Version
as at 7 August 2026

Legal Services (Quality Assurance) Regulations 2011

(SR 2011/145)

Anand Satyanand, Governor-General

Order in Council

At Wellington this 23rd day of May 2011

Present:
His Excellency the Governor-General in Council

Pursuant to section 114 of the Legal Services Act 2011, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

These regulations are administered by the Ministry of Justice.

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Regulations

1 Title

These regulations are the Legal Services (Quality Assurance) Regulations 2011.

2 Commencement

These regulations come into force on 1 July 2011.

3 Interpretation

(1) In these regulations, unless the context otherwise requires,—

Act means the Legal Services Act 2011

application, other than in Part 4, means an application for approval to provide legal aid services or specified legal services and **applicant** has the corresponding meaning

chairperson means,—

(a) in relation to Part 2, the chairperson of the selection committee appointed under section 78(2)(a) of the Act:

(b) in relation to Part 3, the chairperson of the performance review committee appointed under section 79(5) of the Act

existing provider means an applicant who—

(a) is a provider; or

(b) has been a provider and whose approval to provide legal aid services or specified legal services expired no more than 6 months before the date on which the application is made

prescribed manner means in the manner prescribed by the Secretary

provider means a person who is approved by the Secretary to provide legal aid services, or specified legal services, or both

recent experience means, in relation to an application from a lawyer, experience gained in the 5 years immediately before the date of application

Secretary means the Secretary for Justice.

(2) Any term that is defined in the Act and used, but not defined, in these regulations has the same meaning as in the Act.

Regulation 3(1) **existing provider**: inserted, on 1 July 2013, by regulation 4 of the Legal Services (Quality Assurance) Amendment Regulations 2013 (SR 2013/187).

Part 1
Applications for approval to provide legal aid services or specified legal services

Criteria that must be met by applicant

4 Criteria for approval

Regulations 5 to 9 and the Schedule set out the criteria to be met by an applicant.

5 Professional entry requirements

(1) If the applicant is a lawyer, the applicant must provide a certified copy of the applicant's certificate of standing issued by the New Zealand Law Society. The certificate must—

(a) provide evidence of the applicant's current practising certificate; and

(b) include information about any complaints upheld against the applicant under the Lawyers and Conveyancers Act 2006.

(1A) An applicant need not comply with subclause (1) if the applicant—

(a) is an existing provider; and

(b) has received written notice from the Secretary that compliance with that provision is not required.

(2) If the applicant is applying for approval to provide legal aid services as an employment advocate, the applicant must provide documentary evidence of the applicant's membership of the Employment Law Institute of New Zealand Inc.

Regulation 5(1A): inserted, on 1 July 2013, by regulation 5 of the Legal Services (Quality Assurance) Amendment Regulations 2013 (SR 2013/187).

Regulation 5(2): amended, on 7 August 2026, by regulation 5 of the Legal Services (Quality Assurance) Amendment Regulations 2026 (SL 2026/198).

6 Experience and competence requirements

(1) If the applicant is a lawyer and is applying to be a lead provider or to provide specified legal services, the applicant must be experienced and competent in each area of law in which the applicant intends to provide legal aid services or specified legal services.

(2) In deciding whether the applicant meets the criteria in subclause (1), the Secretary must—

(a) apply the relevant experience and competence requirements set out in the Schedule; and

(b) take into account the applicant's experience as a lawyer; and

(c) be satisfied that the applicant has the appropriate level of knowledge and skill to provide legal aid services or specified legal services in each area of law to which the application relates.

(3) For the purposes of subclause (2)(c), the Secretary may take into account any course that the applicant has successfully completed and that the Secretary considers relevant to an area of law to which the application relates.

(4) This regulation is subject to regulations 6A and 6B.

Regulation 6: replaced, on 1 November 2015, by regulation 4 of the Legal Services (Quality Assurance) Amendment Regulations 2015 (LI 2015/225).

Regulation 6(1): amended, on 7 August 2026, by regulation 5 of the Legal Services (Quality Assurance) Amendment Regulations 2026 (SL 2026/198).

6A General waiver of requirement for recent experience

(1) This regulation applies to an applicant who—

(a) is a lawyer and is applying to be a lead provider or to provide specified legal services; but

(b) in relation to the experience and competence requirements referred to in regulation 6(2)(a) and set out in the Schedule, does not satisfy the requirement that the applicant's relevant experience must be recent experience.

