



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.