

# Statutory Declaration: Application/Renewal of Practising Certificate

REG.16 (3) OF THE LAWYERS AND CONVEYANCERS ACT (CONVEYANCERS: REGISTRATION AND PRACTICE) REGULATIONS 2008

**IMPORTANT: This document should be attached to your application form.**

**Applicant Name:**

I, \_\_\_\_\_ (full name)

of \_\_\_\_\_

(Residential Address)

do solemnly and sincerely declare as follows:

**PART A:**

1. No matter has arisen since my registration as a Registered Conveyancer or receipt of my last Practising Certificate (whichever is more recent) that does or might affect my fitness to hold a Practising Certificate.
2. There are no conditions imposed on my grant of registration; **or** I have complied with or am complying with any condition imposed on my grant of registration. \* **[delete whichever does not apply]**
3. I am not subject to any applicable orders of the Standards Committee, the Legal Complaints Review Officer and the Disciplinary Tribunal; **or** I have complied with applicable orders of the Standards Committee, the Legal Complaints Review Officer and the Disciplinary Tribunal. \* **[delete whichever does not apply]**
4. I will be/or will continue to be a Conveyancing Practitioner as a member of an incorporated Conveyancing firm or Practitioner /or incorporated law firm or law practice OR by practising on my own account as a Director of an incorporated Conveyancing firm **[delete whichever does not apply]**.
5. I will immediately notify the NZ Society of Conveyancers should there be any changes to my present occupation.
6. I do not hold and have not applied to hold a practising certificate as a barrister or solicitor.
7. I will not practice on my own account unless authority is held by the NZ Society of Conveyancers.
8. I confirm that I/my employer currently holds a Professional Indemnity Insurance policy with a minimum of \$1m cover, which meets the requirements of s25 Lawyers and Conveyancers Act (Conveyancers: Registration and Practice) Regulations, and also covers Fair Trading Act liability.

***[Delete the following Clause 9 if you are not practising on your own account, or you are an employee of a law firm, Public Trust, Maori Trustee, or a Trustee company]***

9. I undertake to maintain my current Professional Indemnity Insurance Policy (as set out in clause 8 above) during the term of my Practising Certificate.

***[Delete Clause 10 if not applicable]***

10. Whilst I am an employee of a law firm, Public Trust, Maori Trustee or Trustee Company, I will not make any claim against the NZ Society of Conveyancers fidelity scheme (refer to s308 of the LAC Act 2006).

11. Pursuant to s5 of the Lawyers and Conveyancers Act 2006, I will comply with the following fundamental obligations;

- (a) To be independent in providing regulated services to his or her clients;
- (b) To act in accordance with all fiduciary duties and duties of care owed by conveyancing practitioners to their clients;
- (c) To protect, subject to his or her duties under any enactment the interests of his or her clients.

**PART B:**

As from the date of my last Registered Conveyancer's Certificate OR issue of my last Practising Certificate: ***[delete as applicable]***

1. **I have / have not** been convicted of an offence in New Zealand or a foreign country (if you have then provide details of the nature of the offence, the time elapsed since the offence was committed and your age at the time):  

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2. **I have / have not\*** been declared bankrupt or been a director of a company that has been put into receivership or liquidation;
3. **I have / have not\*** provided Conveyancing services in New Zealand when not registered to do so, or when not holding the necessary practising certificate;
4. **I have / have not\*** provided Conveyancing services in a foreign country when not permitted to do so or in breach of a condition of permission;
5. **I am / am not\*** subject to an unresolved complaint under a foreign law or a current investigation or order by a regulatory or disciplinary body for persons engaging in legal practice under a corresponding foreign law;
6. **I am / am not\*** the subject of current disciplinary action in another profession or occupation in New Zealand or a foreign country, or have been the subject of such action resulting in a finding of guilty, however expressed;
7. **I have / have not\*** contravened, in New Zealand or a foreign country, any law about trust money or a trust account;
8. **I am / am not\*** subject to an order under any legislation disqualifying myself from being employed by, or a partner of, a Conveyancing practitioner, Lawyer or an incorporated Conveyancing firm or law firm;
9. **I have / do not have\*** a mental or physical condition that means I am unable to perform the functions required for the provision of Conveyancing services.
10. There are no circumstances that would not deem me a fit and proper person to be issued with a Practising Certificate.
11. I am the person named in the documents submitted together with my application.
12. The documents submitted with the application are true, complete and correct.

13. I have Professional Indemnity Insurance through \_\_\_\_\_ which has been pre-approved by the NZ Society of Conveyancers and I will provide the Society with a copy of my PI insurance policy on its renewal.

I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

\_\_\_\_\_  
**Signature of Person making this Declaration**

*Note: you must sign this declaration in the presence of the witness.*

**THIS SECTION MUST BE COMPLETED BY THE WITNESS**

Declared at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_  
before me, being a person authorised under the Oaths and Declarations Act 1957.

**Signature of Witness:** \_\_\_\_\_

**Print Full name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Qualification of Witness:** \_\_\_\_\_

\*\* Providing affirmative statements does not necessarily prevent the Society from granting a Practising Certificate. If any of the statements above are in the affirmative please provide details: