

THE QUEENSLAND LAWYER

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ARTICLES

High Court validates restrictions on lawyer advertising – Anthony Gray

As part of governments' responses to the so-called public liability crisis, the New South Wales Parliament enacted tough restrictions on the ability of a legal practitioner to "advertise" their services in that jurisdiction. The definition of "advertise" is a very broad one, wide enough to include a wide range of activities, including providing information about legal services, whether or not in a commercial context. The Australian Plaintiff Lawyers Association challenged the legislation on various grounds, but in September the High Court validated the legislation. The author explains the court's reasons in this article, but finds the arguments of the dissenting judges to be stronger. The article compares the New South Wales provisions with equivalent rules operating in Queensland. 131

Impact on succession law of the Discrimination Law Amendment Act 2002 – Alun A Preece

This article discusses the impact on succession law of the *Discrimination Law Amendment Act 2002* (Qld). This occurs through the amendment of the *Succession Act 1981* (Qld), into which those areas of succession law which are in statutory

form were consolidated as part of the major reform of succession law recommended by the Queensland Law Reform Commission and enacted with effect from 1 January 1982. The amendment of the *Acts Interpretation Act 1954* (Qld) by the insertion of a new s 32DA is also highly relevant. Essentially these provisions widen the definition of “de facto spouse” generally, and in particular to include same-sex couples and to reduce the required period of cohabitation from five years to two years..... 140

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