

## **ADMISSION UNDER THE MUTUAL RECOGNITION SCHEME**

### ***Notification to Board***

1. The Board is the local registration authority in respect of an application for admission under the *Mutual Recognition Act*, (The Act s 39).
2. A practitioner seeking registration in the Northern Territory must lodge a written notice with the Board. The notice must contain the information specified in s19 of the *Mutual Recognition Act*. A pro forma is attached. The notice should be lodged at the Supreme Court Registry, GPO Box 3946, Darwin, NT 0801. A fee of \$300.00 is payable upon lodgment.
3. A notice under s19 must be accompanied by a document that is either the original or a copy of the instrument evidencing the applicant's existing registration (*ie admission certificate*) or, if there is no such instrument, by sufficient information to identify the applicant and the applicant's registration (s19(3)). In the notice, the applicant must certify that the accompanying document is the original or a complete and accurate copy of the original.

The Board also requires that a current practising certificate or similar document evidencing current status be lodged with the notice under s19, and that the applicant certify that this document is the original or a complete and accurate copy of the original.

4. The Act requires a person to take an oath and sign the Roll before being admitted to practise. An applicant whose application is otherwise in order may be granted registration conditional upon taking the oath and signing the Roll and will not be entitled to practise until this has been done.

### ***Application to practise***

5. If an applicant for registration intends to practise in the Northern Territory he or she must make an application to the Law Society pursuant to the *Mutual Recognition Act*.

### ***Deemed Registration***

6. Once a practitioner has lodged a notice under s19, pending the grant or refusal of registration, he or she is deemed to be registered (s25)
7. A person who engages in practice under deemed registration must comply with requirements (such as insurance, fidelity funds etc) of the Northern Territory and is subject to the disciplinary provisions applicable in the Northern Territory (s27).

***Oath or Affirmation: Signing of Roll***

8. The *Legal Profession Admission Rules* provide that a person may elect not to appear in person to be admitted, in which case that person shall swear or affirm and sign a pro forma for insertion in the Roll before the Principal Registrar of the Supreme Court of a State or Territory or before any other officer designated by the Board. An applicant is required to provide his or her date of birth (The Act s. 27(5)).

***Trans-Tasman Mutual Recognition Act***

9. The Admission Board has resolved to use these guidelines, with all necessary changes or modifications, under the *Trans-Tasman Mutual Recognition Act*.
10. Applicants relying on admission in New Zealand may swear or affirm and sign the pro forma before a Registrar or other designated officer of the High Court of New Zealand.

**Pro forma Section 19 Notice-**

**NOTICE UNDER SECTION 19 OF THE MUTUAL RECOGNITION ACT 1992  
(COMMONWEALTH) SEEKING REGISTRATION**

TO: THE LEGAL PRACTITIONERS ADMISSION BOARD  
SUPREME COURT  
GPO BOX 3946  
DARWIN NT 0801

**COMMONWEALTH OF AUSTRALIA  
STATUTORY DECLARATION**

I, *(name and date of birth)*, *(occupation)*, of *(address)* do solemnly and sincerely declare as follows :

1. I seek registration as a member of the legal profession in accordance with the mutual recognition principle.
2. I am currently admitted as a member of the legal profession in *(State/Territory)*. The date of my admission was *(date)*.
3. The names and dates of admission in every other jurisdiction in which I have been admitted are as follows:

***Jurisdiction***

***Date of admission***

*(if not admitted elsewhere, state "None")*

4. I am not the subject of disciplinary proceedings in any State or Territory *(including any preliminary investigations or action that might lead to disciplinary proceedings)* in relation to my occupation as a member of the legal profession.
5. My admission in any State or Territory has not been cancelled or suspended as a result of disciplinary action.
6. I am not otherwise personally prohibited from carrying on practise as a member of the legal profession in any State or Territory and am not subject to any special conditions in carrying out that occupation as a result of criminal, civil or disciplinary proceedings in any State or Territory.
7. In carrying out my occupation in any State or Territory, I am subject to the following conditions *(State special conditions, if any - otherwise state: "No special conditions")*
8. I give consent to the Legal Practitioners Admission Board of the Northern Territory to make inquiries of, and to exchange information

with, the authorities of any State or Territory regarding my activities as a member of the legal profession or otherwise regarding matters relevant to this notice.

9. I certify that the documents accompanying this notice are the (original/a complete and accurate copy of the original) instrument evidencing my admission to practise in (*State/Territory*) and (*the original/a complete and accurate copy of the original*) of my current practising certificate (*or similar document evidencing current status as a member of the legal profession*).

**AND** I make this solemn declaration by virtue of the *Statutory Declarations Act 1959 (Cwth)* and subject to the penalties provided by that Act for the making of false statements in statutory declarations, conscientiously believing the statements contained in this declaration to be true in every particular.

.....  
Signature of applicant

**DECLARED** at (*place*) on (*date*)

**BEFORE ME:** .....  
Witness

.....  
Printed name

.....  
Title