

# Practise on own account referee report

## Fit and proper person

When considering whether an applicant is a fit and proper person to practise on own account, the New Zealand Law Society Te Kāhui Ture o Aotearoa (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 judgements 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. For relevant guidance, please refer to the Guidelines for applicants declaring health conditions on our website [www.lawsociety.org.nz](http://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 applicant's application.

## Sending this report

In order to be accepted, the original copy of this referee report must be posted to the Law Society.

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

- supplied by a lawyer (holding a current practising certificate) and emailed directly to the Law Society from the lawyer; or
- from a non-lawyer and emailed directly to the Law Society from a verifiable email address. For example, a government or recognised non-government organisation such as *[department].govt.nz* or *[publiccompany].co.nz* or *[charity].org.nz*

In some cases, the original may still be requested.

## Privacy and Information Handling Policy

The personal information collected and held by the Law Society will be used to process and assess the applicant's application, and for purposes connected with the Law Society's regulatory functions.

**Please note that the applicant may receive a copy of your reference report, in the interests of natural justice.**

Further information about how the Law Society handles information including personal information is set out in the Law Society's Information Handling Policy, which can be viewed at [lawsociety.org.nz/privacy](http://lawsociety.org.nz/privacy). This Policy also contains information about an individual's right to access and seek correction of their personal information. Please read the Policy before completing this form. If you have any queries about the Information Handling Policy, please email our Privacy Officer at [privacy@lawsociety.org.nz](mailto:privacy@lawsociety.org.nz).

## 1 Referee details

**Title** (optional)

Miss Ms Mrs Mr Mx Please specify your own if you wish

**Preferred pronouns** (optional)

She/her He/him They/them Please specify your own if you wish

**Full name**

**Firm/employer name** (if applicable)

**Position title** (if applicable)

**Address for correspondence**

**Email**

**Phone 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

**Firm name**

**Position title**

**Applicant's period of employment/period that you are commenting on**

**From** (dd/mm/yyyy)  to

**Was the applicant working full time or part time?** Full time Part time

**If part time, how many hours per week on average?**

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






## 3 Confirmation

I confirm that the information I have provided is true and correct to the best of my knowledge.

Signed

Date (dd/mm/yyyy)

## Contact

If sending your reference by post please be aware of current reduced mail delivery services and any time line as advised to you by the candidate. To avoid delays, you may prefer to send the reference by email, overnight courier or deliver to the nearest Law Society branch.

If you have any queries or require further information please contact us at the appropriate branch.

### Auckland

- ☎ 09 304 1000
- ✉ [aucklandregistry@lawsociety.org.nz](mailto:aucklandregistry@lawsociety.org.nz)
- 📍 Level 12, 51 Shortland Street, Auckland 1010
- 📮 PO Box 4417, Shortland Street, Auckland 1140

### Waikato Bay of Plenty

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- ✉ [waikatobop@lawsociety.org.nz](mailto:waikatobop@lawsociety.org.nz)
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- 📮 PO Box 180, Hamilton 3240

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### Hawke's Bay

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### Taranaki

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### Wellington

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### Nelson

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### Canterbury Westland

- ☎ 03 366 9184
- ✉ [canterbury-westland@lawsociety.org.nz](mailto:canterbury-westland@lawsociety.org.nz)
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- 📮 PO Box 565, Christchurch 8140

### Otago

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### Southland

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- 📮 PO Box 821, Invercargill 9840