



Stale qualifications when applying for admission into the legal profession

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Is your law degree too old? In Queensland, admission into the legal profession is subject to both academic and practical legal training requirements. However, many prospective applicants are unaware of an important eligibility condition: the currency of those qualifications. This concept is known as stale qualifications.

While the presence of stale qualifications does not automatically bar admission, it can impose additional requirements on applicants to demonstrate their current legal competence. This blog explores how stale qualifications are assessed in Queensland and the steps an applicant can take to meet the standards required for admission.

Admission framework

Applications for admission as a legal practitioner in Queensland are governed by the *Legal Profession Act 2007* (Qld) and the Supreme Court (Admission) Rules 2004 (Qld).

Under these Rules, an applicant must satisfy three core requirements:

1. Academic qualifications – a Bachelor of Laws or Juris Doctor;
2. Practical Legal Training (PLT) – such as the completion of a Graduate Diploma in Legal Practice or a supervised traineeship;
and
3. Fitness – the applicant must be a fit and proper person to be admitted to the legal profession. Read more about this in our earlier blog, [“Disclosure requirements for applicants for admission to the legal profession in Queensland”](#).

Stale qualifications

"Stale qualifications" refer to academic or practical legal training credentials obtained more than five years before the date of an application for admission. The concept of stale qualifications is not about academic achievement but rather to ensure that an applicant's knowledge and competence remain up to date in the context of a dynamic and evolving legal system.

In Queensland, applicants who have attained approved academic qualifications or practical legal training qualifications more than five years prior to applying for admission are required to:

- seek an assessment of those qualifications; and
- refresh or renew those qualifications as determined by the Legal Practitioners Admissions Board (the Board).

This process is governed by Rules 6A, 7AA and 7B of the Supreme Court (Admissions) Rules 2004.

Rules 6A, 7AA and 7B all apply under different circumstances.:

- 1. Rule 6A** applies where an applicant has attained an approved academic qualification more than five years prior to an application for admission. Under this rule, the Board is empowered to approve additional academic qualifications for an applicant as the Board considers appropriate.
- 2. Rule 7AA** applies where an applicant has satisfactorily completed the approved practical legal training requirements more than five years prior to an application for admission. Under this rule, the Board is empowered to approve additional legal training requirements as the Board considers appropriate.
- 3. Rule 7B** applies where an applicant has satisfactorily completed the approved practical legal training requirements under a supervised traineeship, which is an alternative to completing PLT.

If the requirements of the supervised workplace experience were completed more than 5 years before an application for admission, the Board is empowered to approve further periods of supervised workplace experience or courses as the Board considers appropriate.

While these Rules use a five-year timeframe to define stale qualifications, this is not a strict exclusion. Rather, it is a threshold that signals further scrutiny by the Board.

Applying for an assessment of stale qualifications

To assist applicants, the Board regularly publishes materials which, while not binding, provide guidance on processes concerning admission and the expectations of the Board.

Pursuant to the Board's guidelines on stale qualifications, the Board reviews stale qualifications on a case-by-case basis.

Applicants who are required to apply to the Board for an assessment of their academic qualifications and/or practical legal training requirements should provide the following material to the Board:

1. A copy of their transcript evidencing completion of their academic qualifications and/or practical legal training;
2. Details explaining the circumstances of the delay in seeking admission following completion of their academic qualifications and/or approved practical legal training requirements; and
3. A copy of their curriculum vitae.

Legal Practitioners Admissions Board approach to stale qualifications

The Board has a discretion to determine whether stale qualifications are acceptable for the purposes of admission, or whether an applicant needs to undertake further academic study or practical legal training.

In assessing an application involving stale qualifications, the Board's guidelines provide that the Board may also take the following matters into consideration:

1. The nature and quality of the applicant's previous academic and practical legal training qualifications, including the results obtained in any academic or practical legal training subjects undertaken in Australia;
2. The length of time since the applicant successfully completed a particular academic or Practical Legal Training Requirement;
3. The applicant's subsequent verifiable experience in the subject matter of a particular academic or Practical Legal Training Requirement;
4. The nature, duration and currency of the applicant's experience in law-related occupations, including experience gained in working with Australian lawyers or in an environment requiring the regular public or objective testing of the applicant's judgment and knowledge of the relevant law;
5. Whether there have been any significant changes in the relevant law since the applicant completed an academic or Practical Legal Training requirement; and
6. Any other factor that may bear on the currency or relevance of the applicant's knowledge or experience in relation to a particular academic or Practical Legal Training requirement.

Conclusion

Stale qualifications are a common but often overlooked hurdle for law graduates or returning lawyers seeking admission in Queensland. While the presence of stale qualifications does not automatically bar admission, it can impose additional requirements on applicants to demonstrate their current legal competence.

Gilshenan &Luton regularly assist applicants applying for admission into the legal profession. If you are concerned about the currency of your qualifications or applying for an assessment of your stale qualifications to the Board, please contact us.

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