

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 New South Wales
- **Primary contact name and role/title:** Clair Hodge, Chief Legal Officer
- **Email:** [REDACTED]
- **Phone:** [REDACTED]
- **Jurisdiction(s):** NSW / VIC/ WA / Other (specify): NSW

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?** Yes

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:**

Many universities, including the University of New South Wales, carry out some of their operations through subsidiaries (commonly referred to as ‘controlled entities’ in NSW). These subsidiaries are often companies limited by shares or guarantee incorporated under the *Corporations Act* 2001. The subsidiaries regularly require legal advice on a wide range of topics including employment law, corporations law, intellectual property and real property.

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

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:

Support

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

The Council could consider the following alternative approach:

- Amend the Uniform General Rules by specifying that in NSW, entities which are controlled entities (within the meaning of the *Government Sector Finance Act 2018* (NSW)) of a University, are related entities of that University for the purposes of limb (b) of the definition of ‘related entity’ in the Uniform General Rules.

As we are not familiar with legislation in other States, we are unaware if this approach would work for other jurisdictions outside NSW

3. Rationale: This approach relies on using an established and well understood legislative definition for determining what is a related entity of a public university in NSW.

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:

We have not identified any unintended consequences

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