



Mutual Recognition

Do you hold Specialist Accreditation in one state and wish to have that accreditation recognised in another state?

The mutual recognition scheme has been developed by the Law Societies in each state to assist practitioners who wish to have their Specialist Accreditation gained in one state recognised in another state. You may be moving interstate or your firm may deal with clients from both states.

A Mutual Recognition Fee is available in Victoria. Recognition in a second state does not have to mean double the fees.

For more information about a Mutual Recognition Fee or to be Accredited in Victoria as your 2nd state please contact our office on (03) 9607 9460

Conditions for Recognition

The areas of practice in which Specialist Accreditation has been granted fall into three categories. The Conditions for recognition vary according to the circumstances applicable in each category based on the area of law.

Category 1

Relationship: Uniformity between the States

Recognition: Automatic following application to the Board

1.1 A specialist accredited in their home State will automatically be recognised in a second State where the specialist:

- (a) provides evidence of current specialist accreditation in their home State in an area of federal jurisdiction; and
- (b) makes a written application to the Board in the second State.

1.2 Once the application for mutual recognition is accepted by the Board in the second State, the specialist will be recognised as an accredited specialist in both the home State and the second State and will be governed by the rules of the Schemes in both the home State and the second State relating to that accreditation, including payment of a yearly renewal fee in each State.

1.3 On an ongoing basis, the specialist may elect to continue to renew both accreditations or withdraw from one accreditation and maintain the other.

1.4 The accredited specialist is entitled to advertise that they hold accreditation in both States as long as both accreditations remain current. For example J.Johns, Accredited Specialist in Immigration Law [logo appears] in [home State] and [second State].

Category 2

Relationship: High degree of similarity between the States

Recognition: After some assessment by the Board

2.1 In areas of practice with a high degree of similarity (but not uniformity) between the laws and procedures governing practice in both states, a specialist accredited in their home state will be recognised in the second state only after applying to the Board in the second state and demonstrating proficiency in those aspects of practice determined by the Board in the second state.

2.2 In order for a specialist to be eligible to gain recognition in a second State the specialist must:

(a) provide evidence of current specialist accreditation in their home State in an area of practice described in 2.1; and

(b) make a written application to the Board in the second State.

2.3 The relevant advisory committee in the second State will be responsible for recommending to the Board in the second State those aspects of practice in which the specialist must demonstrate proficiency and the method(s) of assessment.

2.4 The specialist must pay a fee as determined by the Board in the second State to cover the expenses of assessment and administration.

2.5 If successful in demonstrating proficiency under the assessment in the second State, the specialist will be recognised as an accredited specialist in both the home State and the second State and will be governed by the rules of the Schemes in both the home State and the second State, including payment of a yearly renewal fee in each State.

2.6 On an ongoing basis, the specialist may elect to continue to renew both accreditations or withdraw from one accreditation and maintain the other.

2.7 The accredited specialist is entitled to advertise that they hold accreditation in both States as long as both accreditations remain current. For example J.Johns, Accredited Specialist in Property Law [logo appears] in [home State] and [second State].

Areas not covered by Mutual Recognition

Relationship: Substantial differences between the States

Recognition: Only after completing all requirements for accreditation in the second State

A.1 In areas of practice with substantial differences between the laws and/or the procedures governing practice in both States, a specialist accredited in their home State must apply to the Board in the second State and satisfactorily complete all the requirements for accreditation in that second State.

A.2 If successful in demonstrating proficiency under the assessment in the second State, the specialist will be recognised as an accredited specialist in both the home State and the second State and will be governed by the rules of the Schemes in both the home State and the second State, including payment of a yearly renewal fee in each State.

A.3 On an ongoing basis, the specialist may elect to continue to renew both accreditations or withdraw from one accreditation and maintain the other. A.4 The accredited specialist is entitled to advertise that they hold accreditation in both States as long as both accreditations remain current. For example J. Johns, Accredited Specialist in Personal Injury Law [logo appears] in [home State] and [second State].

B. Relationship: Not offered in the second State

Recognition: None in the second State

B.1 If an area of practice is offered in the home State but not the second State, no recognition can be granted in the second State.

Advertising

An Accredited Specialist whose application for recognition in the second state is successful may advertise as, for example, J. Johns, Accredited Specialist in Personal Injury Law.

Other Accredited Specialists are required to specify the state in which accreditation has been granted if they advertise outside that state, for example, W. Walls, Accredited Specialist in Business Law (Victoria).

The next step

If you require further information or wish to have your interstate qualification recognised within Victoria, please contact the Manager, Accredited Specialisation

Ph: 9607 9460

Email: special@liv.asn.au