

UNCCA STRATEGIC PLAN 2021-2023

The board has adopted a new strategic plan. Its broader aims include the following:

Vision

UNCCA provides the primary platform for engagement in Australia with UNCITRAL and its international trade law topics by the Australian legal profession, judiciary, and academia.

Objective

UNCCA will be a financially self-sustaining organisation, through regular participation in UNCITRAL activities, and the promotion of UNCITRAL texts in Australia through an up-to-date website, educational events and member participation.

Activities

1. UNCITRAL Delegates

1.1 UNCCA will coordinate the identification and recommendation of Australian delegates for all UNCITRAL working group meetings, seminars and symposia, whether in person or on-line. This will involve liaison with the Australian Government for official representatives and with LAWASIA in relation to observer delegates.

1.2 This process is to be coordinated centrally by the UNCCA Delegates Director, with close liaison with the relevant Expert Advisory Committee Chairs, as per procedures already in place.

1.3 Once international travel is available, UNCCA will resume the UNLAWS Program to provide opportunities for law students to participate in UNCITRAL delegations. A streamlined process for nomination and selection of UNLAWS delegates is to be developed with support from University Law Schools.

2. Website and Communications

2.1 We will maintain and update the Hub as a primary source of UNCITRAL reference material from an Australian perspective. This will involve regular (at least quarterly) input from the Expert Advisory Committees to the Communications Director, with the opportunity to establish a CLOUT partnership as well.

2.2 Provide quarterly newsletters to members and sponsors with updates from the Expert Advisory Committees, including in relation to recent UNCITRAL working group meetings, to be coordinated with updates to the Hub.

2.3 We will increase social media presence through regular posts to LinkedIn, Facebook, and Twitter. This can include an Instagram account as well, to attract younger members.

3. Events

3.1 Annual May Seminar. Ideally resume this as an in-person 1 day event in May, to be held in capital cities on a rotating basis. If held on-line, split this event into two half-day webinars. Each year will focus on a major UNCITRAL anniversary event.

3.2 Annual UN Day Lectures. These are held in October, around 24 October, as an evening seminar at the Federal Court around Australia, to celebrate an UNCITRAL anniversary event. If in-person participation is not possible, then this will be held as a webinar event.

3.3 Semi-annual EAC Updates. These will be held as 45 minute CPD webinars, hosted by an EAC sponsor, at a lunchtime or 5pm timeslot, to provide a report on the outcome of the immediately preceding UNCITRAL working group meeting.

3.4 Government Liaison Meeting. This is envisaged to be a half-day meeting between AGD with the UNCCA Board, Executive and EAC Chairs, in Canberra, to discuss current UNCITRAL issues and provide a forum for dialogue and updates.

Structure

4. Board

4.1 The Board has overall responsibility for the formulation and delivery of the strategic plan, as well as its statutory obligations. Board meetings will take place at least quarterly. A third of the Board retires each year.

4.2 The incoming Chair for this three year Strategic Plan is Hon Justice Brigitte Markovic. The outgoing Chair, Hon Justice Neil McKerracher, will remain on the Board.

4.3 A new Deputy Chair will be appointed to take the place of Dr Dalma Demeter, who will remain on the Board. The Executive has identified a successor for the role.

5. Executive

5.1 The Executive will have day-to-day management of the business of UNCCA under the general direction of the Board. The Executive will meet at least one a month, and more frequently if required. Meetings will be chaired by the Deputy Chair.

5.2 Members of the Executive will include the Secretary, Treasurer, Communications Director, Delegates Director, Research Director, and External Relations Director, as well as others who may be required from time to time.

5.3 The Deputy Chair will have support from a part time Executive Officer who may also attend the meetings and take notes.

5.4 Action plans for Executive meetings will be prepared and circulated, and the Executive will provide reports to the Board as required.

6. Expert Advisory Committees

6.1 There are currently 9 Expert Advisory Committees (EAC), being the 6 current UNCITRAL Working Groups and 3 past topics (CISG, Mediation, Security Interests). Each EAC will be responsible for managing UNCCA's interest in and engagement with their particular area of UNCITRAL's work, according to existing activity guidelines.

6.2 The role of each EAC will include:

- Quarterly updating of the Hub and contribution to newsletters
- Consultation in relation to delegate identification
- Semi-annual CPD webinars on their EAC topic
- Participation (as required) in UNCITRAL events, including the Government Liaison Meeting
- Engagement with members of UNCCA interested in their area of expertise through meetings, or other communications

6.3 EAC Chairs will be appointed annually by the Board, and EAC Chairs can determine how best to structure their committee to perform its role, and to work with any designated sponsors for their EAC.