(2) The Secretary may waive the requirement for the applicant's relevant experience to be recent experience if the Secretary is satisfied that the applicant meets the relevant experience and competence requirements in all other respects.

(3) The Secretary may require the applicant to provide proof (in addition to that required by any other provision of these regulations) of the applicant's current legal knowledge and experience.

Regulation 6A: inserted, on 1 November 2015, by regulation 4 of the Legal Services (Quality Assurance) Amendment Regulations 2015 (LI 2015/225).

Regulation 6A(1)(b): amended, on 7 August 2026, by regulation 5 of the Legal Services (Quality Assurance) Amendment Regulations 2026 (SL 2026/198).

6B Waiver of experience and competence requirements for specified purpose

(1) This regulation applies to an applicant who—

(a) is a lawyer and is applying to be a lead provider or to provide specified legal services; but

(b) does not satisfy 1 or more of the relevant experience and competence requirements referred to in regulation 6(2)(a) and set out in the Schedule (including the requirement that the applicant's relevant experience be recent experience).

(2) The Secretary may waive 1 or more relevant experience and competence requirements to allow the applicant to act—

(a) in a proceeding that relates to another proceeding in which the applicant is acting, or has acted; or

(b) in a proceeding, or type of proceeding, for which the applicant has specialist skills or experience; or

(c) in a proceeding, or type of proceeding, taking place in a region with a shortage of existing providers with the necessary skills and experience to act in the proceeding, or type of proceeding.

(3) Before waiving a requirement under subclause (2), the Secretary—

(a) must take into account—

(i) the nature of the requirement or requirements to be waived; and

(ii) the extent to which the applicant fails to meet the requirement or requirements; and

(b) must be satisfied that—

(i) the applicant is suitable to act in the proceeding, or type of proceeding, to which the waiver relates; and

(ii) it would be more efficient for the applicant, rather than another lawyer, to act in the proceeding or type of proceeding.

(4) The Secretary may require the applicant to provide any information that the Secretary considers necessary to determine the application, including either or both of the following:

(a) proof (in addition to that required by any other provision of these regulations) of the applicant's current legal knowledge and experience:

(b) an explanation of how granting a waiver to the applicant would assist in meeting a need for legal aid services or specified legal services.

Regulation 6B: inserted, on 1 November 2015, by regulation 4 of the Legal Services (Quality Assurance) Amendment Regulations 2015 (LI 2015/225).

Regulation 6B(1)(b): amended, on 7 August 2026, by regulation 5 of the Legal Services (Quality Assurance) Amendment Regulations 2026 (SL 2026/198).

6C Waiver of experience and competence requirements for equivalent experience

(1) This regulation applies to an applicant who—

(a) is a lawyer and is applying to be a lead provider or to provide specified legal services; but

(b) does not satisfy 1 or more of the relevant experience and competence requirements referred to in regulation 6(2)(a) and set out in the Schedule (including the requirement that the applicant's relevant experience be recent experience).

(2) The Secretary may waive 1 or more relevant experience and competence requirements if the Secretary is satisfied that the applicant—

(a) has equivalent experience; and

(b) meets the relevant experience and competence requirements in all other respects.

(3) In this regulation, **equivalent experience**—

(a) means experience (that may or may not be recent experience) that the Secretary considers involves skills that are the same or similar to the 1 or more relevant experience and competence requirements that the applicant does not satisfy:

(b) does not need to be in the same area of law as the area of law for which the applicant is applying for approval.

(4) The Secretary may require the applicant to provide proof (in addition to that required by any other provision of these regulations) of the applicant's current legal knowledge and experience.

Regulation 6C: inserted, on 7 August 2026, by regulation 4 of the Legal Services (Quality Assurance) Amendment Regulations 2026 (SL 2026/198).

7 Where applicant applying for approval other than as lead provider

(1) If the applicant is a lawyer and is applying to provide legal aid services other than as a lead provider, the applicant must—

(a) provide evidence to the satisfaction of the Secretary of the applicant's employment as a lawyer; or

(b) satisfy the Secretary that there are in place adequate arrangements for the supervision of the applicant's legal aid work.

