



Queensland
Law Society®

Business Law

2026 Specialist Accreditation
Assessment Guidelines



spec@qls.com.au

07 3842 5952

[Specialist Accreditation - Queensland Law Society](#)

Contents

Assessment Guidelines Overview	3
Performance outcomes	3
Assessment program	3
Key milestones and program timeline	4
Outline of accreditation requirements	4
SCHEDULE 1: CORE KNOWLEDGE AREAS	5
SCHEDULE 2: PROFESSIONAL PRACTICE SKILLS	8
SCHEDULE 3: TAKE HOME ASSESSMENT	10
Assessment criteria	10
Assessment conditions	10
SCHEDULE 4: WRITTEN EXAMINATION	11
Assessment criteria	11
Assessment conditions	11
SCHEDULE 5: ORAL ASSESSMENT	12
Assessment criteria	12
Assessment conditions	12

Assessment Guidelines Overview

Solicitors who become Accredited Specialists are recognised as having enhanced knowledge and professional practice skills, as well as substantial involvement in established legal specialty areas. Through the assessment tasks, the Queensland Law Society (QLS) requires candidates to demonstrate a standard of professional knowledge, proficiency in application, and communication that reflects that of a specialist in that area of accreditation, to ensure that recognition as an Accredited Specialist is meaningful, credible and reliable.

These Assessment Guidelines are to assist with your self-directed preparation for the three assessment tasks that are part of the program. They should be viewed in conjunction with the QLS Specialist Accreditation Scheme Handbook which contains the policies and procedures relevant to all areas of accreditation.

Performance outcomes

Specialist Accreditation is a structured assessment process which requires the candidate to draw on their existing knowledge and skills to demonstrate their competency and expertise in their chosen area of law.

Solicitors wishing to be accredited should demonstrate a high standard of:

- knowledge of the law and procedure which underpins the performance of tasks in this area of practice; and
- oral and written advocacy which is expected of practitioners wishing to hold themselves out as specialists in the area.

“High standard” means the standard expected of a specialist legal practitioner with enhanced skills, superior knowledge, significant experience and a high proficiency in Business Law, as reflected in the [professional practice skills](#) set out in these Assessment Guidelines.

Assessment program

The assessments are all delivered in a digital environment. This provides equitable access for all candidates irrespective of location and is also aligned with the nature of legal practice in today’s digital world. There is a base level of computer literacy required to complete the assessment, and it is incumbent upon candidates to have access to suitable technology and infrastructure to perform in the most optimal way.

Three assessments make up the Specialist Accreditation program in Business Law.

Take home assessment

The take home assessment is usually the first item of assessment attempted in the program. It is in the form of a mock file where professional artefacts (e.g. a letter of advice, court document or contracts etc.) are drafted in response. Candidates are given a period of three weeks from the release date to complete the Take Home assessment, which is then submitted online to the QLS Learning Management System (Canvas).

Written examination

The written exam consists of short answer and extended written questions. It is accessed by candidates via the QLS Learning Management System (Canvas).

Oral assessment

The oral assessment varies in each area of accreditation (client interview, mock hearing or application, professional discussion/viva). In 2026 the oral assessment in Business Law will be a peer interview format conducted online via Microsoft Teams.

Candidates who complete all three assessments to the standard of an accredited specialist are eligible for accreditation as a specialist in Business Law. Schedules 3-5 include further details in relation to each of the three assessments. Specific core knowledge areas and professional practice skills are listed under [Schedules 1](#) and [2](#).

Candidates may, in any or all the assessment tasks, be assessed on any or all of the core areas of knowledge and professional practice skills.

All assessments undergo a rigorous marking process. Any assessment deemed to not have achieved the standard of an accredited specialist will go through an independent second round of marking before a recommendation is made to grant or deny Accredited Specialisation.

Candidates will be examined on the law as it stands at the date of assessment unless the assessment instructions specify otherwise.

Key milestones and program timeline

Candidates are advised that the Specialist Accreditation program requires a considerable commitment. From when you get accepted into the program, we encourage you to plan and use these guidelines to prepare.

ITEM	DATE
Specialist Accreditation Information Evening (ONLINE)	13 October 2025
Applications Open	17 October 2025
Applications Close	7 November 2025
Candidate Acceptance Notification	15 December 2025
Assessment Briefing Evening (ONLINE)	late February
Assessment Dates	
- Take Home Assignment	Friday 17 April – Monday 11 May 2026
- Written Exam	Saturday 30 May 2026
- Peer Interview	Sunday 7 June 2026
Results Released	late August 2026
Specialist Accreditation Celebration	8 or 9 October 2026

Note: The above dates are correct at the time of publishing. Should any changes need to occur, they will be communicated directly to candidates as early as possible.

