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Statement under section 81(5) of the Legal Services Act 2007

The Board intends to recommend to the Lord Chancellor that he makes an order under section 80 of the Legal Services Act 2007 making provision about appeals against decisions of the Law Society (acting through the Solicitors Regulation Authority) as a licensing authority under part 5 of the Act or licensing rules.

In the opinion of the Board, the draft order to be annexed to the recommendation differs materially from the order that was published with our consultation document on 5 May 2011.

The material change that has been made is to alter the commencement provisions in article 2 of the draft order, to bring the rule making power in article 4(3) (previously article 3(3)) into force on the day after the day on which the order is made. This will enable the Solicitors Disciplinary Tribunal to make its new rules and apply to the LSB for its approval of the rules under s.178 of the Legal Services Act 2007 Act in advance of designation of the SRA, so that all necessary arrangements can be in place if and when designation occurs.

Legal Services Board

17 August 2011