(2) For the purposes of subclause (1)(b), an adequate supervision arrangement may include an undertaking by a lead provider to supervise the applicant's legal aid work.

8 References

[Revoked]

Regulation 8: revoked, on 2 July 2012, by regulation 5 of the Legal Services (Quality Assurance) Amendment Regulations 2012 (SR 2012/96).

9 Service delivery systems

(1) The applicant must have service delivery systems that support the applicant to provide and account for legal aid services or specified legal services in an effective, efficient, and ethical manner.

(2) For the purposes of subclause (1), the Secretary may, without limitation, ask the applicant to provide information on 1 or more of the following:

(a) the arrangements the applicant has in place to manage scheduling conflicts:

(b) the arrangements the applicant has in place to manage conflicts of interest:

(c) a description of the applicant's internal complaints management process:

(d) if the applicant is a lawyer, a sample of the following documents that the applicant must provide to clients under the Lawyers and Conveyancers Act 2006:

(i) an information for clients form:

(ii) a standard letter of engagement to be provided to new clients at the commencement of a retainer:

(e) evidence of the applicant's existing office management practices.

Work samples and references

Heading: inserted, on 2 July 2012, by regulation 6 of the Legal Services (Quality Assurance) Amendment Regulations 2012 (SR 2012/96).

9A Work samples

(1) Every applicant must provide work samples as proof of the applicant's recent experience in each area of law to which the application relates, unless the Secretary gives the applicant written notice that the applicant is not required to do so for the reasons specified in that notice.

(2) If the Secretary gives notice that an applicant is not required to provide work samples in accordance with subclause (1), the Secretary may require the applicant to provide other proof of the applicant's recent experience.

(3) In this regulation, **work samples** includes any—

(a) correspondence to or on behalf of a client:

(b) research notes:

(c) affidavits:

(d) opening and closing addresses:

(e) examination notes.

Regulation 9A: inserted, on 2 July 2012, by regulation 6 of the Legal Services (Quality Assurance) Amendment Regulations 2012 (SR 2012/96).

9B References

(1) Every applicant must provide at least 2 references, unless the Secretary gives the applicant written notice that the applicant is not required to do so for the reasons specified in that notice.

(2) If an applicant intends to provide legal aid services or specified legal services in more than 1 area of law, the applicant must provide 1 reference for each area, unless the Secretary gives the applicant written notice that the applicant is not required to do so for the reasons specified in that notice.

(3) If the Secretary gives notice that an applicant is not required to provide references in accordance with subclauses (1) and (2), the Secretary may require the applicant to provide other proof of the applicant's experience and competence.

(4) The references provided must be based on the referee's direct experience and knowledge of the applicant's skill in the area of law to which the application relates.

Regulation 9B: inserted, on 2 July 2012, by regulation 6 of the Legal Services (Quality Assurance) Amendment Regulations 2012 (SR 2012/96).

Fit and proper persons

Heading: inserted, on 1 July 2013, by regulation 6 of the Legal Services (Quality Assurance) Amendment Regulations 2013 (SR 2013/187).

9C Applicant must be fit and proper person

(1) Every applicant must satisfy the Secretary that the applicant is a fit and proper person to provide legal aid services or specified legal services.

(2) For the purposes of subclause (1), an applicant must provide to the Secretary—

(a) details of any conviction of the applicant for an offence punishable by imprisonment; and

(b) details of any complaint upheld against the applicant under the Act or the former Act.

(3) In deciding whether an applicant meets the criterion in subclause (1), the Secretary must be satisfied that—

(a) any convictions of the applicant, when considered individually or together, would not adversely affect—

(i) the applicant's relationship with a client who is an aided person; or

(ii) the integrity of the legal services system; and

(b) any complaints upheld against the applicant under the Act or the former Act, when considered individually or together, would not—

(i) adversely affect the integrity of the legal services system; or

(ii) breach any practice standards; and

(c) any complaints upheld against the applicant under the Lawyers and Conveyancers Act 2006, when considered individually or together, would not—

(i) adversely affect the integrity of the legal services system; or

(ii) breach any practice standards.

(4) An applicant need not comply with subclause (2)(b) if the applicant has received written notice from the Secretary that compliance with that provision is not required.

