**AFFIDAVIT FOR APPLICATIONS UNDER THE TRANS-TASMAN MUTUAL RECOGNITION ACT**

*[Any italicised content in brackets, such as this, is an instruction or guide for completion of the document and is therefore to be deleted from the filed version of the document]*

**IN THE SUPREME COURT**

**OF THE NORTHERN TERRITORY**

**OF AUSTRALIA**

**AT DARWIN**

File Number:

**IN THE MATTER OF:**

THE TRANS-TASMAN MUTUAL RECOGNITION ACT 1997 (CTH)

**AND:**

**IN THE MATTER** **OF** AN APPLICATION

BY

*[Applicant’s name in full*]

FOR REGISTRATION AS A MEMBER OF THE LEGAL PROFESSION

**AFFIDAVIT**

DEPONENT:

DATE MADE:

I, *[insert full name]* of *[insert full residential address],* make promise and say:

1. I am the applicant for registration pursuant to the *Trans-Tasman Mutual Recognition Act 1997* (Cth). I was born on *(insert date)*.

2. In this affidavit, where any term or phrase appears within inverted commas, that term or phrase has the meaning assigned to it by the *Legal Profession Act* *2006* (NT) (“the *Act*”).

3. I am making this application to the Northern Territory local registration authority because *[here set out the reason for applying in the Northern Territory as opposed to any other Australian jurisdiction and showing any nexus of the applicant to the Northern Territory, for example that the applicant now resides in the Northern Territory, or that the applicant intends to reside and/or work in the Northern Territory in the future, or that the applicant has a family or other connection with the Northern Territory]*.

3. I am of good fame and character and a fit and proper person to be admitted to the legal profession. Annexed and marked “A1” and “A2” are certificates, which comply with the requirements of Rule 3 of the *Legal Profession Admission Rules 2007* (“*Rules*”), as to my good fame and character.

4*.* I am not, and I have not been, an “insolvent under administration” *[or, if applicable, give details].*

5.I have not been a director or an officer of a corporation which was, during the period that I was a director or officer, or within five years of my retirement as a director or officer, the subject of a corporate insolvency or was charged or convicted for an offence against the *Corporations Act 2001* (Cth) *[or, if applicable, provide full details such as the name of the corporation, the duration of the directorship or other office, details of the nature and extent of the insolvency or the charges and the penalties imposed]*.

6. I have not in Australia, or in New Zealand or in another “*foreign country*”, committed any criminal offence, or have any “*conviction*” for any criminal offence, in either case other than in respect of an offence which is an “*excluded offence*” (as that term is defined in rule 17 of the *Rules*), or which would be an “*excluded offence*” had it been committed in the Northern Territory.

6. *[Alternative to paragraph 6 where required]* Other than in respect of an offence which is an “*excluded offence*” (as that term is defined in rule 17 of the *Rules*), I have committed the following criminal offences in Australia namely, *[specify full details of the offences including when and where committed, any penalty imposed and all details otherwise required by section 11(c*) *of the Act and the Disclosure Guidelines]*. Annexed and marked “B1” is my national criminal history check obtained on application to SAFE NT. When applying for that criminal history check I specifically stated that the purpose of the check was “NT Supreme Court proceedings for admission as a lawyer”. Annexed and marked “G2” is a true copy of the application I submitted to SAFE NT for that criminal history check.

6. *[Alternative to, or additionally to, paragraph 6, as and where required in respect of any relevant offending committed outside of Australia]* Other than in respect of an offence which would be an “*excluded offence*” (as that term is defined in rule 17 of the *Rules*) had the offence been committed in the Northern Territory, I have committed the following criminal offences outside Australia namely, *[specify full details of the offences including when and where committed, any penalty imposed and all details which would otherwise be required by section 11(c*) *of the Act and the Disclosure Guidelines if the offending had been committed in the Northern Territory]*. Annexed and marked “B3” is a criminal history check issued by the government, or an agency of the government of the jurisdiction where the offending occurred. *[Additionally, where the criminal history check is not in English]* Annexed and marked “B4” is a true and correct translation into English of that criminal history check. Annexed and marked “B5” is a document evidencing the qualifications of the person who provided that translation.

7. I have not engaged in legal practice in Australia when not admitted, or when not holding a practising certificate, or in contravention of a condition of admission or in contravention of a condition of a practising certificate, or while my practising certificate was suspended *[or if applicable, give details].*

8. I have not practised law in a “foreign country” when not permitted to do so, or in contravention of a condition of permission *[or if applicable, give details]*.

9. I am not currently the subject to an unresolved “complaint”, “investigation”, charge or order under the *Act*,a “corresponding law”, or a previous “corresponding law”, or a “corresponding foreign law” *[or if applicable, give details]*.

10. I am not the subject of, nor have I been the subject of, “disciplinary action” in another profession or occupation in Australia or a “foreign country” *[or if applicable, give details]*.

11. My name has not been removed from the “Australian roll” or a “foreign roll” *[or if applicable, give details]*.

12. My right to engage in legal practice has not been cancelled or suspended in Australia or a “foreign country” *[or if applicable, give details]*.

13. I have not contravened a law about trust money or trust accounts in Australia or a “foreign country” *[or if applicable, give details]*.

14. A supervisor, manager or receiver has not been appointed in relation to any “law practice” in which I have been engaged in *[or if applicable, give details]*.

15. I have not been disqualified from being employed by, or a partner of, an “Australian legal practitioner” or from managing a corporation that is an “incorporated legal practice” *[or if applicable, give details]*.

16. I do not have a material “inability” to engage in legal practice *[or if applicable, give details]***.**

17. I have not been found to have engaged in academic dishonesty *[or if applicable, give details].*

18. I have read and understood the Disclosure Guidelines For Applicants For Admission To The Legal Profession published by the Law Admissions Consultative Committee and I have had regard to those Guidelines in the preparation of this affidavit.

19. Other than in respect of any disclosure set out above, I am and always have been of good fame and character and am a fit and proper person to be admitted and I have not done, or suffered to be done, anything likely to reflect adversely on my good fame and character or on whether I am a fit and proper person. Other than in respect of any disclosure set out above, I am not aware of any matter or circumstance which might have affected my suitability to be admitted had I applied to be admitted as a “*local lawyer*” under the *Act*.

20. I have read and understood the Guidelines For Admission Under The Trans-Tasman Mutual Recognition Scheme published on the website of this Honourable Court and I have had regard to those Guidelines in the preparation of this affidavit.

21. I give consent to the Legal Practitioners Admission Board of the Northern Territory (“*Board*”) making enquiries of, and the exchange of information with, any authority having the same or similar powers or functions as the *Board* under a “corresponding law” or a “corresponding foreign law” regarding matters relevant to this application.

MADE by the deponent )

)

at )……..…………………………………………

)

on )

Before me:

……………………………………………..

Authorised witness

……………………………………………..

Print name

…………………………………………….

Nature of authority to witness affidavits

**BACK SHEET -**(*This title does not form part of the document*)

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BY

*[Applicant’s name in full*]

FOR REGISTRATION AS A MEMBER OF THE LEGAL PROFESSION

**AFFIDAVIT**

*[APPLICANT’S FULL NAME*

*APPLICANT’S RESIDENTIAL ADDRESS*

*APPLICANT’S PHONE NO.*

*APPLICANT’S FAX NO.]*