

The Right Honourable Chris Grayling MP  
Lord Chancellor and Secretary of State for Justice  
Ministry of Justice  
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**LEGAL SERVICES  
BOARD**

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09 December 2013

*Dear Secretary of State*

**Recommendation for the Chartered Institute of Legal Executives to be designated as an approved regulator for reserved instrument activities and probate activities**

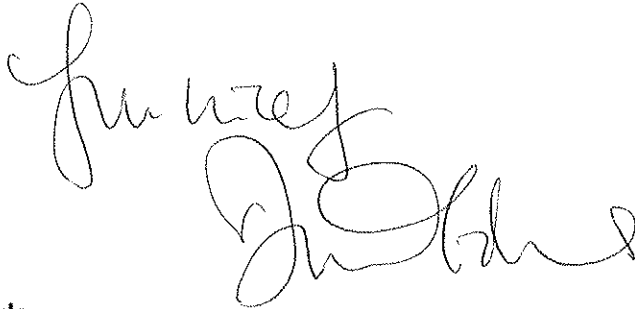
In March 2013, the Legal Services Board (LSB) received an application under Part 2 of Schedule 4 to the Legal Services Act 2007 (the Act) from ILEX Professional Standards Limited (IPS) on behalf of the Chartered Institute of Legal Executives (CILEx). The application sought a recommendation from the LSB to the Lord Chancellor that CILEx be designated as an approved regulator for the reserved legal activities of reserved instrument activities and probate activities.

The LSB Rules (Rules for applications for Approved Regulator and Qualifying Regulator designation) giving effect to paragraphs 13(2) and 13(3) of Schedule 4 to the Act set out the matters on which the LSB must be satisfied when granting an application for designation as an approved regulator. The LSB has considered the application from CILEx and is satisfied that the criteria for granting an approved regulator designation application have been met.

Therefore, the Board of the LSB (the Board) agreed at its meeting on 27 November 2013 to recommend to the Lord Chancellor under paragraph 16(2) of Schedule 4 that CILEx be designated as an approved regulator for reserved instrument activities and probate activities, and the regulatory arrangements be approved for use by the approved regulator when the Lord Chancellor exercises his authority under Paragraph 18(1) of the same part.

There are a number of documents that support the recommendations. Due to the volume, only electronic copies of the following documents have been provided to your officials but paper copies can be provided on request.

- IPS' application and supporting documents which set out the proposals and how they comply with the requirements of the Act and our rules and guidance;
- the finalised Scheme Rules for Probate and Reserved Instrument Activities which form the proposed regulatory arrangements;
- advice from the mandatory consultees and IPS' representations on that advice; and
- the LSB's Decision Notice.

A handwritten signature in black ink, appearing to read 'David Edmonds', written in a cursive style.

**David Edmonds**  
Chairman

## **RECOMMENDATION TO THE LORD CHANCELLOR UNDER SCHEDULE 4, PART 2 OF THE LEGAL SERVICES ACT 2007**

1. On 25 March 2013, ILEX Professional Standards Limited (IPS), on behalf of the Chartered Institute of Legal Executives (CILEx), made an application to the Legal Services Board (**LSB**) for a recommendation to be made to the Lord Chancellor that CILEx be designated as an approved regulator for reserved instrument activities and probate activities. The application also sought the LSB's recommendation that the related regulatory arrangements be treated at the same time as having been approved by the LSB.
2. At its meeting on 27 November 2013, the Board of the LSB (**the Board**) resolved to grant the application to make a recommendation to the Lord Chancellor and to approve the regulatory arrangements. In making its decision the Board considered the criteria in paragraphs 13(2) and 13(3) of Schedule 4 to the Act. The LSB Rules for applications for Approved Regulator and Qualifying Regulator designation provide the mechanism through which the LSB carries out its assessment against these requirements. The LSB has satisfied itself of compliance with the requirements of paragraphs 13(2) and 13(3) by an assessment of the application and the proposed regulatory arrangements against these rules.
3. The Board also agreed that in making the recommendation to the Lord Chancellor, it would include a recommendation that the proposed regulatory arrangements be treated as approved by the Board when the Lord Chancellor exercises his authority and makes an order under paragraph 17 of Schedule 4.
4. Therefore, in accordance with paragraph 16(2) of Schedule 4 to the Act, the Board recommends to the Lord Chancellor that CILEx be designated as an approved regulator for the reserved legal activities of reserved instrument activities and probate activities and that the proposed regulatory arrangements are at the same time treated as having been approved by the Board (under paragraph 18(1) of Schedule 4).
5. A copy of this recommendation has been published on the LSB's website (under paragraph 16(3), Schedule 4).

**David Edmonds**  
**Chairman, Legal Services Board**  
**09 December 2013**