

Record of Engagement in CPD Activities (Continued)

NOTES

> NOTE A RECORD KEEPING RULE 12 CPD (SOLICITORS) RULES 2015

12.1 A solicitor must maintain for each CPD year:

- 12.1.1 a record of his or her engagement in CPD activities, and
- 12.1.2 evidence in support of the CPD activities undertaken.

12.2 A solicitor must retain the information referred to in rule 12.1.1 and the evidence in support referred to in rule 12.1.2 for at least three years after the end of the CPD year to which the CPD record and evidence in support relate.

> NOTE B PRIVACY AND THE LIV AS A PROVIDER OF CPD ACTIVITIES

The information collected by the LIV in the course of undertaking its professional association activities, including CPD, is maintained in accordance with the Australian Privacy Principles set out in the Privacy Act 1988 (Cth). The LIV may access this information for another purpose with your consent, to verify payment and attendance records in its performance of delegated CPD compliance regulatory functions on behalf of the VLSB.

However, each legal practitioner bears the onus of verifying compliance with Rule 7 Relevance of CPD Activity, and Rule 8 CPD Format and Rule 9 Calculation of CPD Units (see below).

> NOTE C CPD FORMAT RULE 8 CPD (SOLICITORS) RULES 2015

8.1 A CPD activity may consist of:

- 8.1.1 a seminar, workshop, lecture, conference, discussion group, multimedia or web-based program, private study of audio/visual material or any other educational activity, or
- 8.1.2 the research, preparation or editing by a solicitor of:
 - 8.1.2.1 an article published in a legal publication, or
 - 8.1.2.2 a legal article published in a non-legal publication, or
 - 8.1.2.3 published Law Reports or other legal services, or
- 8.1.3 the preparation and/or presentation by a solicitor of written or oral material to be used in a CPD activity or in other forms of education provided to solicitors and/or to other professionals and/or to other persons including those undertaking practical or supervised legal training, or
- 8.1.4 membership of a committee, taskforce or practice section of a professional association, designated local regulatory authority or the Law Council of Australia or of other committees, provided that the solicitor regularly attends its meetings, if the work performed on the committee, taskforce or practice section is of substantial significance to the practice of law and is reasonably likely to assist the solicitor's professional development, or
- 8.1.5 postgraduate studies relevant to a solicitor's practice needs.

8.2 Private study does not constitute CPD activity for the purpose of these Rules unless it involves the private study of audio/visual material specifically designed for the purpose of updating a solicitor's knowledge and/or skills relevant to his/her practice needs.

> NOTE D RELEVANCE OF CPD ACTIVITY RULE 7 CPD (SOLICITORS) RULES 2015

7.1 Each CPD activity undertaken by a solicitor must be an activity:

- 7.1.1 of significant intellectual or practical content and must deal primarily with matters related to the solicitor's practice of law, and
- 7.1.2 conducted by persons who are qualified by practical or academic experience in the subject covered, and
- 7.1.3 that extends the solicitor's knowledge and skills in areas that are relevant to the solicitor's practice needs or professional development.

> NOTE E EVIDENCE IN SUPPORT

See Note A – Rule 12. Evidence in support may take the form of receipts or enrolment records, attendance records, presentation notes, etc

> NOTE F CALCULATION OF CPD UNITS RULE 9 CPD (SOLICITORS) RULES 2015

9.1 CPD unit means:

- 9.1.1 in relation to a CPD activity referred to in rule 8.1.1, 8.1.3 and 8.1.5, one hour of the activity,
- 9.1.2 in relation to a CPD activity referred to in rule 8.1.2, 1000 words of the article,
- 9.1.3 in relation to a CPD activity referred to in rule 8.1.4, two hours of the activity.

9.2 In calculating the relevant CPD units of CPD activity in respect of a CPD year, the total must not include:

- 9.2.1 more than 5 CPD units of CPD activity referred to in rule 8.1.2,
- 9.2.2 more than 5 CPD units of CPD activity referred to in rule 8.1.3,
- 9.2.3 more than 3 CPD units of CPD activity referred to in rule 8.1.4,
- 9.2.4 more than 5 CPD units of CPD activity referred to in rule 8.2.

9.3 Solicitors who successfully complete a specialist accreditation assessment process will be deemed to have completed 10 CPD units in the year of their completion.

> NOTE G CPD OBLIGATIONS AND COMPULSORY FIELDS RULE 6 CPD (SOLICITORS) RULES 2015

6.1 Unless exempted in whole or in part by the designated local regulatory authority under rule 16 (Exemptions), or unless a pro rata calculation applies under rule 10 (Pro rata calculations), a solicitor must complete 10 CPD units in each CPD year including at least one CPD unit in each of the following fields:

- 6.1.1 ethics and professional responsibility,
- 6.1.2 practice management and business skills,
- 6.1.3 professional skills,
- 6.1.4 substantive law.

> NOTE H EP MEANS ETHICS AND PROFESSIONAL RESPONSIBILITY

> NOTE I PM MEANS PRACTICE MANAGEMENT AND BUSINESS SKILLS

> NOTE J PS MEANS PROFESSIONAL SKILLS

> NOTE K SL MEANS SUBSTANTIVE LAW

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