

February 2005



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President's Message

The CSLS Annual General Meeting was held on 23 November, 2004. The annual accounts audited by BDO Chartered Accountants were presented. A small profit is reported.

Pam Suttor retired as President Victor Berger of Milne Berry and Berger was elected in her place. Anthony Restuccia was elected Vice President, Nea Goodman as Treasurer Brian Maher as Secretary. As incoming president, I extend warm thanks to Pam for her generosity with time sheer hard work on behalf of the CSLS its members.

CSLS also thanks Hunt and Hunt, Abbott Tout, Bartier Perry, Blakes, Commonwealth Bank Mallesons for their generosity in hosting CSLS executive meetings, forums CLE during 2004.

Guest speaker at the recent CSLS Annual Dinner at Don Quixote Restaurant, the Lord Mayor, Clover Moore, accompanied by Councilor Robyn Kemmis enlightened attendees on the workings of Local Government.

The Property Focus Group under Dennis Bluth Margaret Hole has proved very popular, providing an opportunity for members practicing in this area of law to raise issues topics outside of usual seminar setting. Members wishing to participate in the Property Forum or forward items for discussion are encouraged to contact Dennis Bluth at Abbott Tout direct on 9334 8555. Meetings are held at Abbott Tout. Dennis was appointed fellow of the Australian Property Institute (FAPI) in late 2004.

I hope to commence further groups during 2005:

- Intellectual Property, Copyright, Trade Marks and Patents, under the chair of Paul Powers.
- Migration Discussion Group, under the chair of Peter Bollard.
- Wills and Estates Discussion Group, under Pam Suttor and Brian Maher, meeting once every two months. First meeting to be held on Thursday 10 March at 12.30-2.00pm at the offices of the Public Trustee.

Members interested in attending are urged to contact me direct within the next week or so.

Victor Berger
President

News

Legal Profession Act, 2004

The LPA was assented to on 21.12.04, the operative date is currently 1.7.05 to give effect to the National Profession. The Act as negotiated through the Standing Committee of State AGs brings uniformity to the profession. Member's attention is drawn in particular to Part 3.2 Costs Disclosures Assessment. S.309 governs cost disclosure to clients including details (if the matter is a litigious one) an estimate of the range of costs that may be recovered if the client is successful, the range of costs the client may be ordered to pay if the client is unsuccessful; a statement that an Order by a Court for payment of costs in favour of the client will not necessarily cover the whole of the clients legal costs, and by s.313 a Disclosure must be made prior to any terms of settlement being executed: An estimate of the legal costs payable, an estimate of any contributions towards those costs likely to be recovered from another party and by s.316 the client is to be notified in writing of any substantial change to anything in the Disclosure Document.

CSLS will arrange CLE on these provisions shortly.

UK Solicitors Indemnity Cover dropped 6 per cent

The UK Law Gazette (25.11.04) reported that solicitors primary lawyer of professional indemnity insurance cover in 2004 fell 6% (over the previous year) as recorded by broker Marsh. Marsh is reported as stating that in some cases excess layers rate fell by more than 10%. Read the article on the [UK Law Gazette web page](#).

Money Laundering

Members are reminded of the risk that their trust and general account could be being used for this purpose. Given international developments and the information available on the Law Society of England and Wales homepage, it is only a matter of time before reporting regulations are introduced.

There will be developments in this area and if it follows UK, will significantly affect your practice. The UK Law Society has published extensive guidelines which can be viewed on the [UK Law Society's web site](#).

The 17 Annexures on the UK Law Society homepage highlight the extensive requirements imposed on legal practitioners in respect to money laundering. There is no reason to assume such extensive provisions will not be enacted here.

Sponsorship

The Commonwealth Bank recently renewed its sponsorship of CSLS for a further period. The CSLS acknowledges the assistance of the Bank in the past not only in monetary terms, but also in provision of its rooms for CLE, cocktails and AGM.

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