

LEGAL PRACTITIONERS (TEMPORARY ADMISSION) RULES 2006

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LEGAL PRACTITIONERS ACT 1997
(ACT NO. 19 OF 1997)

LEGAL PRACTITIONERS (TEMPORARY ADMISSION) RULES 2006

IN exercise of the powers conferred on me by section 41 of the Legal Practitioners Act 1997, I make the following Rules—

Citation and interpretation

1.—(1) These Rules may be cited as the Legal Practitioners (Temporary Admission) Rules, 2006.

(2) In these Rules, unless the context otherwise requires—

“Act” means the Legal Practitioners Act 1997;

“petition” means a petition for temporary admission under section 39 of the Act;

“society” means the Fiji Law Society.

Petition for temporary admission

2. A petition must be filed with the Chief Registrar not less than 21 clear days before the date which the petitioner wishes to be admitted and to practice in Fiji, unless the Chief Registrar, for a special reason, allows a shorter period.

Application for reduction of time

3. If reduction of the 21 days period is sought, application for the reduction must be in the petition and the petition must set out the circumstances in which the application is made and the grounds for it.

Particulars of petition

4.—(1) Every petition must be in Form 2 set out in the First Schedule of the Legal Practitioner (Admission) Rules, 2000, unless otherwise approved by the Chief Registrar.

(2) The petition must—

(a) fully disclose the requirements set out under section 39(1) of the Act;

(b) specify the cause or matter with respect to which the admission is being sought; and

(c) be verified by affidavit or statutory declaration.

(3) There must be filed with the petition a copy of it and copies of the documents accompanying it or referred to in it.

Service on Society

5. Within 2 working days of the filing of the petition, the petitioner or his representative must forward a copy of the petition and documents accompanying it or referred to in it, to the Secretary of the Society.

Notice of petition

6. The Chief Registrar is not required to publish a petition for temporary admission.

Representation and responsibility

7.—(1) All petitions must be filed by a resident legal practitioner or a locally registered law firm and no petition shall be filed *in person*.

(2) The legal practitioner or law firm, being the representative of the petitioner, has a duty to assist the Court in all aspects of the application.

(3) Unless there is an objection against a petition, the petitioner or his representative are not required to appear before the Chief Justice for the consideration of the petition.

(4) After the petition has been granted, the local practitioner or law firm shall be responsible for the petitioner's conduct during the period of admission.

Objection by the Chief Registrar or the Society

8.—(1) If the Chief Registrar or the Society wishes to show cause why a petition should not be granted, the Chief Registrar or the Secretary of the Society may file a notice of objection setting out the grounds of the objection and must send a copy of the notice to the petitioner.

(2) The Chief Registrar or the Society, as the case may be, must file and serve the notice of objection within 7 days, after the service of the petition.

Hearing of the objection

9.—(1) If an objection is filed under Rule 8(1), the Chief Registrar or the Society, as the case may be, and the petitioner, are entitled to appear and be heard before the Chief Justice.

(2) The Chief Registrar shall set a date for the parties to appear and be heard before the Chief Justice, no later than 2 clear working days before the expiry of the 21 days provided under Rule 2(1).

(3) An objection will not be heard unless the supporting documents are lodged with the Chief Registrar not less than 4 clear days before the hearing.

(4) If an objector fails to file supporting documents within the specified time, the objection is deemed to have been abandoned when such specified time expires.

Time extension

10. The Chief Registrar may, for special reasons, extend any period of time specified in these Rules.

Exemptions

11. Applications for temporary admission are exempted from the requirements stipulated under section 35 of the Act.

Registrar's powers & duties

12. The powers and duties of the Chief Registrar under these Rules are exercisable subject to any specific or general directions of the Chief Justice.

Fees

13. The petition for temporary admission fees referred to in the *Second Schedule* of the Legal Practitioners (Admission) Rules, 2000, are payable to the Chief Registrar in respect of the admission proceedings.

Consequential amendments

14.—(1) Rule 4 of the Legal Practitioners (Admission) Rules 2000 is repealed.

(2) Any petition for temporary admission filed under the Legal Practitioners (Admission) Rules, 2000, before the commencement of these Rules, continues as if these Rules had not been made.

Dated at Suva this 16th day of December 2005.

D. V. FATIAKI
Chief Justice
