

CLSB consultation paper
Proposed 2016 Costs Lawyer Practising Certificate Fee

Definitions herein:

ACL	The Association of Costs Lawyers
CLSB	The Costs Lawyer Standards Board
LeO	The Legal Ombudsman
LSA	Legal Services Act 2007
LSB	The Legal Services Board
PCF 2016	2016 Costs Lawyer Practising Certificate Fee (1 Jan 2016 to 31 Dec 2016 inc.)

1. Attachments

- (i) CLSB budget for 2016
- (ii) CLSB accounts for year ended 31 December 2014

2. Introduction

The remit of CLSB as an approved regulator is to set and maintain standards within the Costs Lawyer profession. This remit is wider than purely complaints management with regulatory objectives set out under the LSA which include:

- Protecting and promoting the consumer/public interest.
- Improving access to justice.
- Encouraging an independent, diverse and effective profession.

3. Proposed PCF 2016

CLSB undertakes only permitted purposes under the LSA and raises all its funds by way of your annual practising certificate fee. CLSB has no other income stream. We are pleased to advise that through continued sound financial management CLSB has been able to keep this fee at £250.00 for the fifth consecutive practising year since CLSB became the professions approved regulator.

4. The ACL

Payment of your PCF 2016 to CLSB will not afford you membership rights in ACL, the professions representative body, as it is a voluntary membership organisation. It is not a requirement that you are an ACL member to hold a Costs Lawyer practising certificate.

5. Benefits to a Costs Lawyer of holding a practising certificate issued by CLSB

A practising certificate identifies you to courts, clients and fellow practitioners as being a qualified, authorised and regulated legal costs professional. It evidences you operate under

a professional code of conduct and comply with practising rules which include continuing professional development, insurance and complaint handling.

It authorises you under the LSA to conduct the following reserved legal activities:

- The exercise of a right of audience.
- The conduct of litigation.
- The administration of oaths.

Your name will appear on the CLSB website register of authorised and regulated Costs Lawyers which CLSB sends to all Costs Judges for their reference during the practising year. You will also have the benefit of LawCare services and you may apply to become an Accredited Costs Lawyer for the purposes of providing CPD training to Costs Lawyers and other legal professionals. Further, you may also use the Costs Lawyer mark of regulation, under licence, at no cost.

6. Permitted purposes and planned work for 2016

All activities in the 2016 budget of CLSB are for permitted purposes, they include:

Regulation, accreditation, education & training of Costs Lawyers maintaining and raising those professional standards

- Issuing annual practising certificates.
- Maintaining the public domain register of authorised and regulated Costs Lawyers.
- Maintaining as fit for purpose the Code of Conduct, Practising Rules, Disciplinary Rules & Procedures and the Training & CPD Rules.
- Issuing guidance notes.
- Investigating and addressing complaints.
- Monitoring and managing risks to the profession and the consumer.
- Accrediting Costs Lawyers for the purpose of providing CPD.
- Random CPD auditing.
- Regulators Code compliance.
- Managing the mark of regulation.
- Gathering and analysis of statistical information.
- Consulting the profession and wider legal audience on regulatory change.
- Communicating with the profession via the CLSB website, newsletters, the Costs Lawyer Journal and attending ACL conferences.
- Continued monitoring of how the current deregulation agenda impacts entity regulation requirements to enable CLSB to consider relevant, proportionate and cost effective entity regulation arrangements.
- Continued lobbying on the unfairness of ABS licensing provisions under the LSA to the Costs Lawyer profession.

***Regulation, accreditation, education & training of those wishing to become Costs Lawyers
..... maintaining and raising those professional standards***

- Ongoing implementation and review of training & CPD Rules.
- Auditing implementation of the new Costs Lawyer qualification which came into effect September 2014.
- Auditing educational provision of those who enrolled on the Costs Lawyer qualification pre September 2014.
- Gathering and analysis of statistical information.

Payment of LSB & LeO annual levy

Out of the 2016 PCF of £250.00, CLSB is required to pay an annual levy per authorised and regulated Costs Lawyer to both LSB and LeO. For practising year 2015-2016 this is expected to be in the region of, per Costs Lawyer, £33.50 to LSB and £8.40 to LeO.

Participation by the approved regulator in law reform

CLSB participates in consultation processes on law reform to ensure the profession is heard and its best interests are maintained. Further, CLSB works with the LSB, MOJ and other approved regulators in law reform. During 2016, CLSB will continue to work with all such parties on the current deregulation agenda.

Promotion & protection of human rights and fundamental freedoms

CLSB achieves this through relevant and proportionate rules and regulations, transparent communication and on-going risk management. During 2016, CLSB will monitor the impact of any proposed changes to the Human Rights Act.

Promotion of relations with national or international bodies, governments or the legal professions of other jurisdictions

CLSB will continue to promote such relations through its work with BIS on the Regulators Code, MOJ, LSB and other approved regulators. CLSB will continue to address European directive requirements on the recognition of member state equivalent qualification.

7. Tax Relief under SI 1126/2013: The Income Tax (Professional Fees) Order 2013

CLSB secured this statutory instrument, effective 10 May 2013, under which “fees payable to the Costs Lawyer Standards Board on applying for a costs lawyer practicing certificate” were added to the table of those fees qualifying for relief under S.343 Income Tax (Earnings & Pensions) Act 2003. This means that if you personally pay your PCF 2016 you will be able to claim tax relief against your taxable income or there will be no tax and national insurance liability where your employer pays it on your behalf.

8. Questions & responding

1. Do you agree with the proposed 2016 PCF in the sum of £250.00?
2. Do you have any comments on our planned work?

The closing date and time for post or email responses to the CLSB is **midnight on Friday 11 September 2015.**

Email: enquiries@clsb.info

Post: Costs Lawyer Standards Board
Centurion House
129 Deansgate
Manchester
M3 3WR

Dated: 16 July 2015