a question of law; and	9
	(b) with the leave of the Court of Appeal.	10
	(3) Section 581QQ(4) does not apply in relation to the appeal.	11 12
	(4) The Court of Appeal may give leave to introduce further evidence, whether fresh, additional or substituted, if the court considers the further evidence may be material to the appeal.	13 14 15 16
Clause 53	Omission of ch 7, pt 7.2, hdg (Provisions about proceedings before tribunal)	17 18
	Chapter 7, part 7.2, heading—	19
	<i>omit.</i>	20
Clause 54	Omission of ch 7, pt 7.2, div 1 (Constitution of tribunal)	21
	Chapter 7, part 7.2, division 1—	22
	<i>omit.</i>	23
Clause 55	Omission of ch 7, pt 7.2, div 2, hdg (Panels, panel members and related matters)	24 25
	Chapter 7, part 7.2, division 2, heading—	26
	<i>omit.</i>	27

Clause 56	Omission of s 599 (Panel to help the tribunal hear and decide discipline application)	1 2
	Section 599—	3
	<i>omit.</i>	4
Clause 57	Amendment, relocation and renumbering of s 607 (Establishment of panels for helping the tribunal)	5 6
	(1) Section 607, heading, ‘the tribunal’—	7
	<i>omit, insert—</i>	8
	Supreme Court	9
	(2) Section 607—	10
	<i>relocate</i> to part 6B.2, division 3, as inserted by this Act, and	11
	<i>renumber</i> as section 581PI.	12
Clause 58	Relocation and renumbering of s 608 (Appointment of panel members)	13 14
	Section 608—	15
	<i>relocate</i> to part 6B.2, division 3, as inserted by this Act, and	16
	<i>renumber</i> as section 581PJ.	17
Clause 59	Amendment, relocation and renumbering of s 609 (Remuneration and appointment conditions of panel members)	18 19 20
	(1) Section 609(1), ‘A member of the lay panel’—	21
	<i>omit, insert—</i>	22
	A panel member	23
	(2) Section 609(1), ‘tribunal’—	24
	<i>omit, insert—</i>	25
	Supreme Court	26
	(3) Section 609(2), ‘lay’—	27

[s 60]

omit, insert— 1

panel 2

(4) Section 609(2), ‘section 610’— 3

omit, insert— 4

section 581PL 5

(5) Section 609(3), from ‘member’ to ‘holds’— 6

omit, insert— 7

panel member holds 8

(6) Section 609— 9

relocate to part 6B.2, division 3, as inserted by this Act, and 10

renumber as section 581PK. 11

Clause 60 Relocation and renumbering of s 610 (Termination of appointment) 12
13

Section 610— 14

relocate to part 6B.2, division 3, as inserted by this Act, and 15

renumber as section 581PL. 16

Clause 61 Relocation and renumbering of s 611 (Resignation of members) 17
18

Section 611— 19

relocate to part 6B.2, division 3, as inserted by this Act, and 20

renumber as section 581PM. 21

Clause 62 Amendment, relocation and renumbering of s 612 (Disclosure of interests) 22
23

(1) Section 612(1), ‘tribunal’, first mention— 24

omit, insert— 25

Supreme Court 26

(2) Section 612(1), ‘tribunal’, second mention— 27

	<i>omit, insert—</i>	1
	court	2
(3)	Section 612(1)(a)—	3
	<i>omit, insert—</i>	4
	(a) the judge presiding over the proceeding; and	5
(4)	Section 612(2), ‘himself or herself’—	6
	<i>omit, insert—</i>	7
	themselves	8
(5)	Section 612(4)—	9
	<i>omit.</i>	10
(6)	Section 612—	11
	<i>relocate</i> to part 6B.2, division 3, as inserted by this Act, and	12
	<i>renumber</i> as section 581PN.	13
Clause 63	Relocation and renumbering of s 613 (Protection of panel members)	14
	Section 613—	15
	<i>relocate</i> to part 6B.2, division 3, as inserted by this Act, and	16
	<i>renumber</i> as section 581PO.	17
Clause 64	Omission of ch 7, pt 7.3, div 5, hdg (Provisions applying to committee for hearings)	19
	Chapter 7, part 7.3, division 5, heading—	20
	<i>omit.</i>	21
Clause 65	Relocation and renumbering of s 639 (Constitution of committee for hearing)	23
	Section 639—	24
	<i>relocate</i> to part 6C.2, as inserted by this Act, and <i>renumber</i> as	25
	section 581PZ.	26
		27

