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# Accredited Costs Lawyer Rules

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1 January 2021 (version 4)

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Costs Lawyer Standards Board

CLSB

The CLSB logo consists of the letters "CLSB" in a large, white, sans-serif font. Below the letters is a horizontal barcode graphic made of vertical white lines of varying widths.

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These rules apply to a Costs Lawyer who is, or who is applying to become, accredited by the Costs Lawyer Standards Board (CLSB) for the purpose of providing continuing professional development (CPD) to other practitioners. A Costs Lawyer who is accredited under these rules is referred to as an Accredited Costs Lawyer.

## Rule 1: Application for accreditation

- 1.1 An application for accreditation must be submitted to the CLSB on the specified application form with all requested information and payment of the administration fee that applies from time to time.
- 1.2 The CLSB may approve an application only if the applicant:
  - (i) holds a current Costs Lawyer practising certificate; and
  - (ii) has held a practising certificate for at least four years (whether consecutively or not) prior to making the application.
- 1.3 The CLSB may refuse an application if:
  - (i) required information or documentation has not been provided to the satisfaction of the CLSB (including on any audit carried out by the CLSB); or
  - (ii) any of the grounds for termination of accreditation in rule 2.2 would apply.
- 1.4 If an application is approved, the CLSB will confirm the accreditation and its duration to the Costs Lawyer in writing. The Costs Lawyer's name will appear in the register of Accredited Costs Lawyers on the CLSB website for the period of accreditation.

## Rule 2: Period of accreditation

- 2.1 Accreditation will be for a period of three years from the date the application is approved by the CLSB.
- 2.2 An accreditation will terminate in the event the Accredited Costs Lawyer:
  - (i) voluntarily relinquishes their accreditation by notice in writing to the CLSB;
  - (ii) does not renew their Costs Lawyer practising certificate during the period of accreditation;

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- (iii) is found by the CLSB not to have complied with the CPD Rules during the period of accreditation;
  - (iv) has their practising certificate suspended or revoked under the Disciplinary Rules and Procedures or Practising Rules during the period of accreditation;
  - (v) fails to co-operate fully with a CLSB audit in breach of rule 5.1; or
  - (vi) otherwise fails to comply with these rules and the CLSB believes that the non-compliance is sufficiently serious or irremediable to require termination of the accreditation in the public interest.

## Rule 3: CPD points

- 3.1 Costs Lawyers who participate in CPD activities provided by Accredited Costs Lawyers can claim one CPD point per hour of participation, in accordance with the CPD Rules.
- 3.2 An Accredited Costs Lawyer can claim one CPD point per hour spent on the preparation and delivery of CPD activities, insofar as the Accredited Costs Lawyer is in fact learning and gaining professional development from this process, in accordance with the CPD Rules.
- 3.3 An Accredited Costs Lawyer must co-operate fully with the CLSB and other professional services regulators in responding to requests for information about CPD they have delivered.

## Rule 4: Preparing and delivering CPD

In preparing and delivering a CPD activity or collection of related CPD activities (referred to in this rule as “training”) to other legal practitioners (referred to in this rule as “participants”), an Accredited Costs Lawyer must:

- 4.1 Consider the following matters and communicate these to participants:
  - The purpose and intended outcomes of the training.
  - The intended audience, including level of assumed prior knowledge.
  - The knowledge and understanding that should be achieved on completion.

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- 4.2 Ensure the content of the training is:
    - Sufficient to meet the purpose and outcomes identified under rule 4.1.
    - Relevant to the professional development needs of the intended audience.
    - Set at an appropriate level for the intended audience.
    - Up to date and accurate.
  - 4.3 Ensure the method of delivering the training is:
    - Appropriate for meeting the purpose and outcomes identified under rule 4.1.
    - Safe (particularly if the training is delivered in a physical venue).
    - Secure (particularly if the training is delivered virtually).
    - User friendly, taking into account the needs of participants.
    - Inclusive and non-discriminatory, including by making reasonable adjustments for those with a disability.
  - 4.4 Ensure the training is supported where appropriate by clear and accurate written materials, which are made available to participants in a convenient format.
  - 4.5 Inform participants how many CPD points are attributable to the training.
  - 4.6 If fees are charged for the training, make the costs clear to participants upfront.
  - 4.7 Ensure that any person who assists in providing the training (such as a guest speaker) has:
    - Relevant qualifications and current experience of the subject matter.
    - The necessary skills to deliver the content effectively.
  - 4.8 Request written feedback from participants in relation to the content and delivery of the training.
  - 4.9 Keep a record of all training delivered for a period of two years to assist the CLSB in the event of an audit under rule 5 or under the CPD Rules, including:
    - The date, duration and method of delivery.
    - The purpose and intended outcomes of the training.
    - Names and qualifications of those who delivered the training.

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- The number of CPD points attributed to full completion of the training.
  - A list of participants, including where possible a record of those attendees who did not complete the training in full.
  - A copy of the written materials provided to participants.
  - A record of the feedback provided by participants.

## Rule 5: Auditing

- 5.1 The CLSB may audit CPD provided by an Accredited Costs Lawyer against the requirements in rule 4 at any time during the period of accreditation or upon an application for accreditation.
- 5.2 A Costs Lawyer must co-operate fully with the CLSB in relation to any audit under rule 5.1.

**END**