



Lawyers and Conveyancers Act (Disciplinary Tribunal) Amendment Regulations 2019

Patsy Reddy, Governor-General

Order in Council

At Wellington this 23rd day of September 2019

Present:

Her Excellency the Governor-General in Council

These regulations are made under section 339 of the Lawyers and Conveyancers Act 2006 on the advice and with the consent of the Executive Council.

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Regulations

1 Title

These regulations are the Lawyers and Conveyancers Act (Disciplinary Tribunal) Amendment Regulations 2019.

2 Commencement

These regulations come into force on 29 October 2019.

3 Principal regulations

These regulations amend the Lawyers and Conveyancers Act (Disciplinary Tribunal) Regulations 2008 (the **principal regulations**).

4 Regulation 3 amended (Interpretation)

Regulation 3(1A) and (1B) (as inserted by section 340(3) and Part 3 of Schedule 8 of the Tribunals Powers and Procedures Legislation Act 2018) are revoked.

5 Regulation 29 amended (Method of service)

- (1) Replace regulation 29(1)(b)(ii) (as amended by section 340(3) and Part 3 of Schedule 8 of the Tribunals Powers and Procedures Legislation Act 2018) with:

(ii) sending the document to that address by any form of prepaid delivery service that requires acknowledgement of receipt of delivery; or

- (2) Replace regulation 29(1)(b)(iii) with:

(iii) sending the document by electronic communication to an electronic address provided by the person as an address for the giving or service of documents of that kind; or

- (3) Replace regulation 29(3) with:

- (3) If service is not effected personally, proof that the document was addressed, and left or sent, as referred to in subclause (1)(b) is, unless the contrary is shown, proof of service.

- (4) After regulation 29(3), insert:

- (4) If service is effected by sending the document by electronic communication, the document is, unless the contrary is shown, served at the time when the communication containing the document first enters an information system outside the control of the originator.

- (5) Replace regulation 29(5) with:

- (5) In this regulation,—

document includes any notice

information system has the same meaning as it has in the Electronic Courts and Tribunals Act 2016

serve includes give or send.

Michael Webster,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which amend the Lawyers and Conveyancers Act (Disciplinary Tribunal) Regulations 2008, come into force on 29 October 2019. The main purpose of these regulations is to facilitate the serving of documents and giving of notices under the Lawyers and Conveyancers Act 2006 by electronic communication. *Regulations 4 and 5* displace amendments made by the Tribunals Powers and Procedures Legislation Act 2018, which also come into force on 29 October 2019.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 26 September 2019.

These regulations are administered by the Ministry of Justice.