[s 66]

Clause 66	Amendment, relocation and renumbering of s 640 (Conduct of committee for hearing and deciding discipline applications)	1 2 3
	(1) Section 640(4), ‘section 639(2)’—	4
	<i>omit, insert</i> —	5
	section 581PZ(2)	6
	(2) Section 640—	7
	<i>relocate</i> to part 6C.2, as inserted by this Act, and <i>renumber</i> as section 581QA.	8 9
Clause 67	Amendment, relocation and renumbering of s 641 (Disclosure of interests)	10 11
	(1) Section 641(6), from ‘tribunal’ to ‘QCAT Act’—	12
	<i>omit, insert</i> —	13
	Supreme Court	14
	(2) Section 641—	15
	<i>relocate</i> to part 6C.2, as inserted by this Act, and <i>renumber</i> as section 581QB.	16 17
Clause 68	Relocation and renumbering of s 642 (Protection of members etc.)	18 19
	Section 642—	20
	<i>relocate</i> to part 6C.2, as inserted by this Act, and <i>renumber</i> as section 581QC.	21 22
Clause 69	Omission of ch 7, pt 7.4, hdg (Other provisions applying to committee for discipline applications)	23 24
	Chapter 7, part 7.4, heading—	25
	<i>omit.</i>	26

Clause 70	Omission of ch 7, pt 7.4, div 1, hdg (Parties to proceedings before committee)	1 2
	Chapter 7, part 7.4, division 1, heading—	3
	<i>omit.</i>	4
Clause 71	Relocation and renumbering of s 643 (Parties)	5
	Section 643—	6
	<i>relocate</i> to part 6C.3, as inserted by this Act, and <i>renumber</i> as section 581QD.	7 8
Clause 72	Omission of ch 7, pt 7.4, div 2, hdg (Conduct of proceedings)	9 10
	Chapter 7, part 7.4, division 2, heading—	11
	<i>omit.</i>	12
Clause 73	Relocation and renumbering of s 644 (Public hearings)	13
	Section 644—	14
	<i>relocate</i> to part 6C.3, as inserted by this Act, and <i>renumber</i> as section 581QE.	15 16
Clause 74	Relocation and renumbering of s 645 (Procedure for hearing by committee)	17 18
	Section 645—	19
	<i>relocate</i> to part 6C.3, as inserted by this Act, and <i>renumber</i> as section 581QF.	20 21
Clause 75	Amendment, relocation and renumbering of s 646 (Recording evidence)	22 23
	(1) Section 646(2), ‘section 650’—	24
	<i>omit, insert</i> —	25

[s 76]

	section 581QK	1
	(2) Section 646—	2
	<i>relocate</i> to part 6C.3, as inserted by this Act, and <i>renumber</i> as section 581QG.	3 4
Clause 76	Relocation and renumbering of s 647 (Committee may proceed in absence of party or may adjourn hearing)	5 6
	Section 647—	7
	<i>relocate</i> to part 6C.3, as inserted by this Act, and <i>renumber</i> as section 581QH.	8 9
Clause 77	Amendment, relocation and renumbering of s 648 (Matter may be decided on affidavit evidence)	10 11
	(1) Section 648(b), ‘if the other party does not appear and’—	12
	<i>omit, insert</i> —	13
	without the written consent of the other party if	14
	(2) Section 648—	15
	<i>relocate</i> to part 6C.3, as inserted by this Act, and <i>renumber</i> as section 581QI.	16 17
Clause 78	Relocation and renumbering of s 649 (Standard of proof)	18
	Section 649—	19
	<i>relocate</i> to part 6C.3, as inserted by this Act, and <i>renumber</i> as section 581QJ.	20 21
Clause 79	Amendment, relocation and renumbering of s 650 (Prohibited publication about hearing of a disciplinary application)	22 23 24
	(1) Section 650, heading, ‘a disciplinary’—	25
	<i>omit, insert</i> —	26
	discipline	27

