

FAQ's regarding the changes to the CPD rules arising from the Uniform Laws entering into effect on the 1 July 2015.

Q: Can I nominate the strand for a CPD activity?

A: Yes, provided a strand has not yet been nominated by the Bar Association, or the person or organization delivering the CPD activity, you can assign the points gained in a CPD activity to any of the categories (in rule 9) you reasonably consider appropriate (see rule 10).

Q: What qualifies as a CPD activity? Is there still a face-to-face requirement?

A: Any activity that falls within the meaning of *CPD activity* as set out in rule 6 of the **Uniform CPD Rules** may be counted. The qualifying criteria are set out in rule 6 (a)-(c) which provides that *CPD activities* must be:

- (a) of significant intellectual or practical content and must deal primarily with matters related to the practice of law; and
- (b) conducted by persons who are qualified by practical or academic experience in the subject covered; and
- (c) relevant to a practitioner's immediate or long term needs in relation to the practitioner's professional development as a barrister and practice of the law.

As such, there is no specific or separate face-to-face requirement as it was previously defined under the old CPD Policy and the requirement to attend a minimum number of seminars in real time no longer applies. However, members will note that what was referred to in the old CPD Policy as Independent Professional Development Activity (IPDA), encompassing such activities as preparation and self-study, does not fall within the meaning of *CPD activity* in rule 6 of the **Uniform CPD Rules**.

Q: What qualifies as “engagement” in a CPD activity?

“Engagement” includes presenting, attendance or watching a cpd on video, so that a presenter, attendee or person watching an online video earns one point for each hour.

Q: Is there a specific format in which records of CPD must be kept?

A: Yes. Under rule 12 of the **Uniform CPD Rules** records must be kept in the form provided by the NSW Bar Association. A template form is available here ([LINK](#)). Members do not have to use this particular document provided the details specified in the template is included in the records kept.

Q: How long do I need to retain my CPD records?

A: As per rule 12, records must be retained for a minimum of 3 years.

Q: Can I still count CPD completed in the period 1 April to 31 June 2015?

A: Yes, rule 17 of the **Uniform CPD Rules** provides that any CPD activity in that period that complies with the Rules may be counted.