



The Law Society
OF NEW SOUTH WALES

The Law Society of NSW

Committee Handbook

Committee administration and responsibilities of members

Revised August 2026

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1. Introduction

The Law Society's committees are committees of the Council with powers, authorities and tasks delegated by the Council. They are established as a source of expert advice and assistance to the Council, the Law Society and the profession and are convened biennially on the basis of need. Functions vary somewhat from committee to committee but, typically, are as follows:

- a source of policy proposals and reform initiatives;
- a forum for consideration of practical issues and resolution of problems;
- a review body and commentator (in relation to legislation, discussion papers, reports, etc);
- a monitor of practice standards and advocate of ongoing training and skills development;
- a liaison body.

Committees have an important role and the way in which they perform is integral to the professionalism of the Council's decision making and the performance of the Law Society as a whole. Members' participation is critical to the success of committees and is therefore welcomed. (In order to facilitate participation by country-based members, The Law Society of New South Wales offers assistance with travel costs incurred – refer protocol at Appendix 1.)

Committees address a range of issues and can be broadly divided into four categories:

- | | | |
|----------------------------------|----------------|---|
| • Policy and practice committees | - for example: | Business Law Family Law |
| • Liaison committee | - for example: | Revenue NSW/Law Society Liaison |
| • Segment committees | - for example: | Government Solicitors |
| • Regulatory committees | - for example: | Fidelity Fund Management
Licensing
Professional Conduct |

(Task forces or working groups are also convened where there are finite tasks to be undertaken or where there is an agenda which does not necessarily require the ongoing support of a committee.)

The Law Society ensures that the effectiveness of its committee network is maintained by

1. periodic assessment of the relevance of existing committees and the need for new committees;
2. providing committees with a balance of necessary skills and knowledge and a dynamic membership;
3. ensuring that committees are manageable in terms of numbers;
4. testing optional structures;
5. maximising profession-wide awareness of and interest in the committees and their role;
6. having a membership broadly representative of the Law Society's constituent groups and of relevant outside bodies; and
7. requiring that committees prepare papers in accordance with quality principles.

2. Application of Handbook to Professional Conduct Committee (PCC) and Disclosure Committee

The PCC and Disclosure Committee have separate Constitutions approved by the Council, to align with provisions of the *Legal Profession Uniform Law Application Act 2014*. Members of those Committees must also ensure that they comply with the requirements of those Constitutions, including arrangements around confidentiality and conflicts of interest.

To the extent of any inconsistency with those Constitutions, the provisions of the Constitutions prevail over the provisions of this Handbook.

3. Appointment to committees

In 2024, the Council approved increasing the term of appointment of committee members from one calendar year to two calendar years. A transition period occurred in 2025. From 2026, and thereafter, each recruitment period will be for a two-year term, and recruitment for committee membership will only be open for half the committees each year – divided into Groups A and B.

Group A (Odd years Appointment – Term – Two Years)	Group B (Even years Appointment – Term – Two Years)
Alternative Dispute Resolution Committee	Government Solicitors Committee
Business Law Committee	Human Rights Committee
Children’s Legal Issues Committee	In-House Corporate Lawyers Committee
Costs Committee	Indigenous Issues Committee
Criminal Law Committee	Injury Compensation Committee
Disclosure Committee	Licensing Committee
Diversity and Inclusion Committee	Litigation Law & Practice Committee
Elder Law, Capacity and Succession Committee	Privacy and Data Law Committee
Employment Law Committee	Professional Conduct Committee
Environmental Planning and Development Committee	Property Law Committee
Ethics Committee	Public Law Committee
Family Law Committee	Revenue NSW/Law Society Liaison Committee
Fidelity Fund Management Committee	Rural Issues Committee

1. Eligibility

- 1.1 All NSW solicitors with current practising certificates are eligible for appointment to three of the Law Society’s statutory committees – the Licensing Committee, the Professional Conduct Committees and the Disclosure Committee.
- 1.2 Solicitor appointments to other committees, including the Fidelity Fund Management Committee, are restricted to members of The Law Society of New South Wales.
- 1.3 Lay¹ applicants with the requisite skills are eligible for appointment to most Law Society of New South Wales committees and are required for Professional Conduct Committees and the Disclosure Committee.

