



## POLICY

# DEFENCE LEAVE POLICY

The Victorian Bar Council has adopted a policy intended to assist Reservists deployed to the Australian Defence Force for extended periods.

Members of Division AI of the Bar Roll who are financial and are Reservists deployed on active service in the Australian Defence Force for extended periods as a non-legal officer (or as a legal officer who is not paid sessional rates), may receive:

- a) a chambers rental subsidy; and
- b) a discount on Bar subscriptions –

for a period of up to six months in any single year, subject to the conditions outlined below.

### *Chambers rental subsidy*

The Victorian Bar Inc. will pay 75% of the chambers rental of qualifying members (capped at \$1,300 per month\*), for a period up to six months, subject to the following conditions:

1. the period of subsidy will be no longer than the period of deployment and will not exceed 6 months in any single year;
2. for the period of the subsidy, the barrister shall pay to the manager of the chambers the total residual rental balance otherwise payable in respect of those chambers, after taking into account the subsidy receivable under this policy;
3. notwithstanding anything said above:
  - a) where the barrister has sub-let his or her chambers, the subsidy receivable will only apply to that part of the rental which is not the subject of any sub-leasing recoveries;
  - b) where the barrister shares chambers with another person, the subsidy receivable will only apply to the proportionate share of the total rental for that chambers that that barrister would normally pay for his or her share (so, for example, if 2 persons share a room equally and 1 person seeks the subsidy, the subsidy will only be for 75% of 50% of the total rental for that room, with the cap of \$1,300\* applying to 75% of that 50%);
4. In any case they consider appropriate, the Treasurer and the Executive Director together may modify the conditions in (1) to (3) above.

\* On 1 July each year commencing 1 July 2020, the cap will be increased by the average proportionate rental increase across all BCL chambers for that financial year.

Procedure Name:	Defence Leave Policy	Procedure No.
Approved By:	The Victorian Bar Council	Date Approved: 16 May 2012 (last reviewed 17 May 2021)
Delegation:	Not applicable	Date to be Reviewed:
Date to Cease:	Not applicable	Quality Reference



### ***Bar Subscription Discount***

Any member who qualifies for a rental subsidy is also entitled to a Bar subscription discount of 75% of the member's subscription for the period of the rental subsidy.

### ***Procedure***

The procedure to apply for a rental subsidy and subscription discount is as follows:

1. Any request must be in writing to the Bar Council, through the Executive Director, setting out that the barrister meets the qualifying conditions and the period for which the barrister seeks the subsidy and discount.
2. The Executive Director will consider the request by reference to the criteria described above.
3. If the application is approved, the Executive Director will:
  - a) advise the applicant in writing of the approval;
  - b) forward a copy of the approval letter to the manager of the chambers as authority for the Bar to be charged with the amount of the subsidy.
4. If the application is not approved, the Executive Director will advise the applicant in writing.

### ***Contact***

For information and assistance, please contact Susan Lawrence, Manager, Finance and Membership at the Bar Office, 9225 7111.

*Last amended and approved by Bar Council on 7 November 2019.*

Procedure Name:	Defence Leave Policy	Procedure No.
Approved By:	The Victorian Bar Council	Date Approved: 16 May 2012 (last reviewed 17 May 2021)
Delegation:	Not applicable	Date to be Reviewed:
Date to Cease:	Not applicable	Quality Reference
Page 1 of 3		