

Submission Template —Enabling corporate legal practitioners to support related entities of their employer

Please complete all relevant sections. Use plain language and provide evidence or examples where possible. You may attach supporting documents.

A. Submitter details

- **Organisation (if applicable):** University of Melbourne (“University”)
- **Primary contact name and role/title:** [REDACTED]
- **Email:** [REDACTED]
- **Phone:** [REDACTED]
- **Jurisdiction(s):** VIC

B. Confidentiality and publication

- **Do you request that your submission (in full) be treated as confidential?** No
- **If ‘No’, may the Council publish your submission on its website, including your name/organisation?** You may publish the submission, but not the contact name, title or phone number (okay to publish entity name)

C. Detailed responses to consultation questions

Question 1 — Practical operation of the current framework

Does the current definition of “related entity” present practical difficulties for corporate legal practitioners employed by entities that are not a company within the meaning of the Corporations Act?

1. Position:

Yes

2. Please provide details of any practical difficulties experienced:

The University refers to information provided to the Legal Services Council on 26 February 2026. As previously advised, the following general consequences arising from the current state of the law:

- Universities are required to place increased reliance on external law firms to provide legal support to associated entities. This reliance can lead to fragmentation and inconsistency in legal advice, undermining enterprise-wide governance and effective legal risk management.
- The limited capacity of in-house legal teams to assist associated entities may reduce the relevance and visibility of those teams within the broader university group. As a result, there may be less integration and oversight, increasing the risk

that associated entities do not receive timely legal support and that issues only come to legal attention once they have escalated into disputes or attracted external scrutiny.

- Associated entities may be required to engage external legal advisers even where matters are routine, low-risk, or already well understood by in-house counsel. Anecdotally, in-house university lawyers who may be well placed to provide timely and proportionate advice but are constrained by the current state of the law. This can place lawyers in the difficult position of having to exercise judgement about the extent to which they can appropriately assist.

Many Universities operate through group structures, with associated and controlled entities embedded in routine operational, commercial, research and employment activities. Details of the University's corporate structure is provided at page 106 of the Annual Report 2025. As a result, legal issues involving these entities arise frequently and as part of ordinary business, not only in exceptional or high-risk circumstances. The restriction on in-house lawyers acting for associated entities therefore has a continual impact on how legal support is provided across the University group.

3. Additional comments (optional):

University governance is presently a key focus for the sector (and government) and addressing long-standing issues that create practical challenges for in-house legal teams advising controlled entities is consistent with that objective.

Question 2 —Reliance on the concept of “control” under section 50AA of the Corporations Act

If this issue is addressed by an amendment to the Uniform General Rules, do you support relying on the definition of “control” in section 50AA of the Corporations Act to capture related entities of entities that are not a company?

1. Position:

The University supports addressing the solution in this manner.

2. Are there any alternative approaches the Council should consider?

3. Rationale:

4. Additional comments (optional):

Question 3 —Potential implications and unintended consequences

If the potential reforms outlined at Q2 are progressed, could this cause any unintended consequences, and if so how should these be addressed?

1. **Position:**

None of which the University are aware. To the extent that any conflict of interest may arise, established practices already used by in-house legal teams within corporate groups provide a framework for managing such issues.

2. **Please identify any potential implications or unintended consequences:**

3. **Are there any safeguards, limitations or clarifications the Council should consider?**

4. **Additional comments (optional):**

D. Attachments (optional)

Lodgement and deadline

- **Submit by email: submissions@legalservicescouncil.org.au**
(If you require an alternative lodgement method or accessibility adjustments, please contact the Council.)
- **Closing date: 22 July 2026**
- **General enquiries: lsc@legalservicescouncil.org.au**