



Designated Manager Guidelines

Continuing Professional Education, Attorney registration removals and restorations

The Designated Manager is a statutory official appointed under s 200A of the *Patents Act 1990* (Cth). The current appointee is the General Manager, Governance Group at IP Australia.

These Guidelines provide information for registered attorneys on the following Designated Manager functions:

- assessing compliance with Continuing Professional Education (**CPE**) requirements set by the Trans-Tasman IP Attorneys Board's (**Board**) CPE Guidelines
- removing attorney's from the Register, and
- restoration of attorney registration.

Relevant legislation

- *Patents Regulations 1991* (Cth) (**Patents Regulations**): Chapter 20, Parts 5-7
- *Trade Marks Regulations 1995* (Cth) (**TM Regulations**): reg 20.14 (for registered trade marks attorneys)
- *Patents Act 2013* (NZ): s 271 (for New Zealand resident patent attorneys)

Effective date

1 August 2026

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CPE Compliance

CPE Compliance for Renewal of Registration

When you renew your annual registration, you must complete a **CPE Declaration form**. This confirms you have completed the required CPE hours in the previous 12 months, based on your own CPE records and in line with the **Trans-Tasman IP Attorneys Board CPE Guidelines**.

You do not need to submit supporting evidence with your renewal, unless the Designated Manager (or Secretariat on their behalf) asks you to provide it.

Relevant CPE period

The CPE year runs from the 12 months **before** the date you apply for renewed registration (reg 20.24 of the Patents Regulations refers). For example, if you pay your renewal on 3 June 2027, your relevant CPE period is 3 June 2026 to 2 June 2027.

CPE Audit

Each year, the Secretariat (on behalf of the Designated Manager) conducts a CPE audit.

The audit selects attorneys at random across several categories to reflect a representative sample (for example, location, type of registration, and employment setting). Attorneys registered within the past 12 months are generally excluded, as CPE is not required until the second year of registration.

The Designated Manager can select attorneys at their discretion for inclusion in a CPE audit for a number of reasons, including previous CPE audit compliance. Those attorneys specifically selected are made aware of the reasons for their inclusion.

If selected for the audit, you will be required to complete the **CPE Audit Submission Form** and provide evidence of completion of your CPE activities recorded in your latest renewal CPE Declaration.

Evidence can include attendance records, certificates, receipts, emails confirming registrations, and dated screen captures of viewed online video content. For reading professional or technical journals, a written list of activities will be sufficient.

The evidence in support of your activities must be dated where a date of completion can be a reasonably expected. For example, a screen capture of a webinar recording including the computer time and date can satisfy the Designated Manager that the CPE activity was completed within the relevant period.

Removal from the Registers

The Designated Manager has the authority to remove registered patent and trade marks attorneys from the relevant Register/s in certain circumstances. The following describes those circumstances and what you need to be aware of as a registered attorney.

Removal mechanisms overview:

Removal ground	Trigger	Designated Manager action
Voluntary removal request (reg 20.26)	Attorney applies for voluntary removal	Must remove the attorney from the relevant Register and notify them of removal, applicable conditions, and restoration options
Non-payment of renewal fees (reg 20.27)	Annual registration fee not paid by 31 July	Must remove the attorney from the Register and notify them of removal and restoration options
CPE non-compliance – declaration or audit (reg 20.28(1))	Attorney declares non-compliance at renewal or submits inadequate CPE activities during audit	Require your statement of reasons; assess case on merits; may remove (up to 6 months), maintain registration, or impose conditions
CPE non-compliance – false or missing records (reg 20.28(2) and (3))	False CPE declaration or failure to provide written CPE records during audit	Must remove the attorney for at least 6 months , following DM determination

If, and while you are, removed from the Register, you must not practise as a patent or trade marks attorney, or hold yourself out as a patent attorney or a trade marks attorney.

Restoration to the Registers

The Designated Manager has the authority to restore previously registered patent and trade marks attorneys to the Register/s in certain circumstances. The following sections describe those circumstances and what you need to be aware of as a registered attorney.

Restoration mechanisms overview:

Restoration ground	When this applies	Designated Manager action	Outcome of restoration	Key conditions / notes
After voluntary removal (reg 20.29)	Attorney voluntarily removed under reg 20.26 of the Patents Regulations and applies within 3 years of the date of removal	May restore registration and impose conditions relating to CPE	Registration restored. May be subject to conditions	Designated Manager may require completion of outstanding or additional CPE and vary total hours of CPE. This will be assessed on a case-by-case basis.
After non-payment of renewal fees (reg 20.30)	Attorney was removed for non-payment of annual renewal fees	May restore registration where requirements are met	Registration restored	Attorney must apply within required timeframes, pay the prescribed fee and confirm required CPE completion
Restoration in other circumstances (reg 20.31)	Voluntary removal for more than 3 years; or Following non-payment if an extension is refused; or Non-compliance with CPE requirements	Assesses application following Board approval of currency of knowledge and must restore registration if the requirements for registration are satisfied. May request attorney to undertake certain activities (e.g. completion of additional CPE) May request attorney to explain why a false CPE declaration was provided or why there was a failure to provide written CPE records. For example, mis-calculated the 12 months prior to renewal clause when signing CPE declaration. ¹	Registration restored	Restoration subject to Board approval and satisfaction of character, ² offence ³ and application requirements The Designated Manager may request more information about the good fame, integrity and character declaration submitted as part of the restoration application, for example if undisclosed wrongful conduct or offences were identified.

¹ Note, according to reg 20.28(2) of the Patents Regulations, the Designated Manager must remove you from the Register if you provide a false statement that you have met the requirements of Part 5 of the Patents Regulations or if you fail to provide CPE records, unless you have a reasonable excuse such as a medical emergency preventing timely action.

² As part of your restoration application, you must provide a declaration by another person that you are of good fame, integrity and character, with reasons for that opinion.

³ As part of your restoration, you must also provide a declaration that you (1) have not committed a prescribed offence in the 5 years preceding the restoration application, and (2) are not under sentence for imprisonment for a prescribed offence.

**CPE requirements that may be imposed by
the Designated Manager when restoring an attorney to the Register/s
after voluntary removal (reg 20.29(3) of the Patents Regulations)**

Single registered attorney

Period off Register	Number of CPE hours required before next renewal. i.e. before 1 July of the following year (this includes the standard 10 hours of CPE required by reg 20.24(1))
2 - 3 years	20
1-2 years	16
<1 year	13

Dual registered attorney

Period off Register	Number of CPE hours required before next renewal. i.e. before 1 July of the following year (this includes the standard 15 hours of CPE required by reg 20.24(3))
2-3 years	30
1-2 years	25
<1 year	20