

<b>To:</b>	Board	
<b>Date of Meeting:</b>	28 April 2011	<b>Item:</b> Paper (11) 28

<b>Title:</b>	ABS implementation: next steps – key issues and risks	
<b>Workstream(s):</b>	Workstream 5b: Widening access to the legal market	
<b>Author / presented by:</b>	Fran Gillon, Director of Regulatory Practice fran.gillon@legalservicesboard.org.uk / 020 7271 0087	
<b>Status:</b>	Restricted	

**Summary:**

The Board receives regular reports about the key issues and risks concerning the implementation of alternative business structures (**ABS**). The April update is attached (**Annex A**).

[REDACTED]

[s36(2)]

[REDACTED]

[s36(2) & 44]

[REDACTED]

<b>Risks and mitigations</b>	
<b>Financial:</b>	N/A.
<b>FoIA:</b>	Initial assessment of exempted text is highlighted. Annex B – s36(2). Annex C (table) – s22 and s36(2).

<b>Legal:</b>	N/A.
<b>Reputational:</b>	This is a key policy issue and there is therefore a serious reputational impact if ABS implementation is delayed significantly or if slippage happens in an uncontrolled, poorly communicated way. This is mitigated by continuing close discussions CLC, SRA and MoJ.
<b>Resource:</b>	Resource overall for the ABS project is stretched.

<b>Consultation</b>	<b>Yes</b>	<b>No</b>	<b>Who / why?</b>
<b>Board Members:</b>		✓	
<b>Consumer Panel:</b>		✓	
<b>Others:</b>	N/A.		

<b>Recommendation(s):</b>
The Board is invited: a) to note and to comment on the progress of the implementation of ABS (Annex A) b) to discuss its approach to website information.

**Annex A – ABS implementation: next steps – key issues and risks (April 2011)**

Topic	Next key date(s)	Board input	[FoIA exempt – s36] Key issues/risks	Mitigation	Rating	Change
Maximum Financial Penalty SI	Response to final MoJ queries sent	To sign final rules after consent from Lord Chancellor to make them	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Appellate bodies	Publication of SRA s80 consultation 5 May for 4 weeks (closes 2 June)	Decision 13 June	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Section 69 Order	Consultation ends 21 April Final clearance from Parliamentary Counsel and JCSI	Agreed to recommendation in principle (by email)	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

CLC application to become licensing authority	Board decision 28/4/11	28/4/11 – decision on recommendation	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
SRA application to become licensing authority	Received 25 March 2011	Decision on recommendation 13 June	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
10 SIs / Commencement Orders	From January 2011 to October 2011	Most are MoJ led	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Rehabilitation of Offenders (Exceptions) Order	MoJ leading	Parliamentary debate	[REDACTED]	[REDACTED]	[REDACTED]
LSB resources	Ongoing	N/A	[REDACTED]	[REDACTED]	[REDACTED]
LSA Part 5 Impact Assessment	MoJ confirmed 7 April that no IA needed. LSB now identifying			[REDACTED]	[REDACTED]

	best way to publish work already done to complement Orders to be laid by 16 May.						
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Annex B – Letter from Chris Kenny to [REDACTED]  
[REDACTED] [Exempt: s36(2)]



**LEGAL SERVICES  
BOARD**

The Chief Executive's Office  
Legal Services Board  
7<sup>th</sup> Floor  
Victoria House  
Southampton Row  
London WC1B 4AD

T 020 7271 0043  
F 020 7271 0051

[www.legalservicesboard.org.uk](http://www.legalservicesboard.org.uk)

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[Redacted text block]

Yours sincerely

**Chris Kenny**  
Chief Executive

E [chris.kenny@legalservicesboard.org.uk](mailto:chris.kenny@legalservicesboard.org.uk)



## Annex C – possible website information

Subject to Parliamentary approval, ABS will be allowed from 6 October 2011. This Table sets out the key steps that are needed between April and October to enable this to happen. This information is correct as of [●]. It will be updated if there are significant changes.

Topic	Next milestone
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]