

# Work Experience Rules New Zealand Applicants

These rules are subject to change please refer to website for current rules.

The College of Law Graduate Diploma in Legal Practice (NZ) (*GDLP Programme*) consists of three components:

1. The Coursework Component
2. The Work Experience (*WE*) Component, and
3. The Capstone Component.

## Definitions

Terms	Definition
Legal practitioner	A legally qualified person, however called, who holds a practicing certificate in New Zealand
Coursework Component	One of 3 <i>GDLP Programme</i> components to be undertaken by students in order to satisfy the requirements for completion of the <i>GDLP Programme</i> , being work and assessments within the Professional Legal Studies Course (PLSC)
Work Experience Component ( <i>WE</i> )	One of the 3 <i>GDLP Programme</i> components to be undertaken by students in order to satisfy the requirements for completion of the <i>GDLP Programme</i> as prescribed in these Rules.
Capstone Component	One of the 3 <i>GDLP Programme</i> components to be undertaken by students in order to satisfy the requirements for completion of the <i>GDLP Programme</i> . The Capstone Component is comprised of the four assessable activities undertaken after the Work Experience Component.
Period of <i>WE</i> (rules 4, & 7)	60 days within New Zealand or Australia either concurrently with or after completion of the Coursework Component and accrued at a minimum rate of 1 day per week, before the Capstone Component.
Work Experience Committee ( <i>WEC</i> )	The Work Experience Committee making determinations under these Rules including on applications for <i>WE</i> approval and declarations of completion.

## Rules

Rule	Section
1. The application process	<p>1.1 In order to have your <i>WE</i> placement approved you must complete the <i>WE</i> Application for Approval of Placement (including retrospective placements) and submit it to the <i>WEC</i>.</p> <p>1.2 Approval in accordance with 1.1 should be obtained before you commence the <i>WE</i>. Students contemplating <i>WE</i> placements outside New Zealand or Australia must refer to Rule 7.</p> <p>1.3 If you do not obtain approval before you commence the <i>WE</i> placement, then retrospective approval of the <i>WE</i> will be at the discretion of the <i>WEC</i>.</p> <p>1.4 When you complete an approved <i>WE</i> placement you must submit a <i>WE</i> Declaration which:</p> <ol style="list-style-type: none"> <li>(a) confirms and details dates of the <i>WE</i> undertaken in accordance with these rules;</li> <li>(b) confirms that you have been supervised by the approved supervisor;</li> <li>(c) includes an acknowledgement signed by the approved supervisor; and</li> <li>(d) includes an Annexure of days worked.</li> </ol>
2. Nature of <i>WE</i>	<p>Your <i>WE</i> must occur in the delivery of legal services and include:</p> <p>2.1 application of legal knowledge and skills to the resolution of real-life legal problems;</p> <p>2.2 experience of procedures and dynamics commonly found in offices in which legal services are provided;</p> <p>2.3 experience in the process of becoming a professional practitioner of the law including the majority of:</p> <ol style="list-style-type: none"> <li>(a) contact with external or in house clients of the <i>WE</i> placement;</li> <li>(b) drafting documents;</li> <li>(c) legal research; and</li> <li>(d) using a file management system.</li> </ol> <p>2.4 If only part of your <i>WE</i> placement satisfies all other rules then the <i>WEC</i> may consider an application, accompanied by a submission signed by your supervisor as to the percentage of compliant <i>WE</i> undertaken.</p> <p>2.5 If your <i>WE</i> (or part of your <i>WE</i>) is to take place outside New Zealand or Australia you must have the <i>WE</i> placement approved in advance by the <i>WEC</i>.</p>

