

To:	Board		
Date of Meeting:	14 September 2011	Item:	Paper (11) 60

Title:	ABS implementation: next steps – key issues and risks		
Workstream(s):	Workstream 5b: Widening access to the legal market		
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Status:	Restricted		

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

Risks and mitigations	
Financial:	N/A.
FoIA:	Initial assessment of exempted text is highlighted.
Legal:	N/A.
Reputational:	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 with CLC, SRA and MoJ.
Resource:	No current issues

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

Recommendation:
The Board is invited to note and to comment on the progress of the implementation of ABS (Annex A).

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

Topic	Next key date(s)	Board input	[FoIA exempt – s36]	Mitigation	Rating	Change
			Key issues/risks			
Maximum Financial Penalty SI	Rules have been made by the Board	N/A			[REDACTED]	
SRA appellate body	Recommendation made w/e 18 August MoJ expects to table in w/c 5 September	None – delegated authority to CEO and Chairman			[REDACTED]	
Section 69 Order	Agreed by Parliament	N/A			[REDACTED]	
CLC application to become licensing authority	Designation Order laid 18 August	None			[REDACTED]	
SRA application to become licensing authority	With MoJ				[REDACTED]	

Commemencement Order	Drafts have been circulated by MoJ	All are MoJ led	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Consequential amendments Orders			[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Rehabilitation of Offenders (Exceptions) Order	MoJ considering business plan to include owners and managers	N/A	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
LSB resources	Ongoing	N/A	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Research market baseline analysis document	Published on 12 August 2011				[REDACTED]	[REDACTED]
LSA Part 5 Impact Assessment	MoJ confirmed 7 April that no IA needed. LSB identifying best way to publish work done to complement Orders to be laid				[REDACTED]	[REDACTED]

by 16 May.