2. Committee vacancies

- 2.1 Approximately 25 standing committees of the Council are convened each year and the size of each committee varies according to need. Vacancies are limited and the number of applications always greatly exceeds available places.
- 2.2 Vacancies occur as a result of resignations, and casual vacancies may be filled by suitable applicants who were not appointed due to lack of vacancies at the time of application, or by a new nominee if the vacancy is the result of a departing representative. Recruitment outside the normal recruitment period is by direct appointment by the President.

3. Recruitment

(Dates are indicative only)

- 3.1 In September each year, the Law Society invites expressions of interest in the committees being recruited that year via a notice to the profession included in Monday Briefs and published on The Law Society of New South Wales website. All interested practitioners, including current committee members, are asked to log in to the Law Society website and complete an online form, and to provide brief details pertinent to their eligibility for the appointments sought.
- 3.2 Expressions of interest in appointment are also sought from lay persons whose participation in the work of the committees may be required under the Legal Profession Uniform Law (NSW) or who have particular skills and expertise useful to the work of other committees.

¹ According to the legal profession legislation (as defined in the *Legal Profession Uniform Law Application Act 2014*, a lay member is a person who is not an Australian lawyer (i.e. has not been admitted in Australia).

4. Selection process

(Dates are indicative only)

- 4.1 During November, a selection panel, comprising the President Elect (Chair), President, Junior Vice President, two non-Executive Councillors rotated annually, and supported by staff, is convened to carry out the selection process.
- 4.2 When making its selections, the panel takes into account, as far as is feasible, the balance on the committee in terms of relevant expertise, and representation of the Law Society's constituent groups, outside bodies, and membership.
- 4.3 Members are advised of the outcome of their applications during December.

5. Chair

- 5.1 Chairs, Deputy Chairs and Co-Chairs are appointed by the President Elect. The best candidate will be the Chair, whether or not that candidate is a Councillor or non-Councillor.

6. Representatives of Outside Bodies

- 6.1 In addition to members selected from the legal profession, committees may also include representatives of outside bodies such as government departments, the courts, other professional associations and so on. This provides committees with a range of relevant perspectives and expertise on matters under consideration.
- 6.2 Whether a particular committee needs representatives from any given organisation is a matter for the President of the Law Society, acting on the advice of the relevant Law Society Department, and the Chair, Deputy Chair and/or Co-Chair of the committee.
- 6.3 Representatives are appointed personally, and whether an alternate can attend in the representative's place is a matter to be determined by the Law Society on a case-by-case basis.

7. Period of appointment

- 7.1 As noted above in Section 3, from 2025, appointments will transition to two-year terms. From 2026 onwards the term of appointment will be two years.
- 7.1 Reappointment is not automatic. It depends on a number of factors including the member's contribution to the work of the committee (see "Responsibilities of Committee Members" below).

8. Reappointment

- 8.1 In order to provide interested Law Society members with sufficient opportunity to serve on committees, and to facilitate the regular introduction of new ideas, membership of committees is periodically refreshed. There is no fixed term limit.
- 8.1 Periods of appointment of representatives of outside bodies are subject to consultation from time to time with the nominating body.

9. Termination of appointment

- 9.1 A member is free to resign his/her committee appointment at any time. (See "Responsibilities of Committee Members").
- 9.2 In the absence of extenuating circumstances, a member's appointment can be terminated by the President of The Law Society of New South Wales if he/she has failed to attend three meetings and/or is regularly unable to complete allocated tasks (see clause 3.3, "Responsibilities of Committee Chairs"). The President may terminate the appointment of a committee member at any time, including for a breach of the requirements of this Handbook.
- 9.3 A committee member's appointment will be terminated by the President of The Law Society of New South Wales if his/her practising certificate is cancelled or suspended as a consequence of a regulatory issue.

10. CPD Units

- 10.1 Refer to *Legal Profession Uniform Continuing Professional Development (Solicitors) Rules 2015*:
 - 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.
- 9.1 CPD unit means:
 - 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:
- 9.2.3 more than 3 CPD units of CPD activity referred to in rule 8.1.4.

4. Committee meetings

1. Most Law Society of New South Wales committees will meet on a six-weekly cycle, as appropriate. Some meet more often (for example, the Professional Conduct Committee meets fortnightly), and others less often.
2. Meeting schedules for the year are settled as soon as possible after committee recruitment is completed and circulated to members.
3. Meetings are held at The Law Society of New South Wales' premises, 170 Phillip Street, Sydney, and/or via teleconferencing or videoconferencing on an as needs basis. Meetings are generally held between 12.00 noon and 2.00 pm if possible, or outside business hours.
4. Meetings should generally be completed within 1.5 hours.
5. The quorum for all committee meetings is three. In the case of statutory committees, there are particular requirements under the Legal Profession Uniform Law (NSW) and the authorising constitution regarding membership and meetings.