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3. Time limits for <i>WE</i>	<p>3.1 All <i>GDLP Programme</i> components must be completed within a 4 year period.</p> <p>3.2 You must commence the <i>WE Component</i> within 2 calendar years of completing the <i>Coursework Component</i>.</p>
4. Required duration of <i>WE</i>	<p>4.1 <i>WE</i> must total 12 weeks (the equivalent of 60 days).</p> <p>4.2 The <i>WE</i> may be made up by aggregation of multiple placements. Each placement may consist of multiple periods of <i>WE</i> provided that each period is at least 1 full day (7 working hours) per week which can be made up of 2 or more half days (4 hours) in any week.</p> <p>4.3 <i>WE</i> may be undertaken on weekends.</p> <p>4.4 The maximum <i>WE</i> that will be recognised in any 24 hour period is 1 day.</p> <p>4.5 If you undertake the <i>Coursework Component</i> full time then you can only accrue 2 days <i>WE</i> per week during the <i>Coursework Component</i>.</p>
5. Placement requirements	<p>5.1 Your <i>WE</i> placement must be supervised and can be undertaken with:</p> <ul style="list-style-type: none"> <li>(a) a legal practitioner in private practice; or</li> <li>(b) any government, semi-government or corporate legal office or department, employer or employee association, recognised by the <i>WEC</i> as being a place in which appropriate <i>WE</i> might be undertaken; or</li> <li>(c) a judge to carry out legal research and provide legal services; or</li> <li>(d) a tribunal member (who is a legal practitioner) to carry out legal research and provide legal services; or</li> <li>(e) a Community Legal Centre; or</li> <li>(f) any other person or organisation which the <i>WEC</i> recognises as being a placement in which the applicant might undertake appropriate <i>WE</i> as described in rule 2, subject to the <i>WE</i> otherwise meeting the requirements of these rules.</li> </ul>
6. Supervision	<p>6.1 A person may be a supervisor if he/she:</p> <ul style="list-style-type: none"> <li>(a) holds a full practising certificate as a legal practitioner; or</li> <li>(b) holds a restricted practising certificate as a legal practitioner which he/she has held for 2 years; or</li> <li>(c) is a person admitted to the legal profession in New Zealand or Australia who is eligible to hold a practising certificate and who provides written submissions to the <i>WEC</i> that satisfy the Committee that he/she can provide appropriate practical experience; or</li> <li>(d) is a judge; or</li> <li>(e) is a tribunal member who is a legal practitioner.</li> </ul> <p>6.2 A supervisor must not have been the subject of an adverse finding by any relevant court, licensing authority or disciplinary body under the law governing the legal profession in any relevant jurisdiction unless he/she makes full disclosure to the <i>WEC</i> and the <i>WEC</i> is satisfied that the adverse finding should not preclude the person from being a supervisor.</p>
7. Jurisdiction of placements	<p>7.1 Subject to 7.2, the <i>WE</i> must be undertaken in New Zealand or Australia.</p> <p>7.2 The <i>WE</i> may be undertaken outside New Zealand/Australia if that experience is undertaken in a common law jurisdiction or practising common law and the supervisor:</p> <ul style="list-style-type: none"> <li>(a) holds a practising certificate issued by a common law jurisdiction; and</li> <li>(b) is in all other respects regarded by the <i>WEC</i> as a satisfactory supervisor.</li> </ul> <p>7.3 If the supervisor holds a practising certificate outside New Zealand or Australia you must also provide copies of:</p> <ul style="list-style-type: none"> <li>(a) the supervisor's licence/practising certificate; and</li> <li>(b) the supervisor's academic qualification in law.</li> </ul>
8. Constitution of the <i>WEC</i>	<p>8.1 There is a <i>WEC</i> which is appointed by, and reports to, the Board of Governors of the College of Law and to the College of Law (NZ) Academic Board.</p> <p>8.2 Members of the <i>WEC</i> may hold office for 2 years and may be reappointed.</p> <p>8.3 The Chief Academic Officer (NZ) and Client Services Manager are ex officio members of the <i>WEC</i>.</p> <p>8.4 The <i>WEC</i> may regulate its own procedures in implementing these rules.</p>

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9. Dispensation from compliance with these rules	<p>9.1 Subject to the requirements of any relevant regulatory body, the WEC may dispense with compliance with any aspect of these rules where it is satisfied that non-compliance is minor or that undue hardship may result from a strict application of the rules.</p> <p>9.2 In cases of dispensation, the CEO (NZ) is the Executive Officer with responsibility for co-ordination of the WEC and the WE rules and is authorised to dispense with so much of these rules as is necessary to give effect to the overall purpose and requirements of these rules as they might apply to any individual case or circumstance.</p>
10. Rejection of applications	<p>10.1 If the WEC refuses to approve your WE application, then the WEC must provide you with written reasons within a reasonable time of the refusal.</p>
11. Appeals process	<p>11.1 There is an Appeals Committee which is appointed by the College Board of Governors.</p> <p>11.2 The Appeals Committee may prescribe rules and guidelines covering the conduct of appeals.</p> <p>11.3 Appeals can only be made on the grounds of procedural unfairness, irregularity or improper exercise of the WEC's discretion under Rule 10 and shall not proceed by way of re-hearing.</p> <p>11.4 The Appeals Committee may:</p> <ul style="list-style-type: none"><li>(a) dismiss the appeal;</li><li>(b) refer your application back to the WEC with such directions as it sees fit; or</li><li>(c) substitute its own determination of your application for that of the WEC.</li></ul>