

*This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed as now printed, is transmitted to the HOUSE OF REPRESENTATIVES for its concurrence.*

Legislative Council,

5th December, 1913.

*Hon. Mr. Bell.*

LAW PRACTITIONERS AMENDMENT.

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Additional powers conferred upon the New Zealand Law Society.</p> <p>3. Additional fees to provide funds for New Zealand Law Society.</p> <p>4. Section 68 of principal Act amended.</p> <p>5. Section 70 of principal Act amended.</p> <p>6. Section 72 of principal Act amended.</p> <p>7. Section 73 of principal Act amended.</p>	<p>8. Section 74 of principal Act amended.</p> <p>9. Meetings of New Zealand Law Society. Repeal.</p> <p>10. Repeal.</p> <p>11. District Law Societies to be bodies corporate.</p> <p>12. Vesting of property and contracts in body corporate of District Law Society.</p> <p>13. Power of Council to deal with the property of a District Law Society.</p>
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A BILL INTITULED

AN ACT to amend the Law Practitioners Act, 1908.

Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Law Practitioners Amendment Act, 1913, and shall be deemed to form part of and be read together with Part II of the Law Practitioners Act, 1908 (hereinafter referred to as the principal Act).

Short Title.

2. The New Zealand Law Society shall, in addition to its existing powers and functions, have the powers and functions following, that is to say:—

Additional powers conferred upon the New Zealand Law Society.

(a.) To provide and maintain a law library at Wellington for the use of the Judges of the Supreme Court and Court of Appeal:

(b.) To subsidize the funds of the New Zealand Council of Law Reporting in connection with the preparation and publication of reports of legal decisions:

(c.) To investigate charges of professional misconduct against any practitioner:

(d.) To institute prosecutions against practitioners or other persons for the breach of any statute, rules, or regulations relating to the practice of the law:

- (e.) To oppose any application made for admission as a barrister or solicitor, or any other application made under Part I of the principal Act:
- (f.) To appoint any barrister to appear before any Court in any of the foregoing matters, and any barrister so appearing shall have audience accordingly on behalf of the said Society. 5
3. (1.) There shall be paid to the Registrar to whom application for the issue of an annual certificate is made by any practitioner, in addition to the fee payable under the principal Act in respect of such certificate, an additional annual fee of *ten* shillings: 10
- Provided that a practitioner to whom certificates are issued under sections forty-four and forty-five respectively of the principal Act shall be required to pay the additional fee on the issue of one only of those certificates. 15
- (2.) The Registrar shall forthwith pay all such additional fees to the Treasurer of the New Zealand Law Society for the purposes of the said Society.
4. Section sixty-eight of the principal Act is hereby amended by inserting, after the words "as to the," the words "Council of the." 20
5. Section seventy of the principal Act is hereby amended by inserting, before the word "Society," the words "Council of the"; and by omitting the word "it" after the word "wherein," and substituting the words "the Society." 25
6. Section seventy-two of the principal Act is hereby amended—
- (a.) By omitting from paragraph (a) the words "two members," and substituting the words "three members"; and
- (b.) By adding thereto the following subsection:— 30
- "(5.) Any member of the Council who is unable to attend a meeting of the Council may appoint a barrister or solicitor to act in his place at such meeting."
7. Section seventy-three of the principal Act is hereby amended by omitting from subsection one the words "by the Society," and substituting the words "by the Council." 35
8. Section seventy-four of the principal Act is hereby amended—
- (a.) By omitting the words "Subject to the powers hereinafter vested in the general meetings of the Society"; and
- (b.) By adding the following subsection:— 40
- "(2.) For the purposes of this section the Council may appoint a committee or committees of its members, and may delegate to any such committee such of the powers of the Council as it thinks fit."
9. (1.) The Council of the New Zealand Law Society may hold meetings at such times and places as it thinks fit, but shall once at least in each year hold a meeting at Wellington at a time and place to be fixed by the by-laws of the Society, or, in default of any such by-law, by the President of the Society. 45
- (2.) Meetings of the Council may be summoned for any time or place by the President of the Society or by any four members of the Council. 50
- (3.) Section seventy-five of the principal Act is hereby repealed.

Additional fees to provide funds for New Zealand Law Society.

Section 68 of principal Act amended.

Section 70 of principal Act amended.

Section 72 of principal Act amended.

Section 73 of principal Act amended.

Section 74 of principal Act amended.

Meetings of New Zealand Law Society.

Repeal.

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10. Section seventy-nine of the principal Act is hereby repealed.

Repeal.

11. (1.) Every District Law Society, whether already constituted or hereafter constituted, shall be a body corporate with perpetual succession and a common seal, and with power to hold and acquire real and personal property, and to do and suffer all that bodies corporate can do or suffer.

District Law Societies to be bodies corporate. |

(2.) The seal of each District Law Society shall be such as the Council of that Society from time to time determines, and shall not be affixed to any document except in the presence of three members of that Council, who shall attest the execution of the document accordingly.

12. (1.) All property which at the passing of this Act is vested in the members of a District Law Society for the purposes of that Society, or is vested in trustees for such District Law Society, shall by virtue of this Act become vested in the body corporate of that Society as constituted by this Act.

Vesting of property and contracts in body corporate of District Law Society.

(2.) All contracts which before the passing of this Act have been made on behalf of a District Law Society by the members thereof, or by any trustees or other representatives or agents thereof, and are subsisting on the passing of this Act, shall by virtue of this Act pass to the body corporate of that Society as constituted by this Act as if those contracts had been duly made by that body corporate, and all such contracts shall remain in full force and effect, and may be enforced by and against the Society accordingly.

13. The Council of a District Law Society may sell, lease, and otherwise dispose of any real or personal property vested in the Society, if authorized so to do by the by-laws of the Society or by a resolution passed at a general meeting of the Society.

Power of Council to deal with the property of a District Law Society.