

LIV Professional Standards Scheme Exemption Application



Please return this form via email: membership@liv.asn.au

Alternatively, return via post:

LIV Membership, Law Institute of Victoria, Level 13, 140 William Street, Melbourne VIC 3000
or GPO Box 263, Melbourne VIC 3001 or DX 350 Melbourne

SCHEME EXEMPTION PROVISIONS

The LIV Professional Standards Scheme and the *Professional Standards Act 2003 (Vic)* (the Act) require all eligible members to participate in the Scheme unless an exemption has been approved.

Under the Act, if a scheme applies to a certain member, it also applies to each partner and employee of that member, and if the member is a body corporate, to each officer of that member. This means that all solicitors (that is, any person who holds a current Australian Practising Certificate) within the law practice would need to be members of the LIV and of the LIV Scheme if an incorporated Law Practice wishes to participate. *Sections 19 – 22 of the Professional Standards Act 2003 (Vic)* provides additional interpretation.

CONTACT DETAILS

Member number Membership form attached

Title Surname Given names

Law Practice Name

Preferred contact number

LIV will use your contact details recorded in your My-LIV record – www.liv.asn.au/my-liv for all correspondence.

YOUR PRACTICE PROFILE

No of Principals Non-Principals holding a Practising Certificate

Practice total annual fee income for previous year: \$ Highest engagement fee for previous year \$

Areas of Practice / Specialisation provided by the Practice

- | | | |
|---|--|--|
| <input type="radio"/> Administrative and constitutional law | <input type="radio"/> Employment and workplace relations | <input type="radio"/> Migration law |
| <input type="radio"/> Business law | <input type="radio"/> Environment and natural resources | <input type="radio"/> Personal injury and tort law |
| <input type="radio"/> Commercial, business & corporate law | <input type="radio"/> Family and relationships | <input type="radio"/> Property and planning |
| <input type="radio"/> Consumer law | <input type="radio"/> Finance, banking and financial services | <input type="radio"/> Wills, probate and estates |
| <input type="radio"/> Costing | <input type="radio"/> Human rights | <input type="radio"/> Taxation |
| <input type="radio"/> Criminal law | <input type="radio"/> Intellectual property and technology | <input type="radio"/> Other (please specify) _____ |
| <input type="radio"/> Dispute resolution | <input type="radio"/> Media, communications, cultural and recreation | |

Areas of practice that contribute more than 20% of the practices income Typical Client Profile (description)

Area 1: Approx %

Area 2: Approx %

Area 3: Approx %

YOUR PROFESSIONAL INDEMNITY INSURANCE (PII)

Does the practice hold top up cover? Yes / No If Yes, please specify \$ Value: _____

If Top-Up cover is held in addition to the LPLC policy, please provide a copy of a PII Certificate of Currency.

REASON/S FOR AN EXEMPTION APPLICATION

- Low Income
- Financial Hardship
- I am in practice with other practitioners who are not eligible to participate in the Scheme.
- I am a participant in another Scheme (please provide supporting documentation)
- I / my practice has undertaken an assessment of the Law Practice's risk management framework and professional indemnity insurance and do not believe the capping of liability is a benefit.
- Other Circumstance (please document)

MEMBERS SEEKING AN EXEMPTION

Please provide the following information for each eligible practitioner who the Scheme exemption will apply.
(All LIV members holding a current Australian Practising Certificate)

Full name of practitioner	LIV member number	VLSB+C practitioner number	Is the practitioner a principal or employee of the law practice?
			<input type="radio"/> Principal <input type="radio"/> Employee
			<input type="radio"/> Principal <input type="radio"/> Employee
			<input type="radio"/> Principal <input type="radio"/> Employee
			<input type="radio"/> Principal <input type="radio"/> Employee
			<input type="radio"/> Principal <input type="radio"/> Employee

If further space is required, please insert at page 3.

SCHEME EXEMPTION DECLARATION

With the authority of, and on behalf of the law practice, I confirm that the information provided in this form is true and correct in every particular. I am the person responsible for the oversight or risk management at the law practice and am authorised by the law practice to complete this form.

I declare that as part of the application process the Law Practice has undertaken a review of the Law Practice's risk management framework and professional indemnity insurance requirements to support this application for an exemption.

I acknowledge that the firm is opting out of Limited Liability provisions of the LIV Professional Standards Scheme.

Full name: _____

Title: _____

Signature _____

Date: _____

NOTES FOR COMPLETION

Law Practice Name: In the Scheme, "Law Practice" has the same meaning as it has in the Legal Profession Uniform Law Application Act 2014 (Vic) – Schedule 1. Please provide the name of the law practice as registered with the Victorian Legal Services Board.

Principal: In the Scheme, "Principal" has the same meaning as it has in the Legal Profession Uniform Law Application Act 2014 (Vic) – Schedule 1.

Total Annual Fee Income means the amount charged during the financial year for services provided by or on behalf of a law practice – see clause 1.3 of the Scheme. Please provide an estimate of the law practice's gross chargeable fees for services for the past financial year.

DISCLAIMER

The Professional Standards Scheme is administered by the LIV. The LIV is unable to provide any legal advice and gives no warranties and makes no representations as to whether any claim brought against a participating member or law practice will be covered by the Scheme. Eligible members should rely on their own inquiries and assessments, as to the adequacy or otherwise of any insurance arrangements, risk management framework and their compliance obligations under the Scheme and the Professional Standards Act 2003 (Vic), and seek their own independent legal advice if required.

PRIVACY

The information in this form is collected to enable the LIV to administer the Professional Standards Scheme and to comply with the requirements of the Professional Standards Act 2003 (Vic). Information in this form may be disclosed by the LIV to the Professional Standards Councils established under the Act, the Legal Practitioners' Liability Committee and the Victorian Legal Services Board. The LIV is bound by the Australian Privacy Principles set out in the Privacy Act 1988 (Cth). The information you have provided on this form can be accessed by you in accordance with these principles and the LIV's Privacy Policy which is available at www.liv.asn.au/Policy-Terms.

