



Changes to the *Legal Practitioners Act*

On 23 September 2016, the Attorney-General announced that certain changes to the Act had been passed by Parliament, some of which would give the Commissioner more discretion in dealing with complaints, so as to free up resources within his office.

While the *Legal Practitioners (Miscellaneous) Amendment Act 2016* was passed by Parliament then, it only came into operation on 13 November 2016, following the necessary proclamation by the Governor.

The main change made by the 2016 Amendment Act that many people will now need to consider is that there is now a **three year time limit** from the time of the relevant conduct by a practitioner for a complaint to be lodged. The Commissioner has a discretion to investigate complaints that fall outside of this time limit, but he will not be obliged to do so.

The other significant changes made by the 2016 Amendment Act are as follows:

- a person who has been declared by the Supreme Court to be a vexatious litigant will no longer be able to make a complaint to the Commissioner; and
- the Commissioner and his staff (to the extent that they are acting as investigating solicitors) have been removed from the disciplinary system in the Act – that is, a complaint can't be made to the Commissioner about either the Commissioner (acting as the Commissioner) or his staff.

GREG MAY

Legal Profession Conduct Commissioner

14 November 2016