



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?

- a. Subject to 2B below, if you hold a Practising Certificate you must complete a minimum of 10 CPD units each CPD year.
- b. If you hold Specialist Accreditation, you must complete a minimum of 15 CPD units each CPD year.
- c. If your Practising Certificate commences during a CPD year you must complete the number of pro rata CPD units as set out in paragraphs 5 or 6 (as applicable) below.
- d. You can apply for a part or whole exemption in accordance with paragraph 9 below.

The smallest fraction of a unit that can be claimed is half a point. For example, you could claim two points for a two and a quarter hour course. Quarter hours must be rounded down.

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

Subject to paragraphs 5 and 6 below, 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 7 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	Minimum 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. Accredited Specialists - CPD requirements for pro rata periods

Month of re-accreditation	Minimum number of CPD Units required in Specialist Accreditation Substantive law area	Minimum number of core CPD Units required	Balance of points required (in any area)
1 April	10	3 (1 in each core area)	2
1 May	9	3 (1 in each core area)	2
1 June	8	3 (1 in each core area)	1
1 July	7	3 (1 in each core area)	1
1 August	6	3 (1 in each core area)	0
1 September	5	3 (1 in each core area)	0
1 October	4	2 (any core unit but not in the same area)	0
1 November	3	2 (any core unit but not in the same area)	0
1 December	2	2 (any core unit but not in the same area)	0
1 January	1	1 (any core unit)	0
1 February	0	0	0
1 March	0	0	0

6. 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.

7. 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.

8. 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 that occurred in the relevant CPD year	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

9. 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.

10. 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

11. 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.

12. 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 your online QLS membership profile to record your CPD activities.

13. 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.

14. 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.

15. Enquiries

Enquiries regarding:

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

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

16. Frequently asked questions

Do post graduate studies count towards CPD scheme units?

Yes. Post graduate study programs are recognised if you can demonstrate relevance to your legal practice, eg. Master of Laws. See page 6 for more information.

Please note that CPD points gained during your PLT course cannot be applied to your QLS CPD requirements.

As an accredited specialist, am I required to complete more than the 10 CPD scheme units?

Yes. Accredited specialists are required to complete 10 CPD scheme units in their area of expertise and five additional units of their choice but must comply with core area requirements. As an accredited specialist, you still need to demonstrate a commitment to the maintenance of specialist level of competence in the area of practice in which accreditation is held. See page 5.

I have recently completed the specialist accreditation program. How many CPD units can I claim?

You can claim 10 CPD scheme units in the year of completion (eight substantive law units in the area of practice and one unit in each of the compulsory core areas of practical legal ethics and professional skills). You are required to complete one additional CPD unit in the core area of practice management and business skills in order to meet CPD requirements.

I reside overseas or interstate. Do I need to comply with the CPD scheme?

Yes. All practitioners holding a current Queensland practising certificate are required to undertake CPD activities wherever they reside.

Do I need to submit my record schedule?

No, but you are expected to personally maintain a record of your yearly CPD activities. Audits will be carried out to ensure compliance. If selected for audit, you will be contacted and requested to submit your CPD record and other relevant supporting documentation.

What if I have not completed enough units?

If you have not attained the necessary CPD scheme units by 31 March each year, you can submit a written application to the CPD Committee requesting an extension.

Extensions can only be granted up until 30 June of the following CPD year.

If I work part-time, do I still need to complete 10 CPD units?

Compliance is mandatory for all practitioners holding a current practising certificate, regardless of whether they are employed full-time or part-time.

No reduction or exemption is available for part-time work.

What happens if I don't meet my CPD obligations?

If you hold a practising certificate and cannot provide evidence of sufficient CPD commitment when audited, regulatory action can occur. Non-compliance can result in the cancellation, suspension or the placement of further conditions on your practising certificate, as determined by the Queensland Law Society Council.

How do I know if the activity I'm completing is appropriate to count towards my CPD requirements?

The CPD scheme involves self-assessment, where you must consider your specific requirements for professional development (whether substantive legal knowledge, professional skills or other needs) and then decide whether the activity is suitable to allow you to develop the knowledge and/or skill to be applied in legal practice.

I have recently completed the QLS Practice Management Course. How many CPD points can I claim?

You can claim 10 CPD units in the year of completion including all core units.

I have been practising for over 40 years. Can I claim exemption?	You may request a permanent exemption from completing your annual CPD requirements if you have been practising for more than 40 years AND you do not hold a principal practising certificate. Your application must be made in writing to the CPD Committee at cpd@qls.com.au .
Do I have to apply for an exemption every year?	<p>If granted a permanent exemption, it may apply for the remainder of your legal career. You can specify how long you wish to be exempt in your written application.</p> <p>If granted a pro rata or complete exemption, you will need to reapply each year the exemption is required.</p>
How do I know whether the event I am attending meets the requirements for one of the compulsory core areas?	There is no definitive list of events or activities for each of the compulsory core areas. A list of topics is provided on page 6 of this booklet as a guide. It is up to you to assess whether the activity applies to one of the compulsory core areas.
Can I claim part of a unit for an activity that is less than half an hour?	<p>No, the smallest fraction of a CPD unit that may be claimed is half a unit. You must round down to the nearest half a unit. For example:</p> <ul style="list-style-type: none"> • You may claim two and a half CPD units for attending a two and a half hour seminar, • You can only claim two CPD units for attending a two and a quarter hour seminar. Quarter hours must be rounded down.