	(2) Section 650—	1
	<i>relocate</i> to part 6C.3, as inserted by this Act, and <i>renumber</i> as section 581QK.	2 3
Clause 80	Omission of ch 7, pt 7.4, div 3, hdg (Powers of committee)	4
	Chapter 7, part 7.4, division 3, heading—	5
	<i>omit.</i>	6
Clause 81	Relocation and renumbering of s 651 (Power to disregard procedural lapses)	7 8
	Section 651—	9
	<i>relocate</i> to part 6C.4, as inserted by this Act, and <i>renumber</i> as section 581QL.	10 11
Clause 82	Relocation and renumbering of s 652 (Directions for hearings)	12 13
	Section 652—	14
	<i>relocate</i> to part 6C.4, as inserted by this Act, and <i>renumber</i> as section 581QM.	15 16
Clause 83	Relocation and renumbering of s 653 (Attendance notice)	17
	Section 653—	18
	<i>relocate</i> to part 6C.4, as inserted by this Act, and <i>renumber</i> as section 581QN.	19 20
Clause 84	Relocation and renumbering of s 654 (Authentication of documents)	21 22
	Section 654—	23
	<i>relocate</i> to part 6C.4, as inserted by this Act, and <i>renumber</i> as section 581QO.	24 25

[s 85]

Clause 85	Omission of ch 7, pt 7.4, div 4, hdg (Offences)	1
	Chapter 7, part 7.4, division 4, heading—	2
	<i>omit.</i>	3
Clause 86	Relocation and renumbering of ss 655 and 656	4
	Sections 655 and 656—	5
	<i>relocate</i> to part 4.13 and <i>renumber</i> as sections 487A and 487B.	6
		7
Clause 87	Omission of ch 7, pt 7.4A, hdg (Provisions applying to tribunal for discipline applications)	8
		9
	Chapter 7, part 7.4A, heading—	10
	<i>omit.</i>	11
Clause 88	Omission of s 656A (Application of pt 7.4A)	12
	Section 656A—	13
	<i>omit.</i>	14
Clause 89	Amendment, relocation and renumbering of s 656B (Entitlement to appear at hearing)	15
		16
	(1) Section 656B, ‘tribunal’, first mention—	17
	<i>omit, insert—</i>	18
	Supreme Court	19
	(2) Section 656B(b), ‘tribunal’—	20
	<i>omit, insert—</i>	21
	court	22
	(3) Section 656B—	23
	<i>relocate</i> to part 6B.2, division 2, as inserted by this Act, and <i>renumber</i> as section 581PD.	24
		25

Clause 90	Amendment, relocation and renumbering of s 656C (Standard of proof)	1 2
(1)	Section 656C(1), ‘tribunal’, first mention— <i>omit, insert—</i> Supreme Court	3 4 5
(2)	Section 656C(1), ‘tribunal’, second mention— <i>omit, insert—</i> court	6 7 8
(3)	Section 656C(1), ‘the body is’— <i>omit.</i>	9 10
(4)	Section 656C— <i>relocate</i> to part 6B.2, division 2, as inserted by this Act, and <i>renumber</i> as section 581PE.	11 12 13
Clause 91	Omission of s 656D (Prohibited publication about hearing of a discipline application)	14 15
	Section 656D— <i>omit.</i>	16 17
Clause 92	Amendment, relocation and renumbering of s 656E (Power to disregard procedural lapses)	18 19
(1)	Section 656E(1), ‘tribunal’, first mention— <i>omit, insert—</i> Supreme Court	20 21 22
(2)	Section 656E(1), ‘tribunal’, second mention— <i>omit, insert—</i> court	23 24 25
(3)	Section 656E(3), ‘tribunal’s’— <i>omit, insert—</i>	26 27

[s 93]

	Supreme Court's	1
(4)	Section 656E—	2
	<i>relocate</i> to part 6B.2, division 2, as inserted by this Act, and	3
	<i>renumber</i> as section 581PF.	4
Clause 93	Insertion of new s 713B	5
	After section 713A—	6
	<i>insert</i> —	7
	713B Intervention by Attorney-General	8
	The Attorney-General may, for the State,	9
	intervene in a proceeding in the Supreme Court	10
	under this Act at any time.	11
Clause 94	Insertion of new ch 8, pt 8.1, div 3	12
	Chapter 8, part 8.1—	13
	<i>insert</i> —	14
	Division 3 Statements of reasons	15
	713C Obtaining statement of reasons	16
	(1) This section applies if—	17
	(a) the bar association, the board or the law	18
	society (each a <i>decision-maker</i>) makes a	19
	decision under this Act; and	20
	(b) a person may appeal to the Supreme Court	21
	against the decision; and	22
	(c) the person has not been given a written	23
	statement of the reasons for the decision.	24
	(2) The person may ask the decision-maker to give	25
	the person a written statement of the reasons for	26
	the decision.	27

