

## NOTICE TO THE LEGAL PROFESSION

### CONTINUING PROFESSIONAL DEVELOPMENT

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From **1 April 2015** there will be changes to the mandatory Continuing Professional Development (**CPD**) obligations currently imposed under the *Legal Profession Rules 2009* Part 2 Division 2 - Condition on local practising certificates: **Continuing Professional Development (CPD Rules)**. The changes will be introduced through the *Legal Profession Amendment Rules 2015* that will be published in the Government Gazette on 20 February 2015.

The Board has undertaken an extensive review of the CPD Rules that included consultation with stakeholders, the Law Society of WA, law firms and professional organisations.

The following significant changes will be introduced:

#### Competency Areas

An additional competency area has been included. The competency areas will be:

- Competency Area 1 – Practice Management
- Competency Area 2 – Professional Skills
- Competency Area 3 - Ethics and Professional Responsibility
- Competency Area 4 – Substantive Law

**All** practitioners will be required to gain a minimum of **1 Point** from each of the above categories.

There will no longer be a difference in the number of points required for practitioners with under or over 5 years post admission experience.

The Board will shortly be providing some guidance in relation to the new competency area for Practice Management.

#### Interactive and publishing point requirements

The minimum number of points a practitioner is required to earn each year for interactive activities has been reduced from 8 points to **6 points**.

The number of points that can be obtained through publishing activities remains at 5 points.

The definition of an 'interactive activity' has not changed and means an approved CPD activity that is part of a structured learning programme and either involves

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interaction between 2 or more persons whether in person or by remote communication or is an interactive electronic activity.

### **Introduction of a new category of ‘electronic activity’**

An ‘electronic activity’ is viewing or listening to current (not more than 12 months old or reviewed within the past 12 months) material from an approved QA provider, that is provided by way of the electronic communication of information in the form of data, text, sound or images, or a combination of those things. Electronic activity can be interactive or non-interactive, but there is a cap on the maximum number of points a practitioner may earn each year through non-interactive electronic activity (see below).

The category of ‘Individual Activity’ has been removed.

### **CPD points for an activity**

The ability to earn points at 0.5 CPD points per 60 minutes through any type of individual activity has been **removed**.

Practitioners will now be able to earn a maximum of **4 points** per year by undertaking non interactive electronic activities delivered by QA providers approved by the Board. Activities undertaken through non approved QA providers will still require approval through the current process.

The maximum number of points that a practitioner may earn for attending a conference, course or other event comprising one or more interactive CPD activities has been reduced from 7 points to **6 points**. Activities undertaken through non approved QA providers will still require approval through the current process.

There are changes in recognition of practitioners who may prepare a presentation but not deliver the presentation or alternatively may present a presentation prepared by another party.

If a practitioner prepares a presentation but does not deliver the presentation, the practitioner may claim points in the publishing category. If a practitioner delivers a presentation prepared by another party, the practitioner may claim points as stipulated in the CPD points table for a “commentator”.

### **QA Providers**

The following have been added:

An approval may be subject to the applicant meeting criteria approved by the Board.

The Board may choose to conduct an audit of an approved QA Provider.

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Approved QA providers who provide multi media activities both interactive and non interactive should review and update their material at regular intervals but not less than every 12 months.

The changes will take effect for the CPD year 1 April 2015 to 31 March 2016 and do not affect the requirements for the current CPD year.

The amended CPD Rules will be made available on the Board's website when final legislative approval has been granted.

Enquiries on the amendments can be referred to the Boards Legal Education Coordinator, Julie Bain, on 6211 3600 or [jbain@lpbwa.com](mailto:jbain@lpbwa.com).

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