

NSW LEGAL SERVICES COMMISSIONER
LEGAL PROFESSION UNIFORM LAW (NSW) and
LEGAL PROFESSION UNIFORM LAW APPLICATION ACT 2014
INSTRUMENT OF DELEGATION AND DIRECTION

DELEGATION

Pursuant to section 406 of the *Legal Profession Uniform Law (NSW) (Uniform Law)* and section 28(2) of the *Legal Profession Uniform Law Application Act 2014 (NSW) (Application Act)* I hereby delegate to the Bar Council (as defined in the *Application Act*):

1. My functions under Chapter 5 of the *Uniform Law*;
2. My functions under Chapter 7 of the *Uniform Law* and other provisions of the *Uniform Law* relating to Chapter 5;
3. My functions under the *Legal Profession Uniform General Rules (NSW)* relating to Chapter 5;
4. My functions under sections 137 and 144 of the *Application Act*

except for the following functions:

- A. *Uniform Law* section 313 – conduct of an internal review of a decision made by me or my delegate;
- B. *Uniform Law* section 406 – delegation of my functions;
- C. *Uniform Law* section 411 – taking over responsibility for a matter from a delegate.

DIRECTION

I further issue a direction under section 408 of the *Uniform Law* that the Bar Council may exercise the functions delegated to it only in circumstances where I have referred a complaint to it to deal with in accordance with legal profession legislation (as defined in the *Application Act*). The following functions are excluded from this Direction:

- A. *Uniform Law* section 282(2) and (3) – appointment of person to conduct a complaints investigation
- B. *Uniform Law* section 436 – entering into arrangements with authorities

Note: Nothing in this Instrument of Delegation and Direction derogates from my functions under Chapter 5 of the *Uniform Law* in respect of any complaint which is not referred to the Council.

Samantha Gulliver

NSW Legal Services Commissioner

(appointed by the NSW Governor pursuant to section 22 of the *Legal Profession Uniform Law Application Act 2014 (NSW)*)

Dated: 6 March 2024