-
- (3) The request must— 1
- (a) be in writing, whether in paper or electronic 2
form; and 3
- (b) be made within 14 days after— 4
- (i) if the person was notified of the 5
decision—the day the person was 6
notified; or 7
- (ii) if subparagraph (i) does not apply—the 8
day the person became aware of the 9
decision. 10
- (4) The decision-maker must give the person the 11
statement within a reasonable period of not more 12
than 28 days after the request is made. 13
- Note—* 14
- See the *Acts Interpretation Act 1954*, section 27B in 15
relation to the content of the statement. 16

**713D Court order requiring statement of reasons 17
be given 18**

- (1) This section applies if— 19
- (a) under section 713C, a person has asked a 20
decision-maker for a written statement of 21
the reasons for a decision; and 22
- (b) the decision-maker has not given the person 23
the statement under section 713C(4). 24
- (2) The person may apply to the Supreme Court for 25
an order that the decision-maker give the person 26
the statement. 27
- (3) If the person applies for an order under 28
subsection (2), the person must give written 29
notice of the application to the decision-maker. 30
- (4) If the Supreme Court is satisfied the person is 31
entitled to receive the statement, the court may 32
make an order requiring the decision-maker to 33

[s 95]

give the person the statement within the period of 1
not more than 28 days stated in the order. 2

713E Further statement 3

(1) This section applies if, under this division, a 4
decision-maker gives a person a written statement 5
of the reasons for a decision— 6

(a) under section 713C(4); or 7

(b) in response to an order under section 8
713D(4). 9

(2) The person may apply to the Supreme Court for 10
an order under this section against the 11
decision-maker. 12

(3) If the Supreme Court considers the statement does 13
not contain adequate particulars of the reasons for 14
the decision, the court may make an order 15
requiring the decision-maker to give the person, 16
within a stated period, an additional statement 17
containing further and better particulars about 18
stated matters. 19

Clause 95 **Insertion of new ch 10, pt 10** 20

Chapter 10— 21

insert— 22

Part 10 **Transitional provisions** 23

for Legal Profession 24

(Strengthening 25

Disciplinary Matters) 26

Amendment Act 2026 27

Division 1 **Preliminary** 28

789 Definitions for part	1
In this part—	2
<i>amendment Act</i> means the <i>Legal Profession (Strengthening Disciplinary Matters) Amendment Act 2026</i> .	3 4 5
<i>former</i> , in relation to a provision of this Act, whether generally or by reference to a stated provision, means the provision as in force from time to time before the commencement of the transitional provision in which the term is used.	6 7 8 9 10
<i>hear or decide</i> , an application, does not include conducting a proceeding for making an order or another decision pending the final hearing of the application.	11 12 13 14
<i>new</i> , in relation to a provision of this Act, means the provision as in force from the commencement of the transitional provision in which the term is used.	15 16 17 18
<i>transitional provision</i> means a provision of this part.	19 20

Division 2	Making and deciding	21
	applications and related	22
	matters	23

790 Applications for review of decisions previously reviewable by tribunal	24 25
(1) This section applies if—	26
(a) before the commencement, an entity made a decision affecting a person under this Act; and	27 28 29
(b) immediately before the commencement—	30

[s 95]

- (i) the person could have, but had not, applied to the tribunal for a review of the decision under a former provision; and
 - (ii) the period allowed for making the application under the QCAT Act, section 33 (the *original period*) had not ended; and
 - (c) the person would be able to appeal to the Supreme Court against the decision under a new provision if the decision were made after the commencement.
 - (2) The person may, within the original period, appeal to the Supreme Court against the decision under the new provision.
 - (3) If the person does not appeal against the decision within the original period, the Supreme Court may allow the person to appeal against the decision after the original period has ended if the court considers it appropriate having regard to the extent of, and reasons for, the delay.
- 791 Existing applications tribunal has started to hear or decide**
- (1) This section applies if—
 - (a) before the commencement—
 - (i) an application was made, referred or transferred to the tribunal under a former provision (the *existing application*); and
 - (ii) the tribunal had started to hear or decide, but had not finished hearing or deciding, the application; and
 - (b) after the commencement, an application (however called) or an appeal seeking relief

in the nature of the relief sought in the 1
existing application would be authorised or 2
required under a new provision to be made, 3
referred or transferred to the Supreme 4
Court. 5

