

## Internal delegations made by the Board

### Delegations to: Victorian Legal Services Commissioner

#### *Legal Profession Act 2004 (Vic)*

##### **Part 3.6 – Fidelity Cover**

###### Division 3 – Claims about defaults

- Section 3.6.12(1)
- Section 3.6.12(2)
- Section 3.6.12(3)

###### Division 4 – Determination of claims

- Section 3.6.14 but only in respect of claims up to \$10,000 and shortfall claims resulting from Supreme Court orders for pari passu distribution to clients of the balance of funds from the trust account of a defunct law practice.
- Section 3.6.15
- Section 3.6.16
- Section 3.6.17
- Section 3.6.18
- Section 3.6.19

#### *Legal Profession Uniform Law Application Act 2014 (Vic)*

##### **Part 2 – Application of Uniform Law**

###### Division 2 – Further application provisions

- Section 13(2)

##### **Part 4 – Admission, Practising Certificates and Registration Certificates**

###### Division 2 – Australian practising certificates

- Section 73(4)
- Section 75(2)

##### **Part 5 – Trust Accounts**

###### Division 1 – Statutory deposits into Public Purpose Fund

- Section 80
- Section 85

##### **Part 10 – General**

- Section 153(1)
- Section 154

#### *Legal Profession Uniform Law (Victoria)*

##### **Part 3.3 – Australian Legal Practitioners**

###### Division 2 – Australian practising certificates

- Section 44
- Section 45

###### Division 3 – Conditions of Australian practising certificates

- Section 47
- Section 49(4) and (5)
- Section 50(2) – (5)
- Section 53

## **Part 3.4 – Foreign Lawyers**

### Division 3 – Registration

- Section 62
- Section 63(2)

### Division 4 – Conditions of Australian registration certificates

- Section 64
- Section 66
- Section 67

## **Part 3.5 – Variation, Suspension and Cancellation of, and Refusal to Renew, Certificates**

### Division 2 – Variation, suspension or cancellation of certificates

- Section 74
- Section 76
- Section 77
- Section 78

### Division 3 – Variation, suspension or cancellation on specific grounds

- Section 82
- Section 83
- Section 84

### Division 4 – Show cause procedure for variation, suspension or cancellation or, or refusal to renew, certificates

- Section 87
- Section 88
- Section 89
- Section 90
- Section 91
- Section 92
- Section 93
- Section 94

### Division 5 – Miscellaneous

- Section 95

## **Part 3.9 – Disqualifications**

### Division 1 – Making of disqualification orders

- Section 119
- Section 120

### Division 2 – Prohibitions and other provisions regarding disqualified persons and disqualified entities

- Section 121(2)

## **Part 4.2 – Trust Money and Trust Accounts**

### Division 1 – Preliminary

- Section 130(4)

### Division 2 – Trust money and trust accounts

- Section 151
- Section 152

### Division 4 – External investigations

- Section 160(2) and (3)
- Section 162
- Section 163
- Section 165
- Section 166

## **Part 4.4 – Professional Indemnity Insurance**

# Victorian Legal Services **BOARD**

- Section 215(2), (4) and (6)

## **Part 4.5 – Fidelity Cover**

### Division 4 – Claims about defaults

- Section 236(1) and (2)
- Section 237

### Division 5 – Determination of claims

- Section 240 but only in respect of claims up to \$10,000 and shortfall claims resulting from Supreme Court orders for pari passu distribution to clients of the balance of funds from the trust account of a defunct law practice.
- Section 241
- Section 242
- Section 243
- Section 244
- Section 246

### Division 6 – Defaults involving interjurisdictional elements

- Section 252(1) and (2)

## **Part 4.6 – Business Management and Control**

- Section 256
- Section 257

## **Part 7.3– Entry and search of premises**

- Section 374(2)(c)(ii) – authorise investigator

## **Part 9.4 – Cooperative and Other Arrangements**

- Section 439

## **Part 9.6 – Injunctions**

- Section 447

## **Part 9.7 – Criminal and Civil Penalties**

- Section 453(1) and (4)

