



# Victoria Government Gazette

No. S 542 Wednesday 18 December 2019  
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## Appointment of Her Majesty's Counsel ORDER

### PREAMBLE

WHEREAS prior to 2000, persons were appointed as Her Majesty's Counsel by the Governor in Council, on the recommendation of the Attorney-General, following nomination by the Chief Justice of the Supreme Court.

AND from 2000 until October 2004, persons were appointed as Senior Counsel by the Governor in Council, on the recommendation of the Attorney-General, following nomination by the Chief Justice.

AND since October 2004, persons have been appointed as Senior Counsel by the Chief Justice pursuant to the relevant rules of the Supreme Court.

AND since November 2014, appointments of Her Majesty's Counsel have been made by the Governor in Council, pursuant to the Appointment of Her Majesty's Counsel Order 2014.

AND the Appointment of Her Majesty's Counsel Order 2014 provides for the appointment only of persons who have been appointed as Senior Counsel by the Chief Justice,

### ORDER

I, Linda Dessau, Governor of Victoria, by and with the advice of the Premier, and acting pursuant to section 87E of the **Constitution Act 1975** and all other enabling powers, make the following Order:

1. This Order may be cited as the Appointment of Her Majesty's Counsel Order 2019.
2. The Order made on 3 November 2014, which may be cited as the 'Appointment of Her Majesty's Counsel Order 2014', and which was published in the Special Government Gazette No. S412 on 3 November 2014, is revoked on commencement of this Order.
3. The power to appoint Her Majesty's Counsel through the issue of Letters Patent may be exercised by the Governor in Council.
4. No person shall be appointed to be one of Her Majesty's Counsel except on the recommendation of the Attorney-General to the Governor in Council, that person having previously been appointed, or nominated for appointment, as Senior Counsel by the Chief Justice of the Supreme Court.
5. Appointment by the Governor in Council of a person as Her Majesty's Counsel does not affect precedence the person previously had as Senior Counsel.
6. Any Order in Council made for the purposes of the appointment of Her Majesty's Counsel must be published in the Government Gazette.
7. This Order comes into operation on the day it is published in the Government Gazette.

Given under my hand and the seal of Victoria on 17 December 2019

(L.S.)

LINDA DESSAU  
The Honourable Linda Dessau AC  
Governor  
By Her Excellency's Command  
DANIEL ANDREWS  
Premier

**SPECIAL**

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Level 2, 1 Macarthur Street  
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Ground Floor, Building 8,  
658 Church Street,  
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[gazette@ivegroup.com.au](mailto:gazette@ivegroup.com.au)

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