5. Responsibilities - General

1. Confidentiality

- 1.1 All committee members are expected to observe strict rules of confidentiality with respect to committee business. Unless a consultation is a public consultation, disclosure to another person or organisation of the fact that the Law Society is being consulted on a particular matter, is itself a breach of confidentiality. They must be conscious that from time to time:
 - they may be given the opportunity to consider and comment on highly sensitive documents relevant to the committee's specific field released to the Law Society by government and other authorities;
 - they may also be given the opportunity to consider draft policy proposals intended for debate within the committee which should not be presumed to reflect approved Law Society of New South Wales policy relevant to the committee's specific field;
 - they may have before them information which may affect the reputation and livelihood of solicitors and other members of the community.
- 1.2 Any breach of confidentiality could materially affect individuals; or damage the trust which exists between The Law Society of New South Wales and a number of institutions and organisations; or create false impressions about Law Society of New South Wales policy. It is therefore the responsibility of all committee members to maintain the security of business papers with which they have been provided and to treat as strictly confidential any information to which his or her membership of a Law Society committee has provided access. Committee members are also responsible for ensuring their IT settings do not allow, by default or otherwise, any recording or transcription of committee discussions.
- 1.3 Where a committee member has been appointed to a Policy & Practice committee as a representative of another organisation, including Young Lawyers –
 - the requirement for confidentiality is not intended to prevent the representative member from reporting to his/her organisation general information about the committee's activities. If the representative member wishes to make a more detailed report on a particular issue, he/she should check with the committee's policy lawyer;
 - the representative member must maintain the confidentiality of all documents circulated to committee members by Law Society staff or other committee members, including draft submissions, agendas and outcomes. If a representative member believes it would be beneficial to share a document with his/her organisation, a request should be made to the committee's policy lawyer.
 - The provision made at 1.3 above does not apply to the Law Society's regulatory committees (including Ethics and Costs) where strict confidentiality must be maintained at all times. In particular, the confidentiality provisions of the Legal Profession Uniform Law (NSW) apply to the discharge of statutory responsibilities.

2. Powers and authorities

- 2.1 The powers and authorities of the Law Society's committees are delegated by the Council. It is the responsibility of all committee Chairs and members to act within the parameters of these delegated powers and authorities.

3. Media

- 3.1 Only The Law Society of New South Wales' President and the Chief Executive Officer are authorised to speak to the media on behalf of The Law Society of New South Wales. If speaking to the media, committee members must not imply or allow it to be inferred that they are speaking on behalf of The Law Society of New South Wales or its committees. The only exception to this is if they have the specific authority of the President or the CEO to do so.
- 3.2 Any enquiries concerning The Law Society of New South Wales that are raised with committee members directly should be passed in the first instance to the Law Society's Director, Media and Public Relations on 02 9926 0333.

4. Tasks

- 4.1 Committees' primary responsibilities for the year are tasks determined by the needs of Council. Some tasks are included in the directives approved by Council each year and others arise during the year.

5. Participation in the work of the committees

- 5.1 Membership of the Law Society's committees is voluntary and unpaid. However, the value of committees' contribution to the profession is a product of members' commitment to the tasks at hand.

6. Copyright

- 6.1 The Law Society of New South Wales will be the sole and exclusive owner throughout the world in perpetuity of all materials, including all papers and recordings and including all intellectual property rights in such materials, prepared for it by committee members as part of their committee responsibilities including for the following purposes:
 - to reproduce such materials; and
 - to commercially exploit such materials, including by way of sale or hire.
- 6.2 Committee members will sign any documents which The Law Society of New South Wales may request to confirm the assignment to The Law Society of New South Wales of copyright in the materials.

7. IT Security and Privacy Policy

In connection with your role as a member of one or more of the Law Society of New South Wales' committees you have been and will continue to be given access to IT services by the Law Society. The Law Society's IT Security and Privacy Policy includes provision for the mandatory data breach notification scheme under the *Privacy Act 1988* (Cth). The Policy includes a Data Breach Response Policy. The Law Society has determined that it is appropriate for the Policy to apply to committee members, who fall within the definition of "worker" in the *Work Health and Safety Act 2011* (NSW). "Workers" are in turn included in the Policy's definition of Law Society "Staff Member". Committee members should read and familiarise themselves with the Policy generally, which is attached at Appendix 8, and in particular the Data Breach Response Policy.