Outline of accreditation requirements

Specialists need to possess knowledge of a wide range of topics. In practice of course, the client base and practice experience of the applicant will result in that applicant having a greater degree of familiarity with some of these topics than others.

Nevertheless, every applicant needs to be aware that once accredited as a specialist in this area, the practitioner will be in effect holding themselves out to potential clients as having a knowledge of all of the topics that fall within the specialty.

Over a period of years those topics with which the applicant will be most familiar within the speciality may fluctuate as the client base changes.

As part of this program, candidates will undertake practical exercises in:

- conducting necessary research on relevant law and court procedure
- providing advice on causes of action available in Personal Injuries litigation
- drafting legal process to institute and/or defend claims
- interviewing clients, and providing technically correct and appropriately communicated advice; and
- comprehending the ethical rules applicable to the conduct of legal practitioners in the course of Business law and litigation.

SCHEDULE 1: CORE KNOWLEDGE AREAS

The assessment for specialist accreditation in business law focuses on advice and guidance to small and medium-sized enterprises (SMEs). Matters relating to public companies e.g. the law relating to takeovers are generally outside the scope of this assessment program.

A legal practitioner accredited as a business law specialist is expected to be able to provide sound preliminary advice on all of the topics listed in Parts 5.1 and 5.2 below however this is not an exclusive list.

More importantly, it is expected that a business law accredited specialist would be able to provide detailed advice on certain core areas such as buying and selling of a business and business structures.

It is understood that business law accredited specialists differ from each other because of a number of factors including:

- the sophistication and variety of their existing clients in terms of size, structure and fields of business activity
- the depth of experience in this field of law
- referrals of new clients based on individual expertise.

It should be noted that some areas of practice generally relevant to business law accredited specialists are assessed in depth in other specialties offered under the specialist accreditation scheme, e.g. Property Law, Taxation Law and Commercial Litigation.

1.1 Advanced knowledge

For the purposes of the business law specialist accreditation assessment program, the candidate is expected to have a detailed knowledge of the following core areas of knowledge:

1.1 Buying and selling a business (either by way of asset sale or share sale).

1.2 Due diligence, including how to undertake due diligence on a business or a company.

1.3 Contract management, including how to:

- vary a contract;
- assign or novate a contract; and
- terminate a contract.

1.4 Business structures, including establishing a new business:

- *Corporations Act 2001* (Cth);
- partnerships, trusts and sole proprietorship;
- joint ventures;
- powers, rights, duties and obligations of owners, directors and officers;
- succession planning;
- superannuation;
- shareholder agreements, unitholders agreements and partnership agreements;
- business names

1.5 Securities and guarantees, including:

- mortgages and general security agreements;
- guarantees; and
- impact of *Personal Property Securities Act 2009* (Cth)

1.6 Leases, including:

- impact of the Retail Shop Leases Act 1994 (Qld)
- Operation and practice regarding *Personal Property Securities Act 2009* (Cth).

1.7 Intellectual Property and data, including:

- trade marks, passing off, business names and company names;
 - copyright;
 - websites and other social media platforms;
 - IP licenses;
 - Transfer of IP;
 - confidentiality
-

1.8 Supply chain agreements, including:

- service agreements;
 - sale of goods agreements;
 - unfair and unjust contracts.
-

1.9 Franchising, including:

- the *Franchising Code of Conduct*
-

1.10 Competition and Consumer Protection, including:

- misleading and deceptive conduct;
 - restraint of trade;
 - unconscionability;
 - product liability.
-

1.11 Legal compliance, including:

- Privacy laws;
 - Data protection laws;
 - Whistleblower laws;
 - Modern slavery laws.
-

1.12 Company law applicable to proprietary companies including:

- duties of directors;
 - board functions, powers, procedures;
 - shareholder rights and remedies;
 - shareholder meetings (calling and proceedings);
 - fundraising; and
 - dealing with company shares.
-

1.13 Trust law applicable to trading trusts:

- Duties of trustees;
- Power and rights of trustees;
- Beneficiary rights and remedies; and
- Dealing with units in a unit trust.

1.2 Additional knowledge

You are expected to have a working knowledge, in so far as they relate to the structuring, buying, selling and operation of a business of the areas of knowledge listed below.

The list below is not exhaustive but is set as a guide to candidates as to the type of matters that may be raised in the business law specialist accreditation assessment program.

Topics are grouped under headings as a matter of convenience only. Not all the topics listed will be tested and any matter relevant to practice in business law may be examined.

