

**RECOMMENDATION TO THE LORD CHANCELLOR UNDER SCHEDULE 10,  
PART 1 OF THE LEGAL SERVICES ACT 2007 (“the Act”)**

1. On 4 February 2011, the Legal Services Board (the Board) received an application from the Council for Licensed Conveyancers (CLC) for a recommendation from the Board to the Lord Chancellor that the CLC be designated as a Licensing Authority for probate, reserved instrument activities and the administration of oaths.
2. The CLC is already an approved regulator for probate, reserved instrument activities and the administration of oaths. The CLC currently regulates bodies with some form of non lawyer ownership which will fall within the definition of a licensable body at Section 72 of the Act. These bodies are currently deemed to be authorised (under the Schedule 5, Part 2, Paragraph 11 transitional provisions) to continue to practice reserved legal activities. However, once the transitional provisions end these bodies will need to apply to become a Licensed Body in order to continue practising as they are. This has motivated the CLC to apply to become a Licensing Authority in order to regulate Licensed Bodies.
3. At its meeting on 28 April 2011, the Board resolved to grant the application to make a recommendation to the Lord Chancellor. The Board also agreed that in making the recommendation to the Lord Chancellor, to include a recommendation that the licensing rules be approved for use by the Licensing Authority when the Lord Chancellor exercises his authority in making an order. This includes the entire CLC Handbook and Frameworks (with the exception of any proposed amendments made in relation to the CLC’s separate application to regulate litigation and rights of audience).
4. In making its decision the Board considered the criteria in Schedule 10, Part 1, Paragraphs 11(2) and 11(3). The Rules for Licensing Authority Designation Applications provide the mechanism through which the LSB carries out its assessment against these requirements and the LSB has therefore satisfied itself of compliance with the requirements of Paragraphs 11(2) and 11(3) by an assessment of the application and proposed regulatory arrangements against these rules.
5. Therefore, in accordance with Schedule 10, Paragraph 14(2) of the Act, the Board recommends to the Lord Chancellor that the CLC be designated as a Licensing Authority and the CLC’s proposed licensing rules are at the same time treated as having been approved by the Board (under Schedule 10, Paragraph 16(1)).
6. A copy of this recommendation has been published on the Legal Services Board’s website (Schedule 10, Paragraph 14(3)).

**David Edmonds**  
**Chairman, Legal Services Board**  
**12 May 2011**