OLSC INTERNAL DELEGATIONS

INSTRUMENT OF DELEGATION

Assistant Commissioner (Legal)

Pursuant to section 28 Legal Profession Uniform Law Application Act 2014, I, Samantha Gulliver, NSW Legal Services Commissioner (NSW Commissioner), hereby delegate to the Assistant Commissioner (Legal) the powers, duties and functions set out below.

The powers in the sections specified in Column 1 are delegated.

The functions listed in Column 2 are for reference only and do not limit the operation of the delegation.

Samantha Gulliver
NSW Legal Services Commissioner

Dated: 4 July 2024

Column 1	Column 2
Legal Profession Uniform Law	Function
Section 256	Conducting compliance audits
Section 266	To make a complaint about an Australian lawyer or Australian-registered foreign lawyer
Section 267(1)	To receive complaints about Australian lawyers or Australian registered foreign lawyers
Section 269	To determine whether a complaint should be resolved by the exercise of functions relating to consumer matters
Section 271	To give priority, in mixed complaints, to resolving the consumer matter as soon as possible
Section 272(1)(2)	To waive time requirements for making a complaint
Section 273(2)(a)	To continue to investigate a disciplinary matter after withdrawal of the complaint by the complainant
Section 276(1)	To conduct a preliminary assessment of a complaint
Section 277	To close a complaint after preliminary assessment

Legal Profession Uniform Law	Function
Section 279 (1)	To notify a respondent about a complaint
Section 280 (2)	Extending period in which lawyer can make submissions
Section 281(1)	To except the requirement for notification of a complaint
Section 281(2)	Exercising discretion as to when to inform lawyer of complaint details
Section 282 (1)	To investigate complaints
Section 283(1)	To extend the scope of an investigation
Section 284(1)	To refer a matter for costs assessment
Section 286	Forming opinion it is appropriate to take action towards resolving a consumer matter
Section 287	To informally resolve a consumer matter
Section 288	To conduct mediation and to order parties to a complaint to attend mediation
Section 289	To prepare a written record of a settlement agreement
Section 290	To make a determination in a consumer matter
Section 291	To deal with a costs dispute
Section 292	To make a binding determination about costs
Section 299	To make a finding of unsatisfactory professional conduct and determine a disciplinary matter
Section 300	To initiate and prosecute proceedings in the Tribunal
Section 313	To conduct an internal review of a decision made by the Commissioner or a delegate
Section 318	To provide notice of closure, determination or decision on a complaint to the complainant and the respondent
Section 370	To require access to documents and provide information relating to the affairs of a law practice
Section 371	To provide notice to produce documents, written information and access to documents relating to the affairs of a lawyer
Section 372	To inspect and copy documents
Section 373	To retain and return documents
Section 374	To enter premises
Section 375	To search premises, operate equipment on premises, take possession of relevant material and retain it, make copies of relevant material, seize and take away relevant material, inspect, access, download, copy or seize and take away any computer or equipment, require a person to state full name, date of birth and address, answer questions and give other assistance to the investigator
Section 377	To apply for a search warrant
Section 384	To inspect books
Section 385	To hold hearings
Section 411	To take over responsibility for a matter from a delegate
Section 466(7)	To recommend to the designated local regulatory authority that an Australian practising certificate or an Australian registration certificate be suspended while a failure by the holder to comply with a requirement referred to in section 466(1) of the Legal Profession Uniform Law (NSW) continues.
Legal Profession Uniform Law Application Act 2014 (NSW)	
Section 25	May require Councils to provide information
Section 144	All functions