1.21 Employment

- equal opportunity and anti-discrimination;
 - harassment and bullying;
 - employment agreements;
 - termination;
 - restraints and confidential information;
 - occupational health and safety issues; and
 - fringe benefits.
-

1.22 Taxation

- income tax;
 - capital gains tax;
 - GST;
 - state taxes;
 - tax fringe benefits; and
 - deemed dividends and income.
-

1.23 Insolvency

- voluntary administration;
 - bankruptcy and arrangements without sequestration;
 - liquidation;
 - receivership; and
 - preferences and fraudulent disposition.
-

1.24 Insurance

1.25 Incorporated associations (non-profit sector)

1.26 Planning and Environmental matters

in-so-far as they relate to the buying, operation and sale of business, including:

- contamination; and
 - zoning.
-

1.27 Statutory licensing in-so-far as it relates to the buying, operation and sale of a business

1.28 Business disputes

- the litigation process; and
 - alternative dispute avenues.
-

1.29 Commercial property conveyancing including an understanding of the conveyancing process and property due diligence considerations.

SCHEDULE 2: PROFESSIONAL PRACTICE SKILLS

The professional practice skills required to be demonstrated during the Business Law specialist accreditation assessment program include the following:

2.1 Ascertaining and obtaining information and instructions from the client

- eliciting details of the agreement and transaction from the client by employing a systematic and thorough approach, which is appropriate for the client and the complexity of the matter;
- identifying the parties and key legal issues, including advising on appropriate parties/structures and also commercial issues such as costs; and
- gathering data from external sources including government bodies and other professionals having regard to the requirements of regulatory bodies and where necessary researching industry requirements.

2.2. Preparing a plan and advising the client

- demonstrating an ability to recognise the legal, commercial and personal consequences of the proposal for the client and for any associated party.
- implementing a plan that addresses relevant issues, (depending upon the topic), such as:
 - the client's objectives;
 - liability between the participants in the structure;
 - liability of the entity itself to third parties;
 - liability of the participants to third parties;
 - jurisdiction of various regulatory authorities;
 - administration and reporting to government authorities;
 - direct and indirect tax issues for the entity and the participants;
 - the implications of financial arrangements;
 - succession planning and asset protection; and
 - commercial effectiveness.
- researching or using other resources to complete gaps in knowledge.
- communicating position clearly to client and confirming commitment.
- offering practical alternatives, if necessary, that reflect the client's commercial aims.
- communicating clearly the rights, obligations, risks and overall costs to the client and any associated third party, as is appropriate to the client's level of business experience and sophistication, to assist the client to achieve a realistic understanding of the agreement/transaction.

2.3 Implementing a plan in transactional matters

- negotiating the terms of the agreement, displaying familiarity with the facts and instructions and an awareness of the legal problems. Considering commercial solutions and likely acceptable compromises.
- using constructive problem solving while taking account of the client's commercial goals and the other parties' objectives and tactics.
- drafting or scrutinising documents so that all documents reflect what the client understands as the agreement and achieves the client's aims.
- amending precedents to fit the particular transaction
- interpreting documents prepared by another party to recognise if any aspect of the agreement as negotiated is missing, or if any other element has not been adequately covered. Ensuring all documents are dealt with promptly and thoroughly.

- demonstrating knowledge of the rules of land and non-land transactions and being organised and able to handle last minute changes and undertakings.
- conducting research and searches promptly and thoroughly and dealing effectively with all parties to finalise financial arrangements. The final figure is accurately calculated with the proper adjustments, costs and disbursements.
- Completing matters with a due regard to time limits, notifying the appropriate regulatory bodies in accordance with the proper procedures and dealing with all post-settlement matters promptly and thoroughly.

2.4 Implementing a plan in non-transactional matters

- Advising client and assisting the client with management of obligations and risks of the business and its operating structure including:
 - o Powers, rights, duties and liabilities associated with ownership and management;
 - o internal business disputes;
 - o regulatory compliance;
 - o fair dealing by and within business entities; and
 - o directors' responsibilities.
- Advising the client on the best course of action to avoid disputes that may arise among parties in business or with other business entities and customers. Including advice on the documentation needed, the actions to be undertaken by the client and the business procedures that should be adopted. Negotiating on the client's behalf, mindful of the need to protect the client's position if the matter is litigated in the future.
- identifying remedies and courses of action available to the client in dealing with the dispute and advising the client in relation to:
 - o the remedies available;
 - o the practical and legal consequences of pursuing the available options;
 - o ensuring that a commercially acceptable result is likely to be achieved;
 - o the preferred course of action;
 - o the cost, timing and action needed by both the client and the legal practitioner;
 - o the best method of negotiation and the tactics to be employed; and
 - o the choice of suitable representation in matters which proceed to dispute resolution or litigation.
- Representing client, (e.g. before regulatory body) and communicating the client's case clearly and persuasively.

