

# Application for Pro Bono Referral for Not-for-Profit Organisations



## HOW TO APPLY

**MAIL:** Law Access  
M249  
The University of Western Australia  
35 Stirling Highway, Crawley, WA, 6009

**EMAIL:** lawaccess@lawaccess.net.au

**ENQUIRIES:** (08) 9324 8600

**FAX:** (08) 9324 8699

**Please Note:** We prefer to receive applications by post or email. We recognise that this is not always possible for everyone and we will accept hand-delivered applications through the Law Society's reception at Level 4, 160 St George's Terrace, Perth WA 6000

## ORGANISATION DETAILS

Name of Organisation: \_\_\_\_\_

Business Address: \_\_\_\_\_

Suburb: \_\_\_\_\_ Postcode: \_\_\_\_\_

Email Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Mobile: \_\_\_\_\_ Work: \_\_\_\_\_

Are you a registered not-for-profit organisation or charity? Yes No

Nominated Contact Person: \_\_\_\_\_

## DETAILS OF MATTER

Please indicate the **type of legal assistance your organisation requires** from those listed below (please tick):

<input type="checkbox"/>	Taxation Issues	<input type="checkbox"/>	Advice and/or representation in a dispute
<input type="checkbox"/>	Drafting Constitutions – Associations & Clubs	<input type="checkbox"/>	Other

How did you find out about Law Access? \_\_\_\_\_

Has a solicitor previously assisted you with this matter? Yes No

If so, please provide their details: \_\_\_\_\_

Why are they no longer assisting you? \_\_\_\_\_

*If the type of legal assistance you require is for the resolution of a dispute with another party, please provide the following details:*

## DETAILS OF OTHER PARTY

Name of the other party: \_\_\_\_\_

Name of other party's solicitor (if any): \_\_\_\_\_

## COURT PROCEEDINGS

Are there any current court proceedings in relation to your matter? Yes No

*\*If there are current court proceedings, please supply copies of the latest Court/Tribunal orders or directions which indicate the nature and date of the next hearing date and type.*

Next court or tribunal date: \_\_\_\_\_

Court or tribunal name: \_\_\_\_\_

Type of proceeding (e.g. Hearing/Directions/Trial): \_\_\_\_\_

## YOUR ORGANISATION'S FINANCIAL DETAILS

Is your organisation incorporated? Yes No

If yes, is your organisation set up for a not-for-profit purpose? Yes No

*\*If yes, please supply copies of your organisation's constitution and certificate of incorporation.*

What is the primary source of your funding? \_\_\_\_\_

Is there a written funding agreement? Yes No

*\*If yes, please supply copies of supporting documentation.*

If not, what is the amount of your annual funding? \_\_\_\_\_

*\*Please provide a copy of your last annual report, rules and the names of the members of your management committee.*

Are you able to contribute to any legal costs if necessary? If so, how much are you able to contribute? Yes No

## DETAILED STATEMENT REGARDING YOUR MATTER

Please include the following:

1. The **history** of the matter;
2. The **current situation**;
3. The **type of assistance** or outcome sought;
4. **Copies of relevant documentation** indexed in the following format:

Date created	Document name/Title	Written by	Written To

(If you prefer, write 'PLEASE SEE ATTACHED' in the space above and attach a separate statement)

### PLEASE PROVIDE THE FOLLOWING INFORMATION IN SUPPORT OF YOUR APPLICATION WHERE POSSIBLE:

Detailed statement concerning the matter.

Copy of most recent audit, annual report or financial statement which demonstrates the financial capacity of your organisation/association.

Copy of certificate of registration or incorporation (if applicable).

Copies of other relevant documentation.

## DECLARATION BY APPLICANT

A. I/We **ACKNOWLEDGE** that:

1. Law Access does not grant assistance to applicants but merely acts as an intermediary between the public and the legal profession;
2. Law Access does not act as the association's solicitor.
3. The association remains responsible for meeting all Court commitments or commencing all Legal Action within any Statutory Limits.
4. It is the association's responsibility to negotiate the terms upon which it engages any firm introduced to it by Law Access;
5. The association is not relying upon Law Access Limited (known as Law Access) and its Principal Lawyer to provide legal advice or legal representation and no cause of action in negligence in respect of the provision of legal advice or representation arises from the consideration or processing of this Application.
6. I/We have the authority or have obtained the authority to make an submit an application for pro bono referral from the Chief Executive Officer or decision making committee/officer of the organisation.

