



# CPD Guide

Guidelines on CPD compliance  
for Queensland solicitors

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Practical Legal Ethics 

Practice Management &  
Business Skills 

Professional Skills 

Substantive Law 

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# CPD Guide

## Guidelines on CPD compliance for Queensland solicitors

Holders of practising certificates issued by the Queensland Law Society Inc (Society) must comply with the rules relating to Continuing Professional Development (CPD). The CPD Rules are contained in Part 6 of the *Queensland Law Society Administration Rule 2005* (Administration Rule). References to rule numbers throughout are to the Administration Rule.

You have a continuing obligation as an Australian legal practitioner and to the community to participate in professional development that improves your ability to engage in the practice of law by extending your knowledge and skills in areas that are relevant to the needs of the current practice of law and the professional standards of solicitors.

Failure to comply with the CPD Rules may result in cancellation, suspension or placement of conditions on your practising certificate.

This document offers guidance on how to comply with the CPD Rules.

### 1. CPD year

The CPD year runs from 1 April to 31 March.

### 2. How many units do I need?

Each year you must complete ten CPD units, unless:

- you have been exempted by the CPD Committee in whole or in part under rule 49; or
- your practising certificate commences during a CPD year, in which case, you must complete CPD units on a pro-rata basis for the balance of the CPD year as set out in paragraph 4 below.

The smallest fraction of a unit that can be claimed is half a point. So, for example, you could claim two points for a two and a quarter hour course.

CPD units acquired during the period 1 January to 31 March may be counted in the current CPD year or the following CPD year, but not both.

### 3. Mandatory CPD core areas

Each CPD year you must complete at least one CPD unit in each of the following mandatory core areas:

- a. practical legal ethics;
- b. practice management and business skills; and
- c. professional skills.

A non-exhaustive list of topics covered by the mandatory CPD core areas is set out in paragraph 6 below.

## 4. CPD requirements for pro rata periods

If your practising certificate commences during a CPD year, you must complete the balance of the CPD units as set out below:

PC commencement month	CPD Units required
January	1
February	0
March	0
April	10
May	9
June	8
July	7
August	6
September	5
October	4
November	3
December	2

Where a partial exemption or pro rata calculation applies, units in the mandatory core areas must be completed as part of the remaining units to be satisfied.

For example, if your certificate commences in December, you are required to complete two CPD units which may be gained in any two of the mandatory core areas (but not two CPD units in the same mandatory core area). If your certificate commences in September, you are required to complete one CPD unit in each of the three mandatory core areas and two additional CPD units in any area of your choosing.

## 5. What is a CPD activity?

CPD compliance is self-assessed.

To qualify as a CPD activity, an activity must be:

- of significant intellectual or practical content and must deal primarily with matters directly related to the practice of law;
- conducted by persons who are qualified by practical or academic experience in the subject covered; and
- relevant to your immediate or long term needs in relation to your professional development and to the practice of law.

## 6. Non-exhaustive list of topics covered by mandatory CPD core areas

This is a non-exhaustive, non-prescriptive list of topics and is provided for illustrative purposes only. It is based on the National CPD Taskforce Model for Australian Lawyers. While CPD providers may indicate the mandatory core area to which their activity belongs, it is up to you to decide which of the mandatory core areas applies to from your perspective.

### Practical Legal Ethics

- Conflict of interest
- How to identify an ethical issue
- Communicating directly with third parties
- A lawyer's duty to the court
- Ethics within a technical legal context or practice area (eg corporate law)

### Practice Management & Business Skills

- Risk management
- File management
- Cost rules
- Business planning
- Financing a practice
- Effective use of technology

### Professional Skills

- Communication and interpersonal skills
- Client interviewing
- Plain English drafting
- Negotiation and mediation skills
- Career and personal development
- Advocacy
- Legal research
- Family violence and safety

Some topics may be applicable to more than one core mandatory area, depending on the content and learning outcomes. For example, "Bullying Harassment and discrimination" topics. For these topics, you can claim the CPD points in only one of the nominated mandatory areas and this should reflect the learning outcomes that apply from your perspective.

## 7. Format of CPD activities

According to rule 48 of the Administration Rule, a CPD activity may consist of:

Applicable rules	CPD activity format	Calculation of 1 CPD unit for the format	Maximum that can be undertaken for the format
48(2)	Course, seminar, workshop, lecture, conference, discussion group, multimedia or web-based program	1 hour	No limit
48(2)	Private study of audio/visual material recording of an event	1 hour	No limit
48(2), 48(8), 48(9)	Research, preparation or editing of a legal article	1,000 words	5 units
48(7)	Preparation of CPD activities	1 hour	5 units
48(7)	Presentation of CPD activities	1 hour	5 units
48(10)	Membership of a legal committee, taskforce or practice section of a law association or similar body	2 hours	3 units
48(2)	Post graduate study	1 hour	No limit
48(4)	Completion of a specialist accreditation program	10 CPD units including one CPD unit in each of the three mandatory core areas	No limit
48(6)	Completion of a practice management course	10 CPD units including one CPD unit in each of the three mandatory core areas	No limit

