

To:	Board	
Date of Meeting:	30 November 2010	Item: Paper (10) 80

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:
<p>At its meeting on 28 October, the Board reviewed a paper about the key issues and risks concerning the implementation of alternative business structures (ABS). It was agreed that the paper would be updated and presented on a monthly basis. The November update is attached (Annex A). Since last month, information has been added about mitigations and an indicator of changes in risk status.</p>

Risks and mitigations	
Financial:	N/A.
FoIA:	Section 36 – pre-meeting assessment of exempted text highlighted .
Legal:	N/A.
Reputational:	This is a key policy issue and there is therefore a serious reputational impact if ABS implementation is delayed. This is mitigated by continuing close discussions with Solicitors Regulation Authority (SRA) and Ministry of Justice (MoJ).
Resource:	Resource overall for the ABS project is stretched.

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

Recommendation(s):
<p>The Board is invited to note and to comment on progress in respect of the implementation of ABS.</p>

Annex A – ABS implementation: next steps – key issues and risks (November 2010)

Topic	Next key date	Board input	Key issues/risks	Mitigation	Rating
Maximum Financial Penalty SI			[REDACTED]	[REDACTED]	[REDACTED]
Appellate bodies	12/11/10 - consultation closes	13/12/10 – consideration of responses and policy decision	[REDACTED]	[REDACTED]	[REDACTED]
Section 69 Order	20/12/10 – consultation closes	27/1/11 – consideration of responses and policy decision	[REDACTED]	[REDACTED]	[REDACTED]
Applications from SRA and CLC to become licensing authorities	Expected March 2011	28/4/11 – decision on recommendation	[REDACTED]	[REDACTED]	[REDACTED]

			<p>[REDACTED]</p>	<p>[REDACTED]</p>	<p>[REDACTED]</p>	<p>[REDACTED]</p>
<p>10 SIs / Commencement orders</p>	<p>From January 2011 to October 2011</p>	<p>Most are MoJ led</p>	<p>[REDACTED]</p>	<p>[REDACTED]</p>	<p>[REDACTED]</p>	<p>[REDACTED]</p>
<p>LSB resources</p>	<p>Ongoing</p>	<p>N/A</p>	<p>[REDACTED]</p>	<p>[REDACTED]</p>	<p>[REDACTED]</p>	<p>[REDACTED]</p>
<p>LSA Part 5 Impact Assessment</p>	<p>Submission of draft to MoJ 30 November</p>	<p>Board 13 December</p>	<p>[REDACTED]</p>	<p>[REDACTED]</p>	<p>[REDACTED]</p>	<p>[REDACTED]</p>

Exempt [s36]