

Practising certificate referee report

Fit and proper person

When considering whether an applicant is a fit and proper person to hold a practising certificate the New Zealand Law Society (Law Society) takes into account the functions required for the practice of law. This is essential to enable regulation of the profession in a way that protects both consumers of legal services and the wellbeing of practitioners.

These functions include (but are not limited to): adhering to lawyers' fundamental ethical obligations to clients and the courts; and making careful judgments sometimes in time critical and stressful situations. It will also be relevant to consider any behaviour which may potentially impact adversely on clients, other members of the legal profession, or members of the public.

While it is expected that applicants would declare a persistent or recurrent condition, minor mental health matters and one-off episodes of illness need not be declared, nor mild anxiety during exam time. For relevant guidance, please refer to the Guidelines for Applicant's declaring health conditions on our website www.lawsociety.org.nz

Form guidelines

If you are unsure of whether the provisions of the Criminal Records (Clean Slate) Act 2004 may apply to any previous conduct by the applicant, you should discuss this with them in advance of completing this form.

Please answer the questions in this form as fully as possible.

Inadequate responses may delay the processing of the candidate's application.

Sending this report

In order to be accepted, a physical copy of this referee report must be posted to the Law Society by the referee or the applicant.

A PDF version of this report sent via email will also be accepted, but only if it is:

- supplied by a lawyer (i.e. someone with a current practising certificate) and emailed directly to the Law Society from the lawyer's registered email address; or
- from a non-lawyer with a verifiable email address. For example, a recognised organisation such as police.govt.nz or justice.govt.nz.

In some cases, the original may still be requested.

1 Referee details

Title (optional)

Miss Ms Mrs Mr Other, please specify further if you wish

Full name

Firm/employer name (if applicable)

Position title (if applicable)

Address for correspondence

Email

Contact number

2 Applicant details

Full name

Previous name (if applicable)

Is the applicant related to you by blood, marriage, civil union or de facto relationship? Yes No

How long and in what capacity have you known the applicant?

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What is your assessment of the applicant's professionalism, reliability, integrity and honesty?

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Are there any personal or professional issues the Law Society should be aware of?

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2 Applicant details continued

In your opinion is the candidate a fit and proper person to hold a practising certificate?

Yes No

Please provide an explanation for your opinion below

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Do you have any further comments about the candidate's character?

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3 Declaration

I confirm that the above information is true to the best of my knowledge.

Signed

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Date (dd/mm/yyyy)

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Privacy and information handling

The Law Society will collect, use, hold and disclose your personal information only for the purposes of assessing the candidate's application, and as provided for under the Lawyers and Conveyancers Act 2006 and regulations, Privacy Act 2020 or otherwise as permitted or required by law. Only authorised staff will have access to your information which is held in a secure environment.

The provision of information by you is voluntary. However, if you do not provide full information, the Law Society may not be able to assess the candidate's application.

Under the Privacy Act 2020 anyone may request access to and request correction of their personal information held by the Law Society.

Please note that it may also be necessary to disclose the reference to the applicant in the interests of natural justice.

For more information about the Law Society's Privacy and Information Handling Policies please refer to www.lawsociety.org.nz/privacy.

General information about the Privacy Act 2020 is also available on the website of the Privacy Commissioner at www.privacy.org.nz.

Contact

If you have any queries or require further information, please contact:

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📦 PO Box 5041, Wellington 6145

☎ 0800 223 030
🌐 www.lawsociety.org.nz