## 8. CPD exemptions

You may make a written application for an exemption, which will be considered by the CPD committee according to the strict criteria set out in rule 49. Such exemption may be granted in whole or in part and upon such conditions as the CPD Committee may specify. The criteria set out in rule 49 are:

- (a) the practitioner has been in practice for a period exceeding forty years and
  - (i) holds a practising certificate other than a principal practising certificate; or
  - (ii) is a Notary Public whose sole reason for holding a practising certificate is to continue to act as a Notary Public; or
- (b) by reason of the practitioner's geographical location, a physical disability or any particular exigencies of the practitioner's practice, the practitioner has experienced particular hardship or difficulty in complying with these rules;
- (c) the practitioner has been substantially absent from practice because of parenting leave, unemployment or illness; or
- (d) the CPD Committee considers that there are special circumstances warranting it doing so.

If you are granted a partial exemption from compliance with the CPD Rules, the CPD units in the mandatory core areas must be completed as part of the remaining units to be satisfied (see example in paragraph 4 above).

An application form for exemption can be found on the Forms section of the Society's website [qls.com.au](http://qls.com.au).

## 9. CPD extensions

If you find upon checking your record that you have not completed the necessary units for a CPD year, you may apply for an extension of the time within which to comply with the CPD rules.

You may make a written application for an extension explaining why you have been unable to obtain the necessary CPD units and requesting an extension of time.

An application for extension can be made in writing to [cpd@qls.com.au](mailto:cpd@qls.com.au)

## 10. Certification of CPD Compliance

When making application for renewal of a practising certificate you will be required to certify that you have complied with the CPD Rules for the CPD year last ended. If you are selected as part of the audit process, you will be required to provide evidence of compliance with the CPD Rules.

## 11. Record keeping

You are required to maintain your own record of CPD activities. You may do so in any format you wish and should keep the record for at least seven years following the end of the relevant CPD year.

The Society recommends using the online QLS membership profile to record your CPD activities. This profile will be automatically updated if you attend a professional development event run by the Society. You can also update your profile with any other CPD activities undertaken. Keeping your online profile up to date can be of benefit in the event you are audited for compliance as the CPD Scheme administrator can see your record.

**Logon > Your QLS > CPD History > Self Nominated - CPD Points**

Alternatively, you may keep a paper record of your CPD compliance. An example template can be found here:

[qls.com.au/For\\_the\\_profession/Your\\_legal\\_career/Continuing\\_professional\\_development\\_CPD/Record\\_keeping](http://qls.com.au/For_the_profession/Your_legal_career/Continuing_professional_development_CPD/Record_keeping)

## 12. CPD audit

The CPD Committee may at any time require you to provide such evidence of compliance with the CPD Rules as it reasonably requires.

You should ensure that you keep records of your CPD activities in a manner which will enable you to provide the following information if audited:

- a. number of CPD units claimed;
- b. the activity undertaken in respect of which the CPD units have been claimed (including for example the date, provider, format, description and, if relevant, an indication of which mandatory core area the activity relates);
- c. the reasons for claiming that the activities for which the CPD units have been claimed satisfy the CPD Rules; and
- d. particulars of any exemptions granted under the CPD Rules.

If you have not complied with the CPD Rules, you will be given an opportunity to make a proposal to the CPD Committee to rectify the deficiency in compliance with the CPD Rules.

If you fail to comply with an audit request, further action may be taken as set out in the CPD Rules.

## 13. Notes for course providers

The system of self-assessment underpinning the CPD scheme requires individual practitioners to determine the number of units for which he/she will claim credit. The Society suggests that providers use one of the following statements on brochures in preference to making any specific reference to CPD points or units. **Version A –**

### **Long version**

Seminars and other CPD activities are not accredited by the Queensland Law Society Inc. Under the Society's CPD Rules, if this particular educational activity is relevant to your immediate or long term needs in relation to your professional development and the practice of the law, then you should claim one unit for each hour of attendance, refreshment breaks not included. The annual requirement is ten (10) CPD units each year from 1 April to 31 March.

### **Version B – Short version**

If this particular educational activity is relevant to your immediate or long term needs in relation to your professional development and practice of the law, then you should claim one CPD unit for each hour of attendance, refreshment breaks not included.

## 14. Enquiries

Enquiries regarding:

- CPD Rules should be directed to [cpd@qls.com.au](mailto:cpd@qls.com.au)
- Events run by the Society should be directed to [events@qls.com.au](mailto:events@qls.com.au)
- Learning and professional development opportunities offered by the Society should be directed to [qlslpd@qls.com.au](mailto:qlslpd@qls.com.au)

The CPD Rules can be found on the Society's website in Part 6 of the Administration Rule.

[qls.com.au/Knowledge\\_centre/Legislation\\_rules](https://qls.com.au/Knowledge_centre/Legislation_rules)