



REPUBLIC OF NAURU

LEGAL PRACTITIONERS (PLEADERS TRAINING AND EXAMINATION) RULES 2020

SL No. 37 of 2020

Notified: 30th November 2020

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In exercise of the powers conferred on me by Sections 8(b) and 80 of the *Legal Practitioners Act 2019*, I hereby make the following Rules:

PART 1 – PRELIMINARY

1 Citation

These Rules may be cited as the *Legal Practitioners (Pleaders Training and Examination) Rules 2020*.

2 Commencement

These Rules commence on the day they are notified in the Gazette.

3 Interpretation

In these Rules:

‘Act’ means the *Legal Practitioners Act 2019*;

‘Pleaders course’ means the series of courses of instructions, examinations and training in law; and

‘unit’ means a specific subject or area of law as specified by code number in Schedule 1.

PART 2 – ADMISSION AS PLEADER AND APPOINTMENT OF PERSONS TO TEACH COURSE

4 Admission as a Pleader

(1) For the purposes of Section 8 of the Act, the training which a person is required to have undergone in order to qualify for admission as a Pleader is the Pleaders course specified in Schedule 1.

(2) Where a person participated in part but not in whole of the Pleaders course, the Chief Justice shall determine, in consultation with the Secretary for Justice, whether such participation was sufficient for that person to be regarded as having acquired the qualification of a Pleader provided that such participation shall require successful completion of at least 80 percent of the Pleaders course and examinations thereto.

5 Appointment of person to teach course

The Secretary for Justice may appoint suitably qualified persons to teach the Pleaders course.

PART 3 – EXEMPTIONS MADE BY CHIEF JUSTICE

6 Exemption

A person who has attended the Pleadings course and has:

- (a) been unable for reasons beyond his or her control to take the examination in 1 or more of the units, the Chief Justice after consultation with the Secretary for Justice may exempt that person from the requirement of passing that examination; or
- (b) taken the examination in one or more of the units but has not passed such units, the Chief Justice after consultation with the Secretary for Justice may exempt that person from the requirement of passing the examination provided the person has:
 - (i) not previously failed to take the examination otherwise than for reasons beyond his or her control;
 - (ii) previously taken but not passed examination in two units; or
 - (iii) had withdrawn from any prior Pleadings course.

7 Person to pass another examination

- (1) Where the Chief Justice grants an exemption to a person under Rule 6, he or she shall require that person to take and pass another examination within 2 months from the date of notification of the results of the Pleadings course specified in Schedule 1.
- (2) The decision of the Chief Justice made under Rules 4, 6 and 7 shall be final.

8 Assessment criteria

The assessment criteria for each of the units shall be:

- (a) approved by the Chief Justice in consultation with the Secretary for Justice; and
- (b) made known to persons undertaking the Pleadings course before the commencement of any instruction, training and examination.

9 Certificate

A certificate as specified in Schedule 2 shall be conferred on a person who successfully completes the Pleadings course.

PART 4 – QUALIFICATIONS

10 Persons qualified to be Pleaders

A person who has obtained a Diploma in Legal Studies from a tertiary institution may satisfy the requirements of training and examinations for the purposes of Section 8 of the Act to be qualified for admission as a Pleader if the Chief Justice so decides in his or her deliberate judgment.

11 Rules not to apply to qualified persons

These Rules do not affect or apply to persons who are already qualified and admitted to practice law as a Pleader.

12 Pleader qualified under Rule 4

A Pleader who has qualified under Rule 4 shall:

- (a) be admitted to practice law under supervision of a practitioner for 3 years before commencing practice on his or her own accord;
- (b) have an unrestricted right to appear in the District Court; and
- (c) not appear before the Supreme Court for the purposes of conducting any hearing in chambers or a trial for at least 3 years after admittance to practice law unless accompanied by a legal practitioner with not less than 3 years practise in law.

PART 5 - REPEAL

13 Repealed Rules

The *Legal Pleaders (Training and Examination) Rules 2016* are hereby repealed.

Made this 26th day of **November 2020**

.....
Acting Chief Justice

SCHEDULE 1

[Rules 3, 4 and 7]

UNITS OF PLEADERS COURSE

CODE	Units
NLP01	Introduction to the Law
NLP02	Constitution and Administrative Law
NLP03	Criminal Law and Procedure
NLP04	Contracts
NLP05	Land Law
NLP06	Torts
NLP07	Equity, Trusts, Wills and Succession
NLP08	Family Law
NLP09	Ethics
NLP10	Evidence
NLP11	Civil Procedure and Practice
NLP12	Advocacy

SCHEDULE 2



REPUBLIC OF NAURU

[insert name]

has been this day conferred the

PLEADERS CERTIFICATE

having fulfilled the instruction, examinations and training prescribed by Section 8 of the *Legal Practitioners Act 2019* and *Legal Practitioners (Pleaders Training and Examination) Rules 2020*.

DATED this..... day of 20....

.....
Chief Justice

.....
Secretary for Justice