

**DELEGATION TO THE FIDELITY FUND COMMITTEE – 19 JANUARY 2023**

The Council **RESOLVES:**

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3. Pursuant to section 119(1) of the Application Act, the Council delegates to the Management Committee of the Legal Practitioners Fidelity Fund as constituted from time to time, the following functions of the Council in relation to the Fidelity Fund:
  - (a) the functions contained in sections 118 and 122(2), (3) & (4) of the Application Act;
  - (b) the functions contained in Part 4.5, Divisions 4,5,6 & 7 of the Legal Profession Uniform Law (NSW) (**LPUL**), but excluding section 240(1);
  - (c) the functions contained in Part 4.5 of the Legal Profession Uniform General Rules 2015 (the **General Rules**); and
  - (d) to take any action incidental to any of the above functions which might be required for the management of the Fidelity Fund in accordance with Part 9 Divisions 1 & 2 of the Application Act, Part 4.5 of LPUL and Part 4.5 of the General Rules.
4. Claims against the Legal Practitioners Fidelity Fund are to be determined by the Management Committee of the Legal Practitioners Fidelity Fund independently, at arm's length from the legal profession as required by section 240(1) LPUL.
5. Pursuant to section 119(1) of the Application Act and s.426(1) of the Legal Profession Act 2004 (**LPA 2004**) as applicable, the Council delegates to the Management Committee of the Legal Practitioners Fidelity Fund as constituted from time to time, so much of the functions previously delegated by the Council to the Management Committee of the Legal Practitioners Fidelity Fund in paragraph numbered 3 of its resolution made on 15 January 2015 as are necessary to give effect to clauses 22(2) and 2(5) of Schedule 4 of LPUL to deal with claims in accordance with LPA 2004.