

RPA News

Regulation. Protection. Action.

News update for all practitioners from the Victorian Legal Services Board + Commissioner

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Review of Lawyers' Practising Certificate Fees – Release of Regulatory Impact Statement

The Victorian Legal Services Board is responsible for granting and renewing lawyers' practising certificates. These are accompanied by appropriate fees prescribed by government regulation. With the existing regulations expiring, the Board is required to recommend new practising certificate fees for the 2018-19 financial year and beyond.

On October 24 2017, the Attorney-General, the Hon Martin Pakula MP, released the Board's **Regulatory Impact Statement (RIS)** for formal public consultation. The RIS is a consultation document that sets out a number of options for setting new fees for 2018-19 and beyond, and includes a preferred option in accordance with government policy principles.

The Board has engaged in a detailed consultation process with the legal profession over the past 12 months regarding various options for setting new fees. This consultation has generated feedback and written submissions that have helped to shape the RIS, and inform the Board's preferred option.

The preferred option detailed in the RIS is a stratified fee structure, where fees are differentiated based on practising certificate classes. This is a simple and efficient approach where fees align with the level of risk and regulatory oversight incurred by each practitioner class. Under this proposal, practitioner classes that carry a low regulatory burden receive fee reductions, while those that carry higher risk profiles and regulatory demands (e.g. generate a high volume of complaints, trust investigations or disciplinary proceedings) would see modest fee increases.

This preferred option would see costs recovery from practising certificate fees contribute 40% of the total costs of regulating the legal profession (a modest increase of 1.6% on the existing fee structure), with the remaining 60% continuing to be funded by the interest generated from client funds in lawyers' trust accounts.

Victorian Legal Services **BOARD + COMMISSIONER**

The Board encourages feedback regarding the RIS and the preferred option. The closing date for submissions is **5:00 pm, Thursday 30 November**. Submissions can be made via email to pcfesris@lsbc.vic.gov.au

If you would like to view the RIS or understand more about the process, please visit the [Review of Lawyers' Practising Certificate Fees page](#) of our website.

Russell Daily

Acting CEO Victorian Legal Services Board
Acting Victorian Legal Services Commissioner

Contact Us

Phone: (03) 9679 8001

Email: pcfesris@lsbc.vic.gov.au