8. Representing the Law Society

- 8.1 From time to time, based on particular expertise and experience, committee members may represent the Law Society at external forums. Committee members may only represent the Law Society with prior approval of the CEO and President, and should ensure that the views they express publicly are consistent with established Law Society views.

6. Responsibilities of committee Chairs

It is the responsibility of the Chair to work with committee staff in relation to procedures to assist the efficiency and productivity of the committee. These should include the following:

1. Time commitment

- 1.1 Chairs must be prepared to commit a minimum of 10 hours per month for each committee and advise the President of the need for a replacement if they are unable to meet this commitment.
- 1.2 Management of The Law Society of New South Wales will arrange to brief new Chairs prior to the first meeting, including in relation to the conduct of meetings and relevant procedures.

2. Annual directive

- 2.1 The committee's annual directive should comprise viable objectives, the achievement of which is capable of measurement.
- 2.2 The committee's program for the year comprises the means via which it meets those objectives and includes tasks determined by Council.
- 2.3 The combined document is to be settled by the staff officer with the committee Chair and submitted to the Council for approval as part of its directives to committees.

2. Measures of performance

- 3.1 The committee Chair and responsible staff officer are responsible for monitoring the committee's achievements – such as completion of timetabled tasks, development and progress of committee agenda, and implementation of objectives.
- 3.2 Measures for assessing the performance of committee members include meeting set deadlines, record of attendance at meetings and general contribution to the work of the committee.
- 3.3 The President of The Law Society of New South Wales' approval can be sought to replace a committee member who is regularly unable to attend meetings, complete allocated tasks and/or observe the requirements of being a committee member, as per Section 3.9 above.

4. Meeting procedures

- 4.1 Commence meetings promptly at the scheduled times.
- 4.2 Allow committee members' views to be heard.
- 4.3 Give clear directions to the responsible staff officer in relation to resolutions adopted.

7. Responsibilities of committee members

It is the responsibility of Committee appointees:

1. to inform themselves fully of the committee's mission/objectives, its tasks and agenda issues;
2. to be in a position to devote approximately one day per month to the work of each of their committees;
3. to attend meetings regularly or, if absence from a meeting is unavoidable, to inform the responsible staff officer in advance of their inability to attend;
4. to come to meetings well prepared with respect to agenda issues;
5. to participate fully in decision making on the direction the submissions and work of the committee will take, through the expression of their considered views on the matter being discussed; and by exercising where relevant the right of all individual members to cast his or her vote on those matters put to the vote in committee;
6. to avoid a conflict of interest or potential conflict of interest that may occur where personal interests or those of the appointee's firm or place of employment could affect, or be seen to affect, the appointee's recommendations or decisions, and to inform the Chair of any conflicts or potential conflicts of interest;
7. to undertake tasks requested by the Chair and/or the responsible staff officer, especially - although not exclusively - in areas in which the member has particular expertise, and to meet the agreed deadlines for completion of those tasks. From time to time members are asked to prepare submissions and comments at short notice;
8. to offer his or her resignation from the committee should he or she be consistently unable to meet these responsibilities due to work or other commitments.

8. Responsibilities of staff officers

1. Committee administration personnel

- 1.1 The staff member responsible for the work of a committee may be either a solicitor or a non-solicitor with other relevant experience.

2. Responsibilities

- 2.1 The responsibilities of these personnel are -
 - to perform secretariat duties for their committees;
 - to raise issues for the committee's consideration;
 - to undertake appropriate research;
 - to prepare draft recommendations, proposals and submissions for the committee's consideration;
 - discuss with the Chair any further committee related tasks.

3. Tasks

3.1 Contributions to the committee's agenda

- Keep abreast of developments of interest to the committee through, for example
 - liaison with staff of other committees, political staff and bureaucrats, relevant outside bodies and individuals;
 - perusal of material received by the Law Society;
 - current knowledge of policy issues;
 - research.
- Include relevant issues on the committee's agenda.

3.2 Facilitating committee discussion and decision making

- Provide a focus for committee discussions by
 - developing views on matters to be discussed;
 - preparing executive summaries of lengthy documents;
 - drawing to the committee's notice aspects of reports, etc which require particular attention;
 - drafting recommendations in the form considered appropriate (letters, reports, proposals, etc) where a Law Society response is required.

3.3 Meeting arrangements

- Establish meeting dates, times and venues for the new year and circulate schedules to all committee members as soon as practicable.