(5) If the Secretary gives notice that an applicant is not required to comply with subclause (2)(b), subclause (3)(b) does not apply.

Regulation 9C: inserted, on 1 July 2013, by regulation 6 of the Legal Services (Quality Assurance) Amendment Regulations 2013 (SR 2013/187).

Regulation 9C(1): amended, on 7 August 2026, by regulation 5 of the Legal Services (Quality Assurance) Amendment Regulations 2026 (SL 2026/198).

Conditions that may be imposed by Secretary

10 Conditions on approval

(1) The Secretary may impose any 1 or more of the following conditions on an approval to provide legal aid services or specified legal services:

(a) the condition that the provider must be supervised in a manner specified by the Secretary:

(b) the condition that the provider be mentored in a manner specified by the Secretary:

(c) the condition that the provider undergo training specified by the Secretary:

(d) where a provider has approval to provide legal aid services or specified legal services in an area of law, the condition that the provider may provide those services only for the types of proceedings specified by the Secretary:

(e) where a provider has approval to provide legal aid services or specified legal services in a specific proceeding, the condition that the provider may provide those services only for that proceeding.

(2) A condition imposed under subclause (1) may specify a period of time during which the condition is to have effect, or a date by which any act specified in the condition must be done.

Regulation 10(1)(d): amended, on 8 September 2011, by regulation 6 of the Legal Services (Quality Assurance) Amendment Regulations 2011 (SR 2011/269).

Regulation 10(1)(e): inserted, on 1 November 2015, by regulation 5 of the Legal Services (Quality Assurance) Amendment Regulations 2015 (LI 2015/225).

Part 2
Selection committees

11 How applications for approval are assessed

(1) A selection committee must only assess applications that are completed in the prescribed manner.

(2) When assessing any application, a selection committee—

(a) must assess the application on the basis of the information provided in the application and the committee's knowledge of the applicant; and

(b) may verify any information provided with the application by seeking further evidence from the applicant and by referring any such information to any 1 or more of the following:

(i) the New Zealand Law Society:

(ii) any Judge:

(iii) the applicant's peers:

(iv) any other person or organisation that the committee considers relevant to the application.

12 Recommendations of selection committee

(1) If a selection committee is not unanimous, the recommendation supported by a majority of the votes cast at a meeting of the committee is the recommendation of that committee.

(2) A selection committee must give its recommendation to the Secretary in writing and provide reasons.

13 Confidentiality

A selection committee must keep confidential all information provided or disclosed to it under the Act or these regulations except to the extent that disclosure is—

(a) required to enable the committee to carry out its obligations and duties under the Act or these regulations; or

(b) otherwise compelled by a law other than the Act or these regulations.

14 Chairperson

(1) The functions of the chairperson are to—

(a) make such arrangements as are practicable to ensure the orderly and expeditious discharge of the functions of the selection committee; and

(b) ensure to the extent practicable, that each application is assessed by members of the committee with the appropriate expertise.

(2) For the purpose of carrying out the chairperson's function specified in subclause (1)(b), the chairperson must determine which members are to attend meetings of the committee in relation to a particular application and notify the members accordingly.

Regulation 14(2): amended, on 7 August 2026, by regulation 5 of the Legal Services (Quality Assurance) Amendment Regulations 2026 (SL 2026/198).

15 Meetings of selection committee

(1) The chairperson of a selection committee must decide the dates, times, and method of the meetings of the committee.

(2) A meeting of a selection committee may be held—

(a) by its members being assembled together at the time and place appointed for the meeting; or

(b) by means of audio-visual or electronic communication.

16 Acting chairperson

(1) For the purpose of ensuring that the functions and powers of the chairperson are performed or exercised during any period when the chairperson is absent or incapacitated or has a conflict of interest, the chairperson of a selection committee must ensure that at all times they have nominated a member of the committee to serve as acting chairperson if the need arises.

(2) The fact that a person purports to perform or exercise, or to have performed or exercised, any function or power of the chairperson under a delegation or nomination is, in the absence of proof to the contrary, sufficient evidence of the person's authority to do so.

Regulation 16(1): amended, on 7 August 2026, by regulation 5 of the Legal Services (Quality Assurance) Amendment Regulations 2026 (SL 2026/198).

17 Quorum

The quorum of a selection committee is 3 members.

