



Legal Services Amendment Directions 2008 (No. 3)¹

Judiciary Act 1903

I, ROBERT McCLELLAND, Attorney-General, make these Directions under section 55ZF of the *Judiciary Act 1903*.

Dated 7 October 2008

ROBERT McCLELLAND
Attorney-General

1 Name of Directions

These Directions are the *Legal Services Amendment Directions 2008 (No. 3)*.

2 Commencement

These Directions commence on the day after they are registered.

3 Amendment of *Legal Services Directions 2005*

Schedule 1 amends the *Legal Services Directions 2005*.

Schedule 1 Amendment

(section 3)

[1] Schedule, after paragraph 10

insert

10A Advice on constitutional law matters

10A.1 An FMA agency that seeks legal advice on a constitutional law issue from the Australian Government Solicitor (AGS) must:

- (a) at the same time give a copy of the request for advice to the Secretary of the Attorney-General's Department; or
- (b) for an oral request — as soon as practicable:
 - (i) confirm it in writing; and
 - (ii) give a copy of the request to the Secretary of the Attorney-General's Department.

10A.2 The Attorney-General's Department or AGS may consult with the Solicitor-General about whether the advice should be given by the Solicitor-General or the AGS.

10A.3 The AGS must give a copy of any final advice it gives on a constitutional law issue to the Attorney-General's Department and to the Solicitor-General.

Note Copies of the Solicitor-General's advices will be given to the Attorney-General's Department and AGS.

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.