3.4 Agendas and business papers

- Develop agendas and prepare and assemble papers for each meeting, in consultation with Chairs. Agendas must be manageable in terms of length.
- Dispatch agenda papers seven days prior to the meeting date
 - late dispatch of papers and tabling of papers is to be avoided where possible.

3.5 Meeting outcomes

- Take notes of the meetings: the essential content of the outcomes comprises agreed actions and brief background to these actions;
- Circulate outcomes with the papers for the next meeting.

3.6 Circulation of agendas, business papers and outcomes

- These are circulated to -
 - the committee Chair and all committee members
 - any other designated members of staff

3.7 Action arising from meetings

- Follow up action items with each committee member who agreed to take responsibility for a particular item.
- Take action for which the staff member is responsible, including preparation of memoranda to Council and other tasks allocated by the committee Chair.

3.8 Memoranda to Council and submissions to outside bodies

- Prepare memoranda and submissions in accordance with quality principles.
- Memoranda to Council are to be in the attached form (Appendix 2) and a separate memorandum is to be prepared for each topic.
- Give notice to the Executive Officer, Council of items proposed for inclusion on the Council agenda.

9. Sub-committees: Role and functions

Set out below is an overview of the role and functions of sub-committees convened from time to time by the Law Society's 17 policy and practice committees.

1. Purpose

- 1.1 Committees may utilise sub-committees in the way most appropriate for their individual work programs. Some committees choose to establish standing sub-committees which may be in operation for the whole year while others prefer a system of ad hoc sub-committees formed to execute specific tasks. Some committees do not require sub-committees for their particular activities.

2. Scope and number

- 2.1 The scope and number of sub-committees convened from time to time will be determined by the committee Chair and policy lawyer for the committee. New sub-committees may be convened in response to legislative or other reform initiatives from existing committee members.
- 2.2 The number and role of sub-committees should be reviewed by the Chair and the policy lawyer and discussed with the Director, Policy and Practice Department, at the commencement of each year.

3. Role

- 3.1 Sub-committees are subsets of the committee and have no separate role or authority to act outside normal committee processes. The members of each sub-committee will perform their role as committee members as described in this Handbook and as set out in this section.

4. Sub-committee operation

- 4.1 Each sub-committee may determine, by agreement of its members, how it proposes to deal with its committee tasks depending on the particular task, the timeframe and the preference of sub-committee members. Options include holding meetings in person, in which case the policy lawyer can assist by arranging to book Law Society of New South Wales meeting rooms if required, or by teleconference or by email.
- 4.2 The policy lawyer should attend sub-committee meetings unless otherwise agreed by the policy lawyer and Chair.
- 4.3 Where meetings of a sub-committee occur in the absence of the policy lawyer the sub-committee will provide a short report of the meeting and its outcomes to the Chair and the policy lawyer as soon as practicable after the meeting.

5. Reporting

- 5.1 To allow the sub-committees to function effectively, it is necessary for each sub-committee to report regularly to the Chair on any ongoing actions, via the policy lawyer. The Chair or policy lawyer will, if considered appropriate, circulate any written communications, including emails to the whole committee.
- 5.2 Each sub-committee should report to the committee at each committee meeting on any actions or developments since the last committee meeting.

6. Sub-committee chair/spokesperson

- 6.1 The Chair may appoint a sub-committee Chair or spokesperson on an annual basis or in relation to a particular issue or task. The sub-committee Chair or spokesperson should report verbally or in writing to the committee at each committee meeting.

7. Joint sub-committees

- 7.1 There may occasionally be a proposal to convene a joint sub-committee made up of members of two or more committees. These are dealt with on an ad hoc basis and would not normally be considered necessary, for example, to draft a joint submission, where it is more common for each committee to provide comments which are then included in the joint submission co-ordinated by the relevant policy lawyer.
- 7.2 Where a joint sub-committee is formed, each contributing committee should receive regular reports on any actions or developments. The policy lawyer assisting the sub-committee will be able to advise on this process. Any proposal for the appointment of a joint sub-committee Chair should be considered by the Chairs of the contributing committees with the advice of the policy lawyer.

8. Queries

- 8.1 Any questions about the scope or operation of sub-committees should be directed to the committee's policy lawyer.

The Appendices are not included in this publicly available version of the Committee Handbook. If you are a current member of a Law Society Committee, and would like access one or more of the Appendices, please contact: CorpLegal@lawsociety.com.au.



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