18 Conflicts of interest

(1) If a member of a selection committee has a conflict of interest in relation to any matter before the committee,—

(a) the member must declare the conflict to the chairperson as soon as the member becomes aware of it; and

(b) the member must step aside from any involvement in the matter if the chairperson considers the conflict of interest is likely to materially affect the member's impartiality.

(2) If a chairperson of a selection committee has a conflict of interest in relation to any matter before the committee, the chairperson must—

(a) declare the conflict to the Secretary; and

(b) step aside from any involvement in the matter if the Secretary considers that the conflict is likely to materially affect the chairperson's impartiality.

Part 3
Performance review committee

19 Recommendation of performance review committee

(1) If the performance review committee is not unanimous, the recommendation supported by a majority of the votes cast at a meeting of the performance review committee is the recommendation of that committee.

(2) The performance review committee must give its recommendation to the Secretary in writing and provide reasons.

20 Confidentiality

The performance review committee must keep confidential all information provided or disclosed to it under the Act or these regulations except to the extent that disclosure is—

(a) required to enable the committee to carry out its obligations and duties under the Act or these regulations; or

(b) otherwise compelled by a law other than the Act or these regulations.

21 Chairperson

The functions of the chairperson are to—

(a) make such arrangements as are practicable to ensure the orderly and expeditious discharge of the function of the performance review committee; and

(b) ensure to the extent practicable, that the meetings of the committee—

(i) consist of members who, collectively, meet the requirements of section 79(6) of the Act; and

(ii) have sufficient members to constitute a quorum.

22 Meetings of performance review committee

(1) The chairperson must decide the dates, times, and method of the meetings of the performance review committee.

(2) The meetings of the performance review committee may be held—

(a) by its members being assembled together at the time and place appointed for the meeting; or

(b) by means of audio-visual or electronic communication.

23 Acting chairperson

(1) For the purpose of ensuring that the functions and powers of the chairperson are performed or exercised during any period when the chairperson is absent, incapacitated, or has a conflict of interest, the chairperson must ensure that at all times they have nominated a member of the performance review committee to serve as acting chairperson if the need arises.

(2) The fact that a person purports to perform or exercise, or to have performed or exercised, any function or power of the chairperson under a delegation or nomination is, in the absence of proof to the contrary, sufficient evidence of the person's authority to do so.

Regulation 23(1): amended, on 7 August 2026, by regulation 5 of the Legal Services (Quality Assurance) Amendment Regulations 2026 (SL 2026/198).

24 Quorum

The quorum of the performance review committee is 3 members.

25 Conflicts of interest

(1) If a member of the performance review committee has a conflict of interest in relation to any matter before the committee,—

(a) the member must declare the conflict to the chairperson as soon as the member becomes aware of it; and

(b) the member must step aside from any involvement in the matter if the chairperson considers the conflict of interest is likely to materially affect the member's impartiality.

(2) If the chairperson of the performance review committee has a conflict of interest in relation to any matter before the committee, the chairperson must—

(a) declare the conflict to the Secretary; and

(b) step aside from any involvement in the matter if the Secretary considers that the conflict is likely to materially affect the chairperson's impartiality.

Part 4
Review Authority

26 Application for review

An application under section 82 of the Act for a review of a decision of the Secretary must—

(a) be in writing; and

(b) specify the part or parts of the decision for which the review is sought; and

(c) specify the grounds on which the application is made; and

(d) be accompanied by a copy of the decision and any supporting statement, document, or information (if any).

27 Conduct of review

(1) In conducting a review, the Review Authority—

(a) must consider the application and any written submissions made by the person seeking the review; and

(b) must consider any written submissions made by the Secretary; and

(c) may consider any statement, document, information, or matter that in the Review Authority's opinion may assist the Authority to deal effectively with the subject of the review, whether or not it would be admissible in a court of law.

(2) The Review Authority may—

(a) request further information from the Secretary or the person seeking the review; and

(b) have regard to that information; and

(c) specify a date by which the information must be provided; and

(d) refuse to consider any information provided after that date.

28 Decision on review

As soon as practicable after making a decision on an application for review, the Review Authority must, in writing, give notice of the decision and the reasons for it to—

(a) the person who sought the review; and

(b) the Secretary.