B. I/We hereby **AUTHORISE** Law Access to provide any information set out in this application (including, any document provided to Law Access with respect to the association's application) to:

- (a) any person volunteering to assist Law Access to assess my Application for Assistance; and
- (b) any lawyer that Law Access considers may agree to act for me, to enable that lawyer to decide whether they will act for me.

C. I/We hereby **AUTHORISE** and **REQUEST** any lawyers who have acted for the association, the Legal Aid Commission and any Court or Tribunal to provide Law Access any information requested in order to assist Law Access to assess this Application.

I/we know that it is an offence to make a false statement in or in connection with this application and that if I do I will be liable to prosecution.

I,/we **Full Name of Authorised Officer(s)**

on behalf of **Organisation Name**

of **Business Address of Organisation**

do solemnly and sincerely declare that all the facts given in this Application and supporting documents are true and correct to the best of my/our knowledge information and belief and I/we make this solemn declaration by virtue of section 12 of the *Oaths, Affidavits & Statutory Declarations Act 2005* (WA).

### Applicant's signature (or Applicant's signatures)

On this **(Date)** day of **(Month)** 20 **(Year)**.

Declared at **(Suburb)** on this **(Date)** day of **(Month)** 20 **(Year)**.

Before me

**Signature, name and description of authorised witness – please see below for list of authorised witnesses for statutory declarations.**

## AUTHORISED WITNESSES

If the Application is signed in Western Australia:

Item	Formal description	Informal description
1.	A member of the academic staff of an institution established under any of the following Acts – <ul style="list-style-type: none"> <li><i>Curtin University of Technology Act 1966</i>;</li> <li><i>Edith Cowan University Act 1984</i>;</li> <li><i>Murdoch University Act 1973</i>;</li> <li><i>University of Notre Dame Australia Act 1989</i>;</li> <li><i>University of Western Australia Act 1911</i>;</li> <li><i>Vocational Education and Training Act 1996</i>.</li> </ul>	Academic (post-secondary institution)
2.	A member of any of the following bodies – <ul style="list-style-type: none"> <li>Association of Taxation and Management Accountants (ACN 002 876 208);</li> <li>CPA Australia (ACN 008 392 452);</li> <li>The Institute of Chartered Accountants in Australia (ARBN 084 642 571);</li> <li>Institute of Public Accountants (ACN 004 130 643);</li> <li>National Tax &amp; Accountants' Association Limited (ACN 057 551 854).</li> </ul>	Accountant
3.	A person who is registered under the <i>Architects Act 2004</i> .	Architect
4.	An Australian Consular Officer within the meaning of the <i>Consular Fees Act 1955</i> of the Commonwealth.	Australian Consular Officer
5.	An Australian Diplomatic Officer within the meaning of the <i>Consular Fees Act 1955</i> of the Commonwealth.	Australian Diplomatic Officer
6.	A bailiff appointed under the <i>Civil Judgments Enforcement Act 2004</i> .	Bailiff
7.	A person appointed to be in charge of the head office or any branch office of an authorised deposit-taking institution carrying on business in the State under the <i>Banking Act 1959</i> of the Commonwealth.	Bank manager
8.	A member of Chartered Secretaries Australia Limited (ACN 008 615 950).	Chartered secretary
9.	A person who is registered under the <i>Health Practitioner Regulation National Law (Western Australia)</i> in the pharmacy profession.	Chemist
10.	A person who is registered under the <i>Health Practitioner Regulation National Law (Western Australia)</i> in the chiropractic profession.	Chiropractor
11.	A person registered as an auditor or a liquidator under the <i>Corporations Act 2001</i> of the Commonwealth.	Company auditor or liquidator
12.	A judge, master, magistrate, registrar or clerk, or the chief executive officer, of any court of the State or the Commonwealth.	Court officer
13.	A member of the Australian Defence Force who is – <ul style="list-style-type: none"> <li>an officer within the meaning of the <i>Defence Force Discipline Act 1982</i> of the Commonwealth;</li> <li>a non-commissioned officer within the meaning of that Act with 5 or more years of continuous service; or</li> <li>a warrant officer within the meaning of that Act.</li> </ul>	Defence force officer
14.	A person registered under the <i>Health Practitioner Regulation National Law (Western Australia)</i> in the dental profession whose name is entered on the Dentists Division of the Register of Dental Practitioners kept under that Law.	Dentist
15.	A person who is registered under the <i>Health Practitioner Regulation National Law (Western Australia)</i> in the medical profession	Doctor
15A.	A person appointed under the <i>Parliamentary and Electorate Staff (Employment) Act 1992</i> section 4(1)(b)(i) or (2)(b)(i)	Electorate officer of a member of State Parliament
16.	A member of the Institution of Engineers, Australia, other than at the grade of student.	Engineer
17.	The secretary of an organisation of employees or employers that is registered under one of the following Acts – <ul style="list-style-type: none"> <li><i>Industrial Relations Act 1979</i>;</li> <li><i>Workplace Relations Act 1996</i> of the Commonwealth.</li> </ul>	Industrial organisation secretary
18.	A member of the National Insurance Brokers Association of Australia (ACN 006 093 849).	Insurance broker
19.	A Justice of the Peace.	Justice of the Peace
19A.	A person who is a member of the Authority's staff within the meaning given to that term by the <i>Land Information Authority Act 2006</i> section 3.	Landgate officer
20.	An Australian lawyer within the meaning of that term in the <i>Legal Profession Act 2008</i> section 3.	Lawyer
21.	The chief executive officer or deputy chief executive officer of a local government.	Local government CEO or deputy CEO
22.	A member of the council of a local government within the meaning of the <i>Local Government Act 1995</i> .	Local government councillor
23.	A member of the Australasian Institute of Chartered Loss Adjusters (ACN 074 804 167).	Loss adjuster
24.	An authorised celebrant within the meaning of the <i>Marriage Act 1961</i> of the Commonwealth.	Marriage celebrant
25.	A member of either House of Parliament of the State or of the Commonwealth.	Member of Parliament
26.	A minister of religion registered under Part IV Division 1 of the <i>Marriage Act 1961</i> of the Commonwealth.	Minister of religion
27.	A person registered under the <i>Health Practitioner Regulation National Law (Western Australia)</i> in the nursing and midwifery profession.	Nurse
28.	A person registered under the <i>Health Practitioner Regulation National Law (Western Australia)</i> in the optometry profession.	Optometrist
29.	A registered patent attorney under the <i>Patents Act 1990</i> of the Commonwealth.	Patent attorney
30.	A person registered under the <i>Health Practitioner Regulation National Law (Western Australia)</i> in the physiotherapy profession.	Physiotherapist
31.	A person registered under the <i>Health Practitioner Regulation National Law (Western Australia)</i> in the podiatry profession.	Podiatrist
32.	A police officer.	Police officer