## **Part 9.9 – General**

- Section 462(2)
- Section 473(2)

## ***Legal Profession Uniform General Rules 2015***

- Rule 20(3) and (4)
- Rule 54
- Rule 66(4) and (5)
- Rule 67
- Rule 81
- Rule 82(1)(d)
- Rule 86 (1)
- Rule 87
- Rule 90

## **Delegations to: Executive Director, Complaints and Intervention**

### ***Legal Profession Act 2004 (Vic)***

#### **Part 3.6 – Fidelity Cover**

##### Division 4 – Determination of claims

- Section 3.6.14 but only in respect of claims up to \$10,000 and shortfall claims resulting from Supreme Court orders for pari passu distribution to clients of the balance of funds from the trust account of a defunct law practice.
- Section 3.6.15
- Section 3.6.16
- Section 3.6.17
- Section 3.6.18
- Section 3.6.19

### ***Legal Profession Uniform Law Application Act 2014 (Vic)***

#### **Part 2 – Application of Uniform Law**

##### Division 2 – Further application provisions

- Section 13(2)

#### **Part 4 – Admission, Practising Certificates and Registration Certificates**

##### Division 2 – Australian practising certificates

- Section 73(4)
- Section 75(2)

#### **Part 5 – Trust Accounts**

##### Division 1 – Statutory deposits into Public Purpose Fund

- Section 80
- Section 85

#### **Part 10 – General**

- Section 153(1)

### ***Legal Profession Uniform Law (Victoria)***

#### **Part 3.3 – Australian Legal Practitioners**

##### Division 3 – Conditions of Australian practising certificates

- Section 49 (4) and (5)

#### **Part 3.4 – Foreign Lawyers**

##### Division 3 – Registration

- Section 62
- Section 63(2)

##### Division 4 – Conditions of Australian registration certificates

- Section 64
- Section 66
- Section 67

#### **Part 3.5 – Variation, Suspension and Cancellation of, and Refusal to Renew, Certificates**

##### Division 2 – Variation, suspension or cancellation of certificates

- Section 74

##### Division 4 – Show cause procedure for variation, suspension or cancellation of, or refusal to renew, certificates

- Section 89 only in circumstances where the Commissioner has declared a conflict of interest
- Section 90 only in circumstances where the Commissioner has declared a conflict of interest
- Section 92 only in circumstances where the Commissioner has declared a conflict of interest

# Victorian Legal Services BOARD

## Division 5 – Miscellaneous

- Section 95

### **Part 3.9 – Disqualifications**

#### Division 2 – Prohibitions and other provisions regarding disqualified persons and disqualified entities

- Section 121(2)

### **Part 4.2 – Trust Money and Trust Accounts**

#### Division 1 – Preliminary

- Section 130(4)

#### Division 4 – External investigations

- Section 162
- Section 163
- Section 165

### **Part 4.4 – Professional Indemnity Insurance**

- Section 215(2), (4) and (6)

### **Part 4.5 – Fidelity Cover**

#### Division 4 – Claims about defaults

- Section 236(1) and (2)

#### Division 5 – Determination of claims

- Section 240 but only in respect of claims up to \$10,000 and shortfall claims resulting from Supreme Court orders for pari passu distribution to clients of the balance of funds from the trust account of a defunct law practice.
- Section 241
- Section 242
- Section 243
- Section 244
- Section 246

#### Division 6 – Defaults involving interjurisdictional elements

- Section 252(1) and (2)

### **Part 4.6 – Business Management and Control**

- Section 256
- Section 257

### **Part 7.3– Entry and search of premises**

- Section 374(2)(c)(ii) – authorise investigator

### **Part 9.4 – Cooperative and Other Arrangements**

- Section 439

## ***Legal Profession Uniform General Rules 2015***

- Rule 66(4) and (5)
  - Rule 67
  - Rule 82(1)(d)
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## **Delegations to: Executive Director, Finance, Risk and Policy**

### ***Legal Profession Uniform Law Application Act 2014 (Vic)***

#### **Part 2 – Application of Uniform Law**

Division 2 – Further application provisions

- Section 13(2)

#### **Part 4 – Admission, Practising Certificates and Registration Certificates**

Division 2 – Australian practising certificates

- Section 73(4)
- Section 75(2)

#### **Part 5 – Trust Accounts**

Division 1 – Statutory deposits into Public Purpose Fund

- Section 80
- Section 85

### **Legal Profession Uniform Law (Victoria)**

#### **Part 3.3 – Australian Legal Practitioners**

Division 3 – Conditions of Australian practising certificates

- Section 49 (4) and (5)

#### **Part 3.4 – Foreign Lawyers**

Division 3 – Registration

- Section 62
- Section 63(2)

Division 4 – Conditions of Australian registration certificates

- Section 64
- Section 66
- Section 67

#### **Part 3.5 – Variation, Suspension and Cancellation of, and Refusal to Renew, Certificates**

Division 5 – Miscellaneous

- Section 95

#### **Part 3.9 – Disqualifications**

Division 2 – Prohibitions and other provisions regarding disqualified persons and disqualified entities

- Section 121(2)

#### **Part 4.2 – Trust Money and Trust Accounts**

Division 1 – Preliminary

- Section 130(4)

Division 4 – External investigations

- Section 162
- Section 163
- Section 165

#### **Part 4.4 – Professional Indemnity Insurance**

- Section 215(2), (4) and (6)

#### **Part 4.5 – Fidelity Cover**

Division 4 – Claims about defaults

- Section 236(1) and (2)

Division 6 – Defaults involving interjurisdictional elements

- Section 252(2)

## **Part 4.6 – Business Management and Control**

- Section 257

## **Part 4.5 – Cooperative and Other Arrangements**

- Section 439

## ***Legal Profession Uniform General Rules 2015***

- Rule 66(4) and (5)
  - Rule 67
  - Rule 82(1)(d)
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## **Delegations to: General Counsel**

### ***Legal Profession Uniform Law Application Act 2014 (Vic)***

#### **Part 2 – Application of Uniform Law**

Division 2 – Further application provisions

- Section 13(2)

#### **Part 4 – Admission, Practising Certificates and Registration Certificates**

Division 2 – Australian practising certificates

- Section 75(2)

#### **Part 5 – Trust Accounts**

Division 1 – Statutory deposits into Public Purpose Fund

- Section 80
- Section 85

### ***Legal Profession Uniform Law (Victoria)***

#### **Part 3.3 – Australian Legal Practitioners**

Division 3 – Conditions of Australian practising certificates

- Section 49 (4) and (5)

#### **Part 3.4 – Foreign Lawyers**

Division 3 – Registration

- Section 62
- Section 63(2)

Division 4 – Conditions of Australian registration certificates

- Section 64
- Section 66
- Section 67

#### **Part 3.5 – Variation, Suspension and Cancellation of, and Refusal to Renew, Certificates**

Division 2 – Variation, suspension or cancellation of certificates

- Section 74

Division 5 Miscellaneous

- Section 95

#### **Part 3.9 – Disqualifications**

Division 2 – Prohibitions and other provisions regarding disqualified persons and disqualified entities

- Section 121(2)

#### **Part 4.2 – Trust Money and Trust Accounts**

Division 1 – Preliminary

- Section 130(4)

#### **Part 4.4 – Professional Indemnity Insurance**

# Victorian Legal Services BOARD

- Section 215(2), (4) and (6)

## **Part 4.6 – Business Management and Control**

- Section 257

## **Part 7.3– Entry and search of premises**

- Section 374(2)(c)(ii) – authorise investigator

## **Part 9.4 – Cooperative and Other Arrangements**

- Section 439

## ***Legal Profession Uniform General Rules 2015***

- Rule 82(1)(d)
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## **Delegations to: Manager, Assessment and Resolutions**

### **Legal Profession Uniform Law (Victoria)**

#### **Part 4.6 – Business Management and Control**

- Section 256
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## **Delegations to: Manager, Complaints and Investigations**

