

Exemption from supervised legal practice

This fact sheet explains the process for applying for an exemption from the supervised legal practice requirements

INFORMATION FOR LAWYERS

If you are applying to the Victorian Legal Services Board for an exemption from supervised legal practice, you must satisfy the Board that, as an Australian legal practitioner, you do not need to be supervised or need only be supervised for a shorter period than the required period¹.

Information that may be relevant to the Board when assessing your application includes:

1. the length and nature and recency of your previous legal practice; and
2. the length and nature of your supervisors' previous legal practice.

Your application for exemption should be made in a statutory declaration. Where relevant, you should address the following criteria in your application:

- the type of legal work undertaken;
- when and how long you have engaged in legal practice;
- if you were supervised, the nature and duration of your supervision, including your supervisor's qualifications;
- the jurisdiction in which you undertook legal practice (Common law countries are generally considered to be similar jurisdictions. If you were practising in a different jurisdiction, you should demonstrate the similarity of law/legal practice in that jurisdiction, including any bridging requirements you may have completed); and
- any other relevant matters you wish to address.

The Board has prepared a template in the form of a statutory declaration for applications for exemption from supervised legal practice. This template should be used *as a guide only*: the Board recognises that individual circumstances vary, therefore additional information may be necessary.

The Board, or its delegate, will determine whether you should be granted an exemption based on your application. You will need to satisfy the Board that an exemption is warranted. You should annex relevant supporting documentation, including supporting statements from previous supervisors, employers or overseas authorities.

A letter from your supervisor should confirm your supervision arrangements.

For further information, please refer to the Board's [Supervised Legal Practice policy](#).

¹ Section 49(4) of the *Legal Profession Uniform Law 2014*

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Statutory Declaration

I, _____
[full name]

of _____
[address]

_____, do solemnly and sincerely declare that:
[occupation]

1. I am an Australian lawyer/Australian legal practitioner under the Legal Profession Uniform Law (Victoria) ('the Uniform Law').

If you do not appear on the Australian Legal Profession Register in Victoria, please annex evidence of your date of admission and indicate your date of birth in this application.

2. I was admitted to practice in _____ on _____.
[Australian jurisdiction] [date]

3. Practice and supervision details

Please provide details of your prior legal practice for each role you have held and currently hold, and the details of your supervision for each position.

Your position title: _____

Employed from: _____ to: _____

Employer's name: _____

Duties you have performed: _____

Supervisor's name: _____

Supervisor's title: _____

Supervisor's qualifications: _____
[including when and where admitted]

Supervisor's experience: _____

Duration of the supervision: _____

Nature of supervision: _____
[how often work was reviewed, whether by email, telephone etc]

Please attach a separate sheet for any further positions

If you had more than one supervisor in a given role, please provide the details for each of these supervisors.

Please attach a letter from each supervisor confirming your supervision arrangements.

4. For the purposes of s.49 of the Uniform Law and rule 14 of the *Legal Profession Uniform General Rules 2015*, the total period of time I have engaged in supervised or exempted legal practice for is:

_____.
[years/months]

5. Foreign practice

If you request any foreign legal practice to count towards your supervised legal practice requirements, you should identify why you think that the jurisdiction you worked in is similar to Australia. Include admission date and details of any bridging requirements you have undertaken towards qualification in Australia.

I believe that _____ is a similar jurisdiction to Australia
[foreign jurisdiction]

for the following reason/s _____

6. Further Information

If you wish the Board to consider further information relevant to your exemption application, please outline the information below. Please indicate if you have annexed any relevant documents to this application.

I acknowledge that this declaration is true and correct, and I make it with the understanding and belief that a person who makes a false declaration is liable to the penalties of perjury.

Declared at _____

this _____ day of _____, 20_____
[Signature of person making this declaration,
to be signed in front of an authorised witness]

Before me,

[Signature of Authorised Witness]

The authorised witness must print or stamp his or her name, address and title pursuant to section 107A of the *Evidence (Miscellaneous Provisions) Act 1958* (e.g. Justice of the Peace, Pharmacist, Police Officer, Court Registrar, Bank Manager, Medical Practitioner, Dentist)