Item	Formal description	Informal description
33.	The person in charge of an office established by, or conducted by an agent of, Australia Post within the meaning of the <i>Australian Postal Corporation Act 1989</i> of the Commonwealth.	Post office manager
34.	A person registered under the <i>Health Practitioner Regulation National Law (Western Australia)</i> in the psychology profession.	Psychologist
35.	A public notary within the meaning of the <i>Public Notaries Act 1979</i> .	Public notary
36.	An officer of the Commonwealth public service.	Public servant (Commonwealth)
37.	A person who is employed under the <i>Public Sector Management Act 1994</i> Part 3.	Public servant (State)
38.	The holder of a licence under the <i>Real Estate and Business Agents Act 1978</i> .	Real estate agent
39.	The holder of a licence under the <i>Settlement Agents Act 1981</i> .	Settlement agent
40.	The Sheriff of Western Australia and any deputy sheriff appointed by the Sheriff of Western Australia.	Sheriff or deputy sheriff
41.	A licensed surveyor within the meaning of the <i>Licensed Surveyors Act 1909</i> .	Surveyor
42.	A person registered under the <i>Teacher Registration Act 2012</i> .	Registered teacher
43.	A member, registrar or clerk, or the chief executive officer, of any tribunal of the State or the Commonwealth.	Tribunal officer
44.	A registered veterinary surgeon within the meaning of the <i>Veterinary Surgeons Act 1960</i> .	Veterinary surgeon

## NOTE

If the Application is signed in a place outside Western Australia but within Australia:

- (a) any person who, under the law of that place, has authority to take or receive a statutory, solemn or other declaration; or
- (b) any person before whom, under the *Statutory Declarations Act 1959* (Cth), a statutory declaration may be made  
– see <http://www.ag.gov.au/Publications/Pages/Statutorydeclarationsignatorylist.aspx>