

REPUBLIC OF NAURU
LEGAL PRACTITIONERS (AMENDMENT) BILL 2019

SECOND READING SPEECH

Honourable Maverick Eoe MP

28 November 2019

Mr. Speaker Sir,

I introduce to the House today the *Legal Practitioners (Amendment) Bill 2019*.

Sir, the *Legal Practitioners Act 2019* was welcomed by the members of the Law Society, which now has more than 60 members. It has taken the profession to another level. A two day workshop of all the legal practitioners was specifically held, which gave an opportunity to legal practitioners to familiarise themselves and to understand the operations of the Act. In addition, the Council of the Law Society was elected by the members of the Law Society. I am informed by the President of the Law Society that the Council is currently drafting its Constitution.

The workshop was followed by a meeting of the members, in which an issue was raised as to the qualification criteria for any person contending to be the President of the Law Society. Section 4 of the Act defines the President to mean '*the President of the Law Society who shall be a barrister and solicitor*'. At that meeting, it was resolved that since the Pleaders are also members of the Society and hold the majority, that they have been unfairly discriminated against. The historical recognition of the work of Pleaders was recognised and acknowledged by all the members. It was resolved in the meeting that this provision be changed so that a person duly qualified to practice law in Nauru is eligible to hold the office of President. The proposed amendment now reflects that.

The second amendment clarifies the mandatory supervisory period a legal practitioner must have before branching out on his or her own and practicing solo. Under the Act, the practitioners are required to be supervised for a period of three years by a practitioner having five or more years of experience practicing in the Republic or elsewhere. The requirement of five years or more experienced practitioners has resulted in a number of practitioners not being able to secure mentoring and supervision by the current practitioners. The relaxation of the rule is to allow greater flexibility for those young and

new entrants to the profession. The Act gives the discretion to the Honourable Chief Justice for the reduction of the requirement of the three year supervision. The amendment reduces the five year requirement to three years.

Mr Speaker, the explanatory memorandum details the provisions of the Bill. Sir, I request that the explanatory memorandum be read and recorded in the Hansard Reports.

I commend the Bill to the House.