### **Legal Profession Uniform Law (Victoria)**

#### **Part 4.6 – Business Management and Control**

- Section 256
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## **Delegations to: Manager, Practitioner Services**

### **Legal Profession Uniform Law Application Act 2014 (Vic)**

#### **Part 4 – Admission, Practising Certificates and Registration Certificates**

##### Division 2 – Australian practising certificates

- Section 73(4)
- Section 75(2)

#### **Part 5 – Trust Accounts**

##### Division 1 – Statutory deposits into Public Purpose Fund

- Section 80
- Section 85

### **Legal Profession Uniform Law (Victoria)**

#### **Part 3.3 – Australian Legal Practitioners**

##### Division 2 – Australian practising certificates

- Section 44 (excluding the function of refusing to grant and renew practising certificates)
- Section 45 (excluding the function of refusing to grant and renew practising certificates)

##### Division 3 – Conditions of Australian practising certificates

- Section 47
- Section 49 (4) and (5)
- Section 53

#### **Part 3.5 – Variation, Suspension and Cancellation of, and Refusal to Renew, Certificates**



# Victorian Legal Services BOARD

Division 2 – Variation, suspension or cancellation of certificates

- Section 74

Division 2 – Show cause procedure for variation, suspension or cancellation of, or refusal to renew certificates

- Section 90

Division 2 – Miscellaneous

- Section 93
  - Section 95
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## Delegation to: Assistant Manager, Licensing

### *Legal Profession Uniform Law Application Act 2014 (Vic)*

#### **Part 4 – Admission, Practising Certificates and Registration Certificates**

Division 2 – Australian practising certificates

- Section 73(4)
- Section 75(2)

#### **Part 5 – Trust Accounts**

Division 1 – Statutory deposits into Public Purpose Fund

- Section 80
- Section 85

### *Legal Profession Uniform Law (Victoria)*

#### **Part 3.3 – Australian Legal Practitioners**

Division 3 – Conditions of Australian practising certificates

- Section 49 (4) and (5)

#### **Part 3.5 – Variation, Suspension and Cancellation of, and Refusal to Renew, Certificates**

Division 2 – Variation, suspension or cancellation of certificates

- Section 74

Division 4 – Show cause procedure for variation, suspension or cancellation of, or refusal to renew, certificates

- Section 90
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## Delegation to: Manager, Regulatory Intervention

### *Legal Profession Act 2004 (Vic)*

#### **Part 3.6 – Fidelity Cover**

Division 3 – Claims about Defaults

- Section 3.6.8(1)
- Section 3.6.9
- Section 3.6.10

Division 4 – Determination of claims

- Section 3.6.14 but only in respect of claims up to \$10,000 and shortfall claims resulting from Supreme Court orders for pari passu distribution to clients of the balance of funds from the trust account of a defunct law practice.
- Section 3.6.15
- Section 3.6.16
- Section 3.6.17
- Section 3.6.18
- Section 3.6.19

# Victorian Legal Services BOARD

## Legal Profession Uniform Law (Victoria)

### Part 4.5 – Fidelity Cover

#### Division 4 – Claims about defaults

- Section 236(1) and (2)

#### Division 5 – Determination of claims

- Section 240 but only in respect of claims up to \$10,000 and shortfall claims resulting from Supreme Court orders for pari passu distribution to clients of the balance of funds from the trust account of a defunct law practice.
- Section 241
- Section 242
- Section 243
- Section 244
- Section 246

## Legal Profession Uniform Law (Victoria)

### Part 4.6 – Business Management and Control

- Section 256
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## Delegations to: Board members who are members of the Fidelity Fund Claims Advisory Committee

## Legal Profession Act 2004 (Vic)

### Part 3.6 – Fidelity Cover

#### Division 4 – Determination of claims

- Section 3.6.14
- Section 3.6.15
- Section 3.6.16
- Section 3.6.17
- Section 3.6.18

## Legal Profession Uniform Law (Victoria)

### Part 4.5 – Fidelity Cover

#### Division 5 – Determination of claims

- Section 240
- Section 241
- Section 242
- Section 243
- Section 244