29 Withdrawal of application for review

A person who has made an application for review to the Review Authority may, at any time, withdraw the application by giving written notice to the Authority.

Schedule
Experience and competence requirements

rr 6, 6A, 6B

Schedule: replaced, on 1 July 2013, by regulation 7 of the Legal Services (Quality Assurance) Amendment Regulations 2013 (SR 2013/187).

Schedule heading: amended, on 1 November 2015, by regulation 6 of the Legal Services (Quality Assurance) Amendment Regulations 2015 (LI 2015/225).

Experience and competence requirements for criminal matters

1 Experience and competence requirements for criminal matters

(1) In this clause and clauses 2 to 7,—

approval level 1 criminal proceedings means—

(a) any proceeding—

(i) for which the procedure for trial is the Judge-alone trial procedure; and

(ii) that is not a Crown prosecution; and

(b) any proceeding in a Youth Court

approval level 2 criminal proceedings means any proceeding—

(a) that is a Crown prosecution; and

(b) where the person charged may be liable to a penalty of no more than 10 years' imprisonment

approval level 3 criminal proceedings means any proceeding—

(a) that is a Crown prosecution; and

(b) where the person charged may be liable to a penalty of more than 10 years' imprisonment; and

(c) that is not an approval level 4 criminal proceeding

approval level 4 criminal proceedings means any proceeding where the person charged—

(a) is charged with—

(i) an offence listed in Schedule 1 of the Criminal Procedure Act 2011; or

(ii) any offence not listed in that schedule that is punishable by imprisonment for life; or

(b) may be liable to a sentence of preventive detention; or

(c) *[Revoked]*

(2) An applicant who has the experience and competence required for a particular level of criminal proceedings has the experience and competence required for any level of criminal proceedings below that level.

(3) Any term that is defined in the Criminal Procedure Act 2011 and used, but not defined, in this schedule has the same meaning as in that Act.

Schedule clause 1(1) **approval level 4 criminal proceedings** paragraph (c): revoked, on 16 August 2022, by section 31 of the Three Strikes Legislation Repeal Act 2022 (2022 No 40).

2 Approval level 1 criminal proceedings

For approval level 1 criminal proceedings, the applicant must—

(a) have at least 12 months' recent experience in criminal law practice; and

(b) have appeared as counsel with substantial and active involvement in at least 3 trials in criminal proceedings.

3 Approval level 2 criminal proceedings

For approval level 2 criminal proceedings, the applicant must—

(a) have at least 24 months' recent experience working on approval level 1 criminal proceedings; and

(b) have appeared as counsel with substantial and active involvement in at least 3 trials in proceedings that are Crown prosecutions.

4 Approval level 3 criminal proceedings

For approval level 3 criminal proceedings, the applicant must—

(a) have at least 36 months' recent experience working on approval level 2 criminal proceedings; and

(b) have appeared as counsel with substantial and active involvement in at least 4 approval level 3 or 4 criminal proceedings where—

(i) at least 1 charge carries a maximum penalty of 10 years' imprisonment or more; or

(ii) the person charged is likely to face cumulative sentences of more than 10 years' imprisonment.

5 Approval level 4 criminal proceedings

For approval level 4 criminal proceedings, the applicant must—

(a) have at least 24 months' recent experience working on approval level 3 criminal proceedings; and

(b) have appeared as counsel with substantial and active involvement in at least 4 approval level 3 or 4 criminal proceedings where at least 1 of those proceedings is an approval level 4 criminal proceeding.

6 Experience requirements for duty lawyer scheme

For services under the duty lawyer scheme, the applicant must—

(a) have at least 6 months' recent experience in criminal law practice; and

(b) have appeared as counsel with substantial and active involvement in at least—

(i) 1 pre-trial hearing; and

(ii) 1 hearing at which an opposed application for bail was made; and

(iii) 1 trial conducted by or on behalf of the New Zealand Police before a Judge alone; and

(iv) 1 sentencing hearing at which a plea in mitigation was made; and

(c) have successfully completed a course of training for duty lawyers that is conducted by the New Zealand Law Society, unless the Secretary has given written notice to the applicant that the applicant is not required to complete such a course of training.

