



DESIGNATED MANAGER PRACTICE NOTE

Continuing Professional Education (CPE) Audit 2022–2023

This practice note shares the outcomes of the Continuing Professional Education (CPE) Audit 2022–2023. An audit is completed each year to assess attorneys' compliance with their CPE obligations in the *Patents Regulations 1991* and *Trade Marks Regulations 1995*.

Audit participants are selected at random, ensuring a balanced representation of patent, trade marks, and dual registered attorneys across Australia, New Zealand, and overseas. The mix of attorneys practicing in medium to large firms and those operating as sole practitioners is also considered. I may exercise discretion to conduct an audit of the same attorney in consecutive years.

The audit of the 2022–2023 registration year included 81 attorneys (4.9 percent of the profession):

- Australia – 63 (10 Patent, 20 Trade Marks, 33 Dual);
- New Zealand – 13 (9 Patent, 0 Trade Marks, 4 Dual); and
- Overseas – 5 (3 Patent, 0 Trade Marks, 2 Dual).

Seventy-nine attorneys complied with their CPE obligations in 2022–2023. One registered trade marks attorney and one dual registered attorney requested to remove themselves from the register rather than participate in the audit.

Based on the observations of this audit, I would like to remind the profession:

1. CPE activities should:
 - be relevant to the trans-Tasman IP attorney profession, regardless of physical location; and
 - be structured (more than getting together for a chat); and
 - have identifiable outcomes; and
 - benefit the attorney in their practise as an IP professional.
2. A minimum division of hours must be completed each year:
 - five hours in the field of your registration. Dual registered attorneys need 5 hours in each field.
 - one hour in ethics and professional conduct.
 - four hours in other areas related to an IP attorney's practice (e.g. protection of Indigenous knowledge, IP commercialisation, protection of designs, IP licensing).
3. CPE activities need to occur in the 12 months prior to when the attorney pays for their registration renewal. CPE is not based on the financial year.
4. If an attorney chooses to remove themselves from the register rather than participate in an audit, conditions will apply to any request for restoration.

All attorneys should familiarise themselves with the [Continuing Professional Education guidelines](#).

The audit for the 2023–2024 registration year will commence in September 2024.

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Designated Manager
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