

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 Newcastle
- **Primary contact name and role/title:** Renee Hall, Legal Counsel
- **Email:** [REDACTED]
- **Phone:** [REDACTED]
- **Jurisdiction(s):** 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:**

The University of Newcastle (**University**), at present, has 3 controlled entities, all of which are incorporated companies. These entities are subject to the University’s management and oversight arrangements, and, as entities controlled by the University, are subject to many of the same complex legislative and regulatory requirements as the University. These entities are relatively small, and do not maintain dedicated in-house legal functions. In practice, the uncertainty in the legislation means that controlled entities, despite being practically treated as related entities, may be required to obtain separate, potentially costly, external legal advice, even where the relevant issue is closely connected with the University’s operations, governance or regulatory obligations, and could otherwise be support efficiently by the University’s in-house legal function.

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?**
3. **Rationale:**
4. **Additional comments (optional):**

The University supports reliance on section 50AA of the Corporations Act because it is a familiar and workable statutory concept, and aligns with one of the two tests under which the University’s governing legislation defines a controlled entity.

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:**
Not that the University is aware of.
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**