7 Police detention legal assistance scheme

For services under the Police detention legal assistance scheme, the applicant must—

(a) have at least 24 months' recent experience working on approval level 1 criminal proceedings; and

(b) have appeared as counsel with substantial and active involvement in at least 3 trials in proceedings that are Crown prosecutions.

Experience and competence requirements for civil matters

8 Civil

For civil proceedings, the applicant must—

(a) have at least 18 months' recent experience working on civil cases; and

(b) have appeared as counsel with substantial and active involvement in at least 3 civil proceedings; and

(c) have assisted in the preparation of at least 2 other civil proceedings.

9 Family

For family law proceedings, the applicant must—

(a) have at least 18 months' recent experience working on family cases; and

(b) have had substantial and active involvement in at least 5 family cases of various types including, without limitation, interlocutory hearings, mediation conferences, judicial conferences, and proceedings where witnesses gave oral evidence.

9A Out-of-court legal assistance on matters relating to Care of Children Act 2004

For providing out-of-court legal assistance on matters relating to the Care of Children Act 2004, the applicant must—

(a) have at least 18 months' recent experience working on family cases; and

(b) have had substantial and active involvement in at least 5 family cases of various types, including (without limitation) interlocutory hearings, mediation conferences, judicial conferences, and proceedings where witnesses gave oral evidence.

Schedule clause 9A: inserted, on 25 October 2013, by regulation 4 of the Legal Services (Quality Assurance) Amendment Regulations (No 2) 2013 (SR 2013/433).

10 Māori Land Court and Māori Appellate Court

For proceedings before the Māori Land Court or Māori Appellate Court, the applicant must—

(a) have 18 months' recent experience working on Māori Land Court cases; and

(b) have had substantial and active involvement in at least 3 substantial Māori Land Court proceedings; and

(c) have sound knowledge of the Treaty of Waitangi and Māori land law; and

(d) have an understanding of tikanga Māori and basic ability in te reo Māori.

11 Waitangi Tribunal

For proceedings before the Waitangi Tribunal, the applicant must—

(a) have 18 months' recent experience working on Waitangi Tribunal cases; and

(b) have had substantial and active involvement in at least 3 substantial Waitangi Tribunal proceedings; and

(c) have sound knowledge of the Treaty of Waitangi and Waitangi Tribunal jurisprudence; and

(d) have an understanding of tikanga Māori and basic ability in te reo Māori.

12 Mental health

For mental health proceedings, the applicant must—

(a) have at least 24 months' recent experience working on family law or criminal law cases; and

(b) have observed at least 3 completed mental health cases.

13 Refugees and protected persons

For any refugee proceedings, the applicant must—

(a) have at least 18 months' recent experience working on refugee and protected persons cases; and

(b) have had substantial and active involvement in at least 5 cases at the Refugee Status Branch level; and

(c) have actively participated in at least 1 proceeding before the Immigration and Protection Tribunal, the Deportation Review Tribunal, the Refugee Status Appeals Authority, or the Removal Review Authority.

Experience and competence requirements in relation to appeals (civil or criminal)

14 Court of Appeal and Supreme Court

For proceedings before the Court of Appeal or Supreme Court, the applicant must—

(a) have at least 5 years' recent experience in litigation work; and

(b) have had substantial and active involvement in 5 appeal proceedings of various types (including, without limitation, pre-trial hearings, Solicitor-General's appeal, and appeal by way of case stated), all of which must have been held in the High Court or in another higher court.

Michael Webster,
for Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 26 May 2011.

Notes

1 General

This is a consolidation of the Legal Services (Quality Assurance) Regulations 2011 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 Legal status

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 Editorial and format changes

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 Amendments incorporated in this consolidation

Legal Services (Quality Assurance) Amendment Regulations 2026 (SL 2026/198)

Three Strikes Legislation Repeal Act 2022 (2022 No 40): section 31

Legal Services (Quality Assurance) Amendment Regulations 2015 (LI 2015/225)

Legal Services (Quality Assurance) Amendment Regulations (No 2) 2013 (SR 2013/433)

Legal Services (Quality Assurance) Amendment Regulations 2013 (SR 2013/187)

Legal Services (Quality Assurance) Amendment Regulations 2012 (SR 2012/96)

Legal Services (Quality Assurance) Amendment Regulations 2011 (SR 2011/269)

Wellington, New Zealand:
Published under the authority of the New Zealand Government—2026