(2) The tribunal must continue to deal with the 6
existing application as if the amendment Act had 7
not been enacted. 8

(3) Without limiting subsection (2), the tribunal may 9
make an order or give a direction in relation to the 10
existing application that the tribunal could have 11
made or given under this Act as in force 12
immediately before the commencement. 13

792 Application of new s 32 to particular directions 14

The reference in new section 32(5) to a direction 15
given under new section 32(4) includes a 16
reference to a direction given by the tribunal 17
under former section 32(3)(b), whether before the 18
commencement or after the commencement 19
under section 791. 20

793 Application of new s 70 to particular reviews 21

The reference in new section 70(4)(a) to a 22
successful appeal against a decision under that 23
section includes a reference to a successful 24
application to the tribunal under former section 25
70(3) for a review of the decision under that 26
section, whether the application was decided 27
before the commencement or after the 28
commencement under section 791. 29

794 Application of new s 98 to particular reviews 30

(1) The reference in new section 98(1)(b) to a lawyer 31
being successful in an appeal to the Supreme 32

[s 95]

Court against a decision includes a reference to
the lawyer being successful in an application to
the tribunal for a review of the decision, whether
the application was decided before the
commencement or after the commencement
under section 791.

- (2) The reference in new section 98(2) and (3)(b)(ii)
to the result of the appeal includes a reference to
the result of the review mentioned in subsection
(1).

795 Application of new s 375 to particular periods

The reference in new section 375(1)(c) to a
further period allowed by the Supreme Court
under new section 375(4) includes a reference to
a further period allowed by the tribunal on an
application mentioned in former section
375(1)(c), whether the application was decided
before the commencement or after the
commencement under section 791.

796 Application of new s 377 to particular periods

The reference in new section 377(2)(c) to a
further period allowed by the Supreme Court
under new section 377(6) includes a reference to
a further period allowed by the tribunal as
mentioned in former section 377(2)(c), whether
before the commencement or after the
commencement under section 791.

797 Application of new s 396 to particular reviews

The reference in new section 396(5), definition
allowed amount to an appeal to the Supreme
Court against a claim decided by the law society
includes a reference to a review by the tribunal
mentioned in former section 396(5), definition

allowed amount, whether the review was decided 1
before the commencement or after the 2
commencement under section 791. 3

**798 Application of new s 474 to particular 4
disciplinary action 5**

New section 474 applies in relation to disciplinary 6
action as if a reference in the section to a review 7
included a reference to a review by the tribunal 8
under a former provision, whether the review was 9
decided before the commencement or after the 10
commencement under section 791. 11

**799 Application of new s 581QQ to particular 12
decisions and directions of tribunal 13**

- (1) This section applies if, after the commencement, 14
the tribunal makes an order or gives a direction 15
under section 791. 16
- (2) New section 581QQ applies in relation to the 17
order or direction as if— 18
- (a) the order or direction had been made or 19
given by the Supreme Court; and 20
- (b) the reference in new section 581QQ(4) to 21
the Supreme Court were a reference to the 22
tribunal. 23
- (3) However, if the order is made under former 24
section 469(1), new section 581QQ as applied 25
under subsection (2) applies in relation to the 26
order subject to new section 581QS. 27

**800 Existing applications tribunal has not started 28
to hear or decide 29**

- (1) This section applies if— 30
- (a) before the commencement— 31

[s 95]

- (i) an application was made, referred or transferred to the tribunal under a former provision (the *existing application*); and
 - (ii) the tribunal had not started to hear or decide the application; and
- (b) after the commencement, an application (however called) or an appeal seeking relief in the nature of the relief sought in the existing application would be authorised or required under a new provision to be made, referred or transferred to the Supreme Court.
- (2) On the commencement, the existing application is transferred to the Supreme Court.
- (3) The Supreme Court must deal with the existing application as if the application had been made, referred or transferred to the Supreme Court under the new provision.

