

SRA Amendments to Regulatory Arrangements (Red Tape Initiative) Rules 2013

Rules dated 28 March 2013 made by the Solicitors Regulation Authority Board under Part I, Part II, sections 79 and 80 of the Solicitors Act 1974 and section 9 and 9A of the Administration of Justice Act 1985 and section 83 of, and Schedule 11 to, the Legal Services Act 2007, with the approval of the Legal Services Board under paragraph 19 of Schedule 4 to the Legal Services Act 2007.

1. The instruments referred to in Column (1) of the table set out below shall be amended in accordance with the corresponding entry in Column (2).

(1) Instrument	(2) Provision
SRA Practice Framework Rules 2011	<p>In Rule 4.15(e) delete ", provided that there is no charge to the <i>charity</i> or voluntary organisation in non-contentious matters, and in contentious matters the <i>employer</i> indemnifies the <i>charity</i> or voluntary organisation in relation to your costs insofar as they are not recoverable from any other source".</p> <p>Delete Rule 4.16(b) and re-number paragraphs "(c)", "(d)" and "(e)" as paragraphs "(b)", "(c)" and "(d)" respectively.</p>
SRA Authorisation Rules for Legal Services Bodies and Licensable Bodies 2011	<p>In Rule 8.5 insert "Subject to Rule 8.5(h)" at the beginning of Rule 8.5(b) and substitute "A" with "a".</p> <p>In Rule 8.5 insert "Subject to Rule 8.5(i)" at the beginning of Rule 8.5(d) and substitute "A" with "a".</p> <p>In Rule 8.5 insert the following:</p> <p>"(h) An <i>authorised body</i> is not required to comply with Rule 8.5(b)(i) where the individual designated as its <i>COLP</i>:</p>

	<p>(i) has been approved by the SRA as a COLP for a <i>related authorised body</i>, and</p> <p>(ii) is a <i>manager or employee</i> of that <i>related authorised body</i>.</p> <p>(i) An <i>authorised body</i> is not required to comply with Rule 8.5(d)(i) where the individual designated as its COFA:</p> <p>(i) has been approved by the SRA as a COFA for a <i>related authorised body</i>, and</p> <p>(ii) is a <i>manager or employee</i> of that <i>related authorised body</i>."</p> <p>In Rule 13.2(a)(i) delete "or" and after Rule 13.2(a)(ii) insert the following:</p> <p>"(iii) an <i>REL</i>; or</p> <p>(iv) an <i>RFL</i>";.</p> <p>In Rule 13.2(b) insert ", registration" after "certificate".</p> <p>In Rule 13.2(c) insert "at least 7 days" after "form".</p> <p>In the heading of Rule 14 after "process" insert "and production of information or documentation".</p> <p>In Rule 14.8(a) insert after "Part" the following:</p> <p>"(including a deemed approval under Rule 13.2)".</p>
SRA Practising Regulations 2011	In regulation 4.8 insert "Subject to regulation 4.8(h)" at the beginning of regulation 4.8(b) and substitute "A" with "a".

	<p>In regulation 4.8 insert "Subject to regulation 4.8(i)" at the beginning of regulation 4.8(d) and substitute "A" with "a".</p> <p>In regulation 4.8, insert the following:</p> <p>"(h) <i>A recognised sole practitioner's firm</i> is not required to comply with regulation 4.8(b)(i) where the individual designated as its <i>COLP</i>:</p> <p style="padding-left: 40px;">(i) has been approved by the <i>SRA</i> as a <i>COLP</i> for a <i>related authorised body</i>; and</p> <p style="padding-left: 40px;">(ii) is a <i>manager</i> or <i>employee</i> of that <i>related authorised body</i>.</p> <p>(i) <i>A recognised sole practitioner's firm</i> is not required to comply with regulation 4.8(d)(i) where the individual designated as its <i>COFA</i>:</p> <p style="padding-left: 40px;">(i) has been approved by the <i>SRA</i> as a <i>COFA</i> for a <i>related authorised body</i>; and</p> <p style="padding-left: 40px;">(ii) is a <i>manager</i> or <i>employee</i> of that <i>related authorised body</i>."</p>
<p>SRA Training Regulations 2011 Part 1 - Qualification Regulations</p>	<p>Delete regulation 4.2.</p> <p>Re-number regulation "4.3" as "4.2" and delete "Subject to regulation 4.2".</p> <p>Re-number regulation "4.4" as "4.3".</p> <p>In regulation 5.1 insert "once granted" after "force" and delete "for seven years after 1 October in the year in which you satisfactorily completed a QLD, Diploma in Law or a CPE".</p> <p>Delete regulation 5.2.</p> <p>Delete Guidance note (i) to regulation 5.</p> <p>For regulation 14 substitute the following:</p>

	<p>"14.1 A <i>certificate of enrolment</i> once granted, is valid for the lifetime of the applicant subject to the cancellation provisions in regulation 33."</p> <p>14.2 A <i>certificate of enrolment</i> will automatically expire upon the admission as a <i>solicitor</i>."</p>
<p>SRA Training Regulations 2011 Part 2 - Training Provider Regulations</p>	<p>Substitute for Regulation 7.2 the following:</p> <p>"7.2 If you are a <i>training establishment</i>, you may grant a reduction in the period of the <i>training contract</i> in recognition of previous experience of not less than one month (30 days) and no more than six months (183 days)."</p> <p>Delete Guidance notes (ii) and (iii) to regulation 7 and renumber the note "(iv)" as "(ii)".</p> <p>Delete regulations 11.2 to 11.6 and substitute the following:</p> <p>"11.2 If you are a <i>training establishment</i>, and you arrange a <i>secondment</i> for a <i>trainee</i>, you must ensure that the <i>secondment</i> complies with the requirements in regulation 10."</p>
<p>SRA Qualified Lawyers Transfer Scheme Regulations 2011</p>	<p>In regulation 2.5 delete "we must issue a <i>QLTS certificate of eligibility</i> to that effect" and insert "and we have determined that <i>you</i> must pass one or more of the <i>QLTS assessments</i>, we must issue a <i>QLTS certificate of eligibility</i> to that effect".</p> <p>Delete regulation 2.6 and substitute the following:</p>

	<p>"2.6 Where regulation 3.3 applies, if <i>we</i> are satisfied that <i>you</i> are eligible, and <i>we</i> have determined that <i>you</i> do not need to take any of the <i>QLTS assessments</i>, then you may proceed to admission."</p>
<p>SRA Handbook Glossary 2012</p>	<p>After the definition of "REL-controlled body" insert:</p> <p>"related authorised body</p> <p>means an <i>authorised body</i> which has a <i>manager</i> or <i>owner</i> in common with another <i>authorised body</i>."</p> <p>In the definition of "secondment" substitute "employer, or an overseas branch office," with "organisation".</p>

2. These rules come into force on 1 April 2013 or the date of the approval of the Legal Services Board, whichever is the later.