

The Right Honourable David Gauke MP
Lord Chancellor and Secretary of State for Justice
Ministry of Justice
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LEGAL SERVICES
BOARD

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8 June 2018

Dear Lord Chancellor,

Recommendation that the Chartered Institute of Legal Executives be designated as a licensing authority

I am writing on behalf of the Legal Services Board (the Board) with its formal recommendation that the Chartered Institute of Legal Executives (CILEx) be designated as a licensing authority for its existing reserved legal activities.

Part 1 to Schedule 10 to the Legal Services Act 2007 (the Act) contains provisions for the Board to recommend that an order be made by the Lord Chancellor designating a body as a licensing authority in respect of identified reserved legal activities.

Under these provisions of the Act, CILEx Regulation, on behalf of CILEx, made an application to the Board seeking a recommendation to the Lord Chancellor that an order be made designating CILEx as a licensing authority for the same reserved legal activities for which it is currently an approved regulator.

The Board's Rules for Licensing Authority Designation Applications¹, giving effect to paragraphs 11(2) and 11(3) of Schedule 10 to the Act, set out the matters on which the Board must be satisfied when granting an application for designation as a licensing authority. The Board has considered the application and is satisfied that the criteria for granting a licensing authority designation application have been met.

Therefore, the Board agreed at its meeting on 24 May 2018 to recommend to the Lord Chancellor that CILEx be designated under paragraph 14(2) of Schedule 10 to the Act, as a licensing authority for the following reserved legal activities:

- The administration of oaths

¹ The Board's rules for applications to be designated as a licensing authority are published on the LSB website at: http://www.legalservicesboard.org.uk/what_we_do/regulation/pdf/designating_la_rules_v2_june_2011_final.pdf

- The exercise of a right of audience
- The conduct of litigation
- Reserved instrument activities
- Reserved probate activities

Furthermore, the Board agreed that the licensing rules be approved for use by the licensing authority when the Lord Chancellor exercises his authority under paragraph 16(1) of Schedule 10.

We have provided your officials with copies of the following documents, in support of our recommendation:

- CILEx Regulation's application which sets out the proposals and how they comply with the requirements of the Act and our rules and guidance;
- the advice from the Mandatory Consultees and CILEx Regulation's response to that advice; and
- the Board's decision notice which includes the licensing rules which have been approved by the Board.

Please let us know if you would appreciate any additional information to inform your decision.

Yours sincerely,

A handwritten signature in black ink that reads "Helen Phillips". The signature is written in a cursive, flowing style.

Dr Helen Phillips

Interim Chair, Legal Services Board