Division 3 Orders and related matters 20

801 Enforcement of particular tribunal orders 21

- (1) This section applies if—
 - (a) before the commencement, the tribunal made—
 - (i) an order under former section 456, former section 462 or former part 4.10; or
 - (ii) an order under the QCAT Act as mentioned in former section 457(1)(b); or

-
- (b) after the commencement, the tribunal makes an order mentioned in paragraph (a)(i) or (ii) under section 791. 1
2
3
- (2) Former section 457 continues to apply in relation to the order as if the amendment Act had not been enacted. 4
5
6
- 802 Compliance with particular tribunal orders** 7
- (1) This section applies if— 8
- (a) before the commencement, the tribunal made an order under former section 456 or former section 460; or 9
10
11
- (b) after the commencement, the tribunal makes an order mentioned in paragraph (a) under section 791. 12
13
14
- (2) Former section 461 continues to apply in relation to the order as if the amendment Act had not been enacted. 15
16
17
- 803 Confidentiality of client communications relating to discipline application or disciplinary action of tribunal** 18
19
20
- (1) This section applies in relation to— 21
- (a) a discipline application the tribunal was hearing under former part 4.9 before the commencement or has continued to hear under section 791 after the commencement; or 22
23
24
25
26
- (b) disciplinary action mentioned in former section 471, definition *disciplinary action* instigated by the tribunal before the commencement or under section 791 after the commencement. 27
28
29
30
31
- (2) Former section 491 continues to apply in relation 32

[s 95]

to a requirement under the QCAT Act to answer a 1
question or produce information or a document 2
relating to a matter to which the discipline 3
application or disciplinary action relates. 4

Division 4 Panel members 5

804 Continuation of appointment of panel member 6 for Supreme Court 7

- (1) This section applies to a person who, immediately 8
before the commencement, was appointed as a 9
panel member. 10
- (2) From the commencement, the person's 11
appointment continues for helping the Supreme 12
Court to hear and decide discipline applications. 13
- (3) Subsection (2) applies despite the terms of the 14
person's appointment as a panel member. 15
- (4) In a document relating to the person's 16
appointment as a panel member, a reference to the 17
tribunal may, if the context permits, be taken to be 18
a reference to the Supreme Court. 19

805 Panel members to finish helping tribunal for 20 hearing 21

- (1) This section applies to a panel member if— 22
 - (a) before the commencement, the panel 23
member was helping the tribunal hear and 24
decide a discipline application; and 25
 - (b) section 791 applies in relation to the 26
application. 27
- (2) The panel member must continue to help the 28
tribunal hear and decide the discipline application 29
under former section 599 as if the amendment Act 30
had not been enacted. 31

(3) This section is not affected by section 804.	1
806 Entitlement of member of practitioner panel to remuneration for helping tribunal	2 3
(1) This section applies to a member of the practitioner panel who is helping the tribunal hear and decide a discipline application under section 805(2).	4 5 6 7
(2) The panel member is not entitled to be paid remuneration or allowances for sitting with the tribunal in relation to hearing and deciding the discipline application.	8 9 10 11
Division 5 Transitional regulation-making power	12 13
807 Transitional regulation-making power	14
(1) A regulation (a <i>transitional regulation</i>) may make provision about a matter for which—	15 16
(a) it is necessary to make provision to allow or facilitate the doing of anything to achieve the transition from the operation of this Act as in force before the commencement of the amendment Act to the operation of this Act as in force after the commencement of the amendment Act; and	17 18 19 20 21 22 23
(b) this Act does not provide or sufficiently provide.	24 25
(2) A transitional regulation may have retrospective operation to a day not earlier than the day this section commences.	26 27 28
(3) A transitional regulation must declare it is a transitional regulation.	29 30

[s 96]

808 Expiry of division and transitional regulation 1

This division and any transitional regulation 2
under section 807 expire on the day that is 2 years 3
after the day this section commences. 4

