



ANALYSIS

Title
1. Short Title

2. Power of complainant to request review
by New Zealand Law Society

1995, No. 12

An Act to amend the Law Practitioners Act 1982

[30 March 1995

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title—This Act may be cited as the Law Practitioners Amendment Act 1995, and shall be read together with and deemed part of the Law Practitioners Act 1982 (hereinafter referred to as the principal Act).

2. Power of complainant to request review by New Zealand Law Society—The principal Act is hereby amended by inserting, after section 97, the following section:

“97A. (1) Where a Lay Observer has made to a District Law Society a report or recommendation that it is required by section 97 (9) of this Act to consider, and—

“(a) The District Law Society has refused to take any action in consequence of it; or

“(b) In the Lay Observer’s opinion, the District Law Society has failed to take any action in consequence of it within a reasonable time of considering it; or

“(c) The Lay Observer is not satisfied with the actions the District Law Society has taken in consequence of it,—

the Lay Observer may request the District Law Society to refer the report or recommendation to the New Zealand Law Society for review; and in that case the District Law Society shall refer it to the New Zealand Law Society.

“(2) Where a report or recommendation of a Lay Observer is referred to the New Zealand Law Society for review under subsection (1) of this section, the New Zealand Law Society shall review the consideration given by the District Law Society to the report or recommendation and the action, if any, taken by the District Law Society in consequence of it.

“(3) Where the New Zealand Law Society does not agree with—

“(a) The refusal or failure of the District Law Society to take any action; or

“(b) The action taken by the District Law Society—
in consequence of the report or recommendation, the New Zealand Law Society shall refer the report or recommendation back to the District Law Society for further consideration.

“(4) The New Zealand Law Society shall notify the Lay Observer, the complainant, and the District Law Society of its decision under subsection (3) of this section and the reasons for its decision.

“(5) In this section, the term ‘complainant’ has the same meaning as in section 97 of this Act.”

This Act is administered in the Department of Justice.