Finance

7. Revenue - Membership

7.1 UNCCA members are legal practitioners, academics, members of the judiciary, and students, in two main categories of membership: fellows and associate members. There is also provision for student membership in each of these categories. Fellowship is available according to specific criteria, based on prior participation with UNCITRAL or UNCCA, or at the Board's discretion. All other members are associates.

7.2 Members pay an annual subscription by calendar year. UNCCA will issue membership renewal notices in mid January for that year. In addition, UNCCA may offer event pricing that includes associate membership.

7.3 The benefits of membership include supporting the continued operation of UNCCA, attendance at UNCCA events without charge, receipt of emails with quarterly newsletters, ability to be recommended for attendance at UNCITRAL working group meetings, opportunity to participate in EAC activities, opportunity to participate in other UNCCA committees, and general networking benefits through association with UNCCA.

7.4 Consideration will be given to creating a new category of membership for Emeritus Fellows, in recognition of their distinguished service to the work of UNCCA at the discretion of the Board.

7.5 UNCCA aims to have approximately 50 members each year, contributing about \$4,000 to the annual budget, to meet recurrent expenditure and costs.

8. Revenue - Events

8.1 UNCCA charges an event fee to participants at its in-person and on-line events. These fees are designed to provide a measure of cost recovery and limited margin to contribute to UNCCA's running costs, including the employment of administrative assistance.

8.2 UNCCA also intends to place recordings of past events online, on the website, for viewing by anyone who pays a fee. This will also be of interest to lawyers seeking to earn CPD points.

8.3 UNCCA aims to generate modest revenue from its events and online material, such revenue possibly increasing with the holding of regular EAC Updates.

9. Revenue – Sponsorship

9.1 UNCCA proposes to seek sponsorship from law firms and associations for individual EACs.

9.2 Each sponsorship arrangement is subject to negotiation, but is expected to include the right to host the EAC Updates for its EAC, recognition on the relevant EAC page on the UNCCA website, and the opportunity for a limited number of members of its firm or association to attend UNCCA events without charge, or to access other benefits of membership.

9.3 It is anticipated that there will initially be 2-3 sponsors sought in 2021, to contribute to UNCCA's running costs.

10. Other Contributions – Non-Financial

10.1 All UNCCA directors and executive members work on an honorary basis, some of whom make substantial contributions of their time. A paid, part-time Executive Officer (see below) can do most of the administrative work.

10.2 UNCCA will ideally enter into a new MOU with a leading Australian University for the provision of non-financial support to the Deputy Chair and UNCCA generally. This can include use of university facilities as appropriate, and provision of intern opportunities for university students to assist the Deputy Chair, including students from faculties other than Law.

11. Expenses

11.1 UNCCA has a number of recurring expenses - ASIC Annual Fees, Insurance, Accounting Fees and Expenses, and ongoing technology fees. These are essentially funded by membership subscriptions.

11.2 A paid Executive Officer is required to manage the day-to-day affairs of UNCCA (as set out in the Position Description attached to the Report on previous Strategic Plan Outcomes).

11.3 Additionally, UNCCA has other non-recurring expenses of a more limited nature, which have generally been associated with individual events.

Liaison Activities

12. External Stakeholders

12.1 UNCCA has a range of relationships with External Stakeholders who form a key part of its engagement activities. These include:

- UNCITRAL, the RCAP and associated organisations
- LAWASIA
- Australian Government – AGD, DFAT and other Departments (as appropriate)
- Australian legal community – Courts, Legal Profession, Law Firms, and relevant Associations
- Australian academic community – Universities, Law Faculties, individual academics and students

12.2 Engagement with External Stakeholders generally occurs as opportunities arise, including in relation to UNCCA events.

12.3 A more formal liaison mechanism with the Australian Government is proposed through an annual Liaison Meeting. The opportunity for other formal liaison mechanisms can be considered, including with the RCAP to address and develop topics of mutual interest.

13. Student Engagement

13.1 UNCCA will consider ways to create more engagement with students, particularly those in their final year(s) of Law School and those who have attended an UNCITRAL meeting as part of the UNLAWS program or have been interns at the RCAP. This will assist interested students, as they transition to legal practice or academic research and teaching, to make a contribution to UNCCA and build their networks in the area of international trade law.

Risk Management

14. Risk Management Strategies

14.1 The Executive will develop risk management strategies to address areas of potential concern arising out of this Strategic Plan, particularly in relation to financial risk, operational risk, technology risk and risks associated with the organisational structure, over the next

three years of this Plan. It is intended that the Risk Management Plan will be adopted by the Board and presented each year to members at the AGM.

14.2 The Executive will also prepare an annual Operational Plan and Budget for approval by the Directors at the first quarterly meeting in each calendar year, to give effect to this Strategic Plan, or any updated Plan.