SCHEDULE 3: TAKE HOME ASSESSMENT

Professional Task

Release date: Friday 17 April 2026

Due Date: Monday 11 May 2026

Submission: submitted online to the QLS Learning Management System (Canvas)

Candidates will be required to complete a take home assignment, which is subject to strict time and length limits and will assess the candidate's ability to handle matters in practice. Further details are provided when the assessment is released.

Assessment criteria

Candidates will be assessed on their:

- knowledge of relevant law and procedures
- identification and skilful application of legal principles
- awareness of practical considerations
- judgement and decision-making skills
- preparation of documents
- ability to identify and address any ethical issues from the given fact situation.

Assessment conditions

Candidates may use the resources of their offices in completing this exercise. However, consultation with any other person in completing the exercise is not permitted and the material submitted must be entirely your own work.

Candidates will face automatic disqualification from the accreditation program if any assessment material is referred to counsel or any other person for opinion or assistance.

The assessment must be submitted as an MS Word or PDF document through the online student portal by no later than 4pm on the due date advised. Late submissions will not be accepted. Candidates should refer to the appropriate section of the *Specialist Accreditation Scheme Candidate Handbook* if they experience a problem completing the assessment by the due date.

No reference or marks which may identify the candidate, or their firm, should appear anywhere in the candidate's work.

SCHEDULE 4: WRITTEN EXAMINATION

Written Examination

Date: Saturday 30 May 2026

Duration: Three (3) hours and 30 minutes inclusive of reading, planning and writing time

Via: QLS Learning Management System (Canvas)

The written examination will cover a wide range of Business Law matters that may be encountered in practice.

Assessment criteria

Candidates will be expected to demonstrate a high standard of knowledge of Business Law issues and associated practices and procedures as outlined in [Schedules 1](#) and [2](#) of this document, and will be assessed on their:

- ability to identify relevant issues from a given fact situation
- knowledge of relevant law (including significant recent decisions) and skill in applying that knowledge in practice
- knowledge of the procedural rules
- ability to provide practical, clear and comprehensive advice
- awareness of practical considerations in Business Law
- ability to identify and address any ethical issues

Responses need to be appropriately detailed, identifying the key issues and advice appropriate to the specific situation.

Assessment conditions

Further guidance will be provided in advance of the examination, as to the written and/or electronic reference [material which candidates may access during the examination](#).

Completing the examination

The Written Exam will be delivered online via Canvas. The Specialist Accreditation Team will provide further instructions about the exam ahead of the assessment.

- answers must be typed out using the allocated text box on Canvas
- candidates must have strong and reliable internet connection
- candidates will be solely responsible for any malfunctions, errors or technical problems of any kind associated with the electronic devices they use for the assessment
- candidates will not be provided any additional time to complete an online assessment due to any malfunctions, errors or technical problems of any kind in relation to the electronic advice they use to complete the assessments, or due to their own poor internet connection or usage outages, without approval from the Advisory Committee on a case-by-case basis
- Queensland Law Society will take no responsibility for any issues experienced on electronic devices during the written examination. Malfunctioning of electronic devices during the written examination will not constitute grounds for a special consideration application.

SCHEDULE 5: ORAL ASSESSMENT

Peer Interview

Date: Sunday 7 June 2026

Time: Scheduled by appointment closer to the date

Venue: via Microsoft Teams – candidates must have a device with a working camera and access to WiFi

The Peer Interview is an oral assessment that permits candidates to demonstrate their level of expertise in both the theory and practice of Business Law in Queensland in a practical, 'real time' setting.

The content of a candidate's response may prompt a follow-on question from the panel and therefore the questions may touch on issues or points of law in any of the core areas. Candidates must demonstrate not only a thorough working knowledge of the area of law being explored, but a level of knowledge expected of a specialist in their approach so that the panel concludes that the standard of the candidate's performance is that of an accredited specialist.

Assessment criteria

Candidates will be assessed on their:

- clear and confident communication in response to questions
- identification of relevant issues
- knowledge of applicable legal principals and skill in applying that knowledge
- assessment of facts and legal options
- judgement and decision-making skills
- ability to identify and address any ethical issues

A sound knowledge of the relevant rules, procedures, practice notes and protocols will also be required.

Assessment conditions

Candidates must have a device with a working camera and access to WiFi.

Further guidance will be provided in advance of the oral assessment, as to the written and/or electronic reference material which candidates may access during the assessment.

Further details regarding scheduling of the oral submissions will be provided closer to the date.

IMPORTANT NOTE: The Advisory Committee and QLS reserve the right to modify any of the above assessment conditions, as required, with advanced notice to candidates.