

Matrix to accompany draft Handbook for LSB - new or substantially revised rules

April 2011

Draft amendments to the Solicitors (Keeping of the Roll) Regulations 1999, to be remade as Solicitors Keeping of the Roll Regulations 2011

Overview of rules / regulations – Solicitors (Keeping of the Roll) Regulations

KRR1	Nature and effect of the existing provisions (if applicable)	These regulations deal with: <ul style="list-style-type: none">- the SRA's responsibility under the Solicitors Act 1974 to keep a roll which provides a publicly available list of all solicitors of the Senior Courts and specified information about each individual;- applications from solicitors for their name to be changed on, retained on, removed from or restored to the roll;- circumstances in which the SRA may remove, or refuse to remove, a solicitor's name from the roll;- relevant appeal rights.
KRR2	Are the provisions to be applied to ABS? If so, why?	Generally not, although they will apply to individual solicitors working within ABSs.
KRR3	Nature and effect of the proposed changes	The main changes are: <ul style="list-style-type: none">- amending the description of the roll to be a list of all solicitors of the Senior Courts of England and Wales, rather than the Supreme Court to reflect the change made under section 59(1) of the Constitutional Reform Act 2005;- inclusion of a transitional provision to amend the information to be held on the roll when sole practitioners are regulated as recognised bodies and the addition of guidance to explain these changes;

		<ul style="list-style-type: none"> - updating the appeal period to the High Court; - inclusion of an interpretation section and italicisation as appropriate of terms contained in the Glossary.
KRR4	How do these proposals impact upon the regulatory objectives and the principles of better regulation?	The practical effect of the proposed changes is to ensure that information will continue to be properly held by the regulator and, in the public interest, appropriate information is made available to the public. The SRA will retain its ability to remove solicitors from the roll or to retain their names on the roll if appropriate for the purpose of taking disciplinary action.

Specific proposals – Solicitors (Keeping of the Roll) Regulations

	Proposal	Relevant provisions	Purpose and desired outcome of the specific provisions	Could the provisions conflict with those of another regulator? If so, how will such conflicts be addressed?	Are these provisions dependant upon a S:69 Order?
KRR5	Amending the description of the roll to be a list of all solicitors of the Senior Courts of England and Wales, rather than the Supreme Court	Regulation 2A	The purpose and desired outcome is to reflect the change made under section 59(1) of the Constitutional Reform Act 2005.	No	No
KRR6	Inclusion of a transitional provision to	Regulation 16 and Guidance	The purpose is to provide for future changes to the information on the roll, and explanatory text, to reflect changes on the passporting of existing	No	Yes – the SRA has asked for a section 69

	amend the information to be held on the roll when sole practitioners are regulated as recognised bodies and the addition of guidance to explain these changes	to regulation 2C	<p>recognised sole practitioners to become recognised bodies.</p> <p>Desired outcome is that firms and the public understand the location of regulatory information when the regulation of sole practitioners changes.</p>		Order to treat sole practitioners as a form of recognised body
KRR7	Updating the appeal period to the High Court	Regulation 14	To change the Regulations in line with the Civil Procedure Rules.	No	No
KRR8	Inclusion of an interpretation section and italicisation as appropriate of terms contained in the Glossary	Regulation 15 and throughout	<p>To reflect the central Glossary which provides a set of common definitions for all parts of the Handbook.</p> <p>Desired outcome is consistency of definitions throughout the Handbook and ease of reference for users.</p>	No	No