

Rules on oral and written representations

Version 1: 15 December 2009

A. PREAMBLE

1. These Rules are made by the Board (as defined below) under section 7 of the Act (as defined below) and paragraphs 2(5) and 10(3) of schedule 7, paragraphs 2(5) and 10(5) of schedule 8 and paragraphs 2(5) and 9(5) of schedule 9 to the Act (as defined below).

B. DEFINITIONS

2. Words defined in these Rules have the following meanings:

Act	the Legal Services Act 2007
Approved Regulator	has the meaning given in section 20(2) of the Act
Board	the Legal Services Board
Representing Person	an Approved Regulator or any other person who can make representations to the Board in accordance with section 38(2) and schedules 7 to 9 to the Act

C. WHO DO THESE RULES APPLY TO?

3. These Rules are the rules that the Board has made to govern the making of oral and written representations by a Representing Person in accordance with:
 - a) section 38(2) of the Act (**Financial Penalties**);
 - b) paragraphs 2(5) and 10(3) of schedule 7 to the Act (**Directions**);
 - c) paragraphs 2(5) and 10(5) of schedule 8 to the Act (**Intervention Directions**); and
 - d) paragraphs 2(5) and 9(5) of schedule 9 to the Act (**Cancellation of Designation as Approved Regulator**).
4. The Board reserves the right to amend these Rules from time to time. If the amendments made to the Rules are, in the opinion of the Board, material the Board will publish a draft of the amended Rules and will invite consultations in accordance with section 205 of the Act.

10. Hearings conducted in person (rather than by telephone or video conference) will normally be open to the public. However, within the period ending four business days prior to the scheduled date of the hearing, the Representing Person may submit to the Board a request, with reasons, that aspects of the hearing be held in private. The Board will consider the reasons given and will then publish the reasons for any decision that it reaches. Where the hearing is held in private, the Board will only admit persons, other than representatives of the Representing Person and the Board, after obtaining the agreement of the Representing Person.
11. The Representing Person must appear at the hearing, either in person, by telephone or by video conference (as the case may be) and may be represented by any persons whom it may appoint for the purpose. The proceeding of the hearing will be recorded on behalf of the Board and will be transcribed onto paper.
12. Where oral representations are made, the Board will prepare a report of those representations which will be based on the transcription of the hearing made in accordance with Rule 11. Before preparing the report, the Board:
 - a) must give the Representing Person a reasonable opportunity to comment on a draft of the report; and
 - b) must have regard to any comments duly made by the Representing Person.
13. Subject to complying with the requirements of the Act, the Board reserves the right to extend processes to take account of the need to transcribe and verify oral submissions and to require the Representing Person to directly pay the transcription provider for the cost of the transcription service.
14. The Board may from time to time adjourn the hearing.

E. FURTHER INFORMATION

15. If you have any questions about the process for making oral or written representations you should contact the Board at:

Address: Legal Services Board
 7th Floor Victoria House
 Southampton Row
 London WC1B 4AD

Email: contactus@legalservicesboard.org.uk

Telephone: 020 7271 0050