Clause 96 Insertion of new sch 1 5

Before schedule 2— 6

insert— 7

**Schedule 1 Procedural provisions 8
for Supreme Court for 9
chapters 6B and 6D 10**

sections 581P, 581PP, 581PU and 581QQ 11

**Part 1 Provisions for appeals 12
to Supreme Court 13**

section 26(4)	Associates who are disqualified or convicted persons
section 33A	Appeal to Supreme Court against board's refusal to make suitability declaration
section 51(9)	Grant or renewal of local practising certificate
section 54(2) and (4)	Applications relating to conditions
section 61(3)	Amending, suspending or cancelling a local practising certificate
section 69(3)	Refusal, amendment, suspension or cancellation of local practising certificate because of failure to show cause

section 70(3)	Restriction on making further application
section 76(3)	Additional condition on interstate legal practitioner engaging in legal practice in this jurisdiction
section 87(5)	Health assessment
section 183(4)	Grant or renewal of local registration
section 185(7)	Refusal to grant or renew registration
section 188(3)	Amending, suspending or cancelling registration
section 194(3)	Refusal, amendment, suspension or cancellation of local registration—failure to show cause
section 195(3)	Restriction on making further applications
section 208(4)	Additional conditions on practice of interstate-registered foreign lawyers
section 375(3)	Time limit for making claims
section 377(5)	Time limit for making claims following advertisement
section 392	Appeal against decision on claim
section 469(1)	Appeal to Supreme Court against committee’s decision

Part 2	Provisions for	1
	decisions or orders of	2
	Supreme Court at first	3
	instance	4

section 32(4)	Early consideration of suitability
section 62(3)	Operation of amendment, suspension or cancellation of local practising certificate

[s 97]

section 63(9)	Immediate amendment or suspension of local practising certificate
section 189(3)	Operation of amendment, suspension or cancellation of registration
section 197(8)	Immediate suspension of registration
section 393	Application for direction and order for failure to decide claim
section 443(4)	Powers for investigations
section 452(1)(a)	Starting proceeding before a disciplinary body
section 459(4)	Notification and filing of committee orders
section 581QB(6)	Disclosure of interests

Clause 97	Amendment of sch 2 (Dictionary)	1
(1)	Schedule 2—	2
	<i>insert—</i>	3
	<i>decision</i> , of the Supreme Court, for chapter 6D, see section 581QP.	4 5
	<i>decision-maker</i> , for part 8.1, division 3, see section 713C(1)(a).	6 7
	<i>former disciplinary body</i> means—	8
	(a) the tribunal as a disciplinary body under this Act as in force before the commencement of this definition; or	9 10 11
	(b) the tribunal continuing to deal with an existing application under section 791 after the commencement of this definition, if the existing application is, or relates to, an application made to the tribunal under former section 452(1)(a).	12 13 14 15 16 17
(2)	Schedule 2, definition <i>disciplinary body</i> , paragraph (a)—	18

omit, insert—

- | | | |
|-----|--|----|
| | (a) the Supreme Court; | 1 |
| (3) | Schedule 2, definition <i>lay panel</i> , ‘section 607(1)(a)’— | 2 |
| | <i>omit, insert—</i> | 3 |
| | section 581PI(1)(a) | 4 |
| (4) | Schedule 2, definition <i>panel member</i> , ‘part 7.2, division 2’— | 5 |
| | <i>omit, insert—</i> | 6 |
| | part 6B.2, division 3 | 7 |
| (5) | Schedule 2, definition <i>practitioner panel</i> , ‘section | 8 |
| | 607(1)(b)’— | 9 |
| | <i>omit, insert—</i> | 10 |
| | section 581PI(1)(b) | 11 |

Part 3 Other amendments 13

- | | | |
|------------------|--|----|
| Clause 98 | Legislation amended | 14 |
| | Schedule 1 amends the legislation it mentions. | 15 |

Schedule 1	Other amendments	1
	section 98	2
Legal Profession Act 2007		3
1	Section 451(3), ‘sections 650 and 656D’— <i>omit, insert—</i> sections 581PB and 581QK	4 5 6
2	Section 454, note— <i>omit.</i>	7 8
3	Section 707(3), ‘642’— <i>omit, insert—</i> 581QC	9 10 11
Queensland Civil and Administrative Tribunal Act 2009		12 13
1	Section 149(4), note, from ‘See’— <i>omit.</i>	14 15
2	Schedule 3, definition <i>non-publication order</i>, paragraph (f)— <i>omit.</i>	16 17 18

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