

# Schedule 6 Rules – Making Oral and Written Representations and Giving Oral and Written Evidence

Version 1: 15 December 2009

## A. PREAMBLE

1. These Rules are made by the Board (as defined below) under paragraphs 12, 13, and 14 of schedule 6 to the Act (as defined below).

## B. DEFINITIONS

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

<b>Act</b>	the Legal Services Act 2007
<b>Affected Practitioner</b>	has the meaning given in paragraph 13(4) of schedule 6 to the Act
<b>Approved Regulator</b>	has the meaning given in section 20(2) of the Act
<b>Board</b>	the Legal Services Board
<b>Provisional Report</b>	has the meaning given in paragraph 10(3) of schedule 6 to the Act
<b>Representing Person</b>	any person wishing to make representations or provide evidence to the Board for the purposes of schedule 6 to the Act (including for the avoidance of doubt, and for the purposes of paragraph 13(3) of schedule 6 to the Act, an Affected Practitioner and any body which represents an Affected Practitioner)

## C. WHO DO THESE RULES APPLY TO?

3. These Rules are the rules that apply to a Representing Person if they wish to make representations or provide evidence to the Board for the purposes of schedule 6 (Alteration of reserved legal activities) to the Act.
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. