



# NSW Government Legal Services Panel

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## Background

A panel of external law firms was established to provide legal services for NSW Government agencies in July 2016. The initial panel lapsed on 30 June 2021.

Transport for NSW, as lead agency across government, managed the tender for a new panel. The Panel satisfies the external legal requirements of any Agency of NSW Government whether forming part of a Cluster, Statutory Corporation, State Owned Corporation or other NSW Government Business Entity or Local Government Body (including local councils). The Panel commenced on 1 July 2021 for a term of three years with two further options of 3 years each. The Panel has been established on a non-exclusive basis, that is, each Agency remains responsible for procuring its own legal services.

The Panel consists of 40 law firms and is a mix of small, medium and large firms. The firms make up 7 Sub-Panels covering 30 areas of Law.

The sub-panel areas:

1. Construction
2. Commercial
3. Planning, property and environment
4. Employment, work health and safety (WHS)
5. Government, regulatory and administrative
6. Litigation and inquiries
7. Legal Support Services

Detailed list of [sub-panels and areas of law](#). This PDF also lists all firms on the Panel for each area of law.

The Panel was established with the aim of supporting the savings targets for legal service procurement across the public sector by taking advantage of the combined purchasing power of NSW Government Agencies to secure more competitive pricing. Firms will also benefit from a level of certainty given the volume of Government legal work.

## Panel Rules and Deed

The Panel Rules govern the way firms are engaged and whether competitive quotes must be obtained.

[The Panel Rules are available here.](#) (PDF, 338.1 KB)

The Panel Deed is the contractual agreement between the Panel firms and the State of NSW. This Agreement sets out the terms on which the State and the Service Provider have agreed that the Service Provider will:

- Be appointed as a member of the Panel; and
- Supply legal services as a member of the Panel,

including the terms under which the Service Provider will supply legal services to a Client in response to a Legal Services Order.

[The Panel Deed is available here.](#)

## How to buy from this scheme?

Agencies should contact a firm appointed for the appropriate area of law for the legal services to seek an estimate. Each firm has a Relationship Partner which each NSW Government Cluster.

[Panel Firm Relationship Manager's List](#) (XLSX, 972.0 KB)

Alternative pricing arrangements may be requested and will be a matter for agreement between the agency and panel firm. The Panel rules govern whether competitive quotes must be obtained. The process is covered in clauses 6 to 8 of the Deed. The firm will provide an estimate or project outline, as requested. Instructions should be provided using the [Legal services order form](#). (DOCX, 31.1 KB)

Questions about using the panel should be directed initially to the agency contract manager. The agency contract manager will contact the Relationship Partner if necessary.

[Agency Contract Manager's Contact List](#). (XLSX, 3.5 MB)

## Core Legal Work

Core Legal Work is excluded from the scope of the Panel in accordance with Premier's Memorandum 2016-04 NSW Government Core Legal Work Guidelines (the revised Guidelines replace the previous PM1995-39 Arrangements for Seeking Legal Advice from the Crown Solicitor's Office).

Agencies should consult the revised Core Legal Work Guidelines for more information regarding which matters are considered Core and non-Core.

All Core Legal Work is to be referred to the Crown Solicitor's Office (CSO) as required under [Premier's Memorandum 2016-04](#).

An Agency's procurement of legal services outside the Panel arrangement will only be on an exceptional basis.

## Off-Panel Engagements

An Agency's procurement of legal services outside the Panel arrangement will usually only occur on an exceptional basis. For example, for work requiring unique or specialist expertise or resources that the Agency considers are not available among firms on the Panel, or for matters that may arise in new categories of legal work that were not included in the Services Brief.

Agencies must have regard to [Off-Panel Engagements Guidelines](#) at Schedule 3 of the Deed when deciding whether it is appropriate to engage a provider that is not a Panel Firm.

In the event agencies need to engage providers of legal services that are not Panel Firms, they must secure the necessary approvals in accordance with the agency's procurement framework having regard to Procurement Board Direction [PBD-2016-01](#) and the [NSW Government Procurement Policy Framework](#).

Reasons must be provided why an off-Panel engagement is required and all off-Panel engagements must be pre-approved by the General Counsel.

The Agency Relationship Manager will be responsible for reporting on all off-Panel expenditure to the Procurement Board. All off-Panel engagements are then reported to the Procurement Board on a bi-annual basis.

The Panel is not subject to NSW Procurement Board Direction [PBD-2021-04](#) *Obligation by government agencies to use whole of government contracts* but procurement of legal services must be undertaken as contemplated by the Panel Rules and accompanying Guidelines.

More information relating to the NSW Government Legal Services Panel can be found on the NSW Buy website located at:

[NSW Government Legal Services Panel | buy.nsw](#)

For Department of Communities & Justice queries please contact DCJ Legal: [Enquiries-DCJLegal@dcj.nsw.gov.au](mailto:Enquiries-DCJLegal@dcj.nsw.gov.au) or the Agency Contract Manager.

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We acknowledge Aboriginal people as the First Nations Peoples of NSW and pay our respects to Elders past, present, and future.

Informed by lessons of the past, Department of Communities and Justice is improving how we work with Aboriginal people and communities. We listen and learn from the knowledge, strength and resilience of Stolen Generations Survivors, Aboriginal Elders and Aboriginal communities.

You can access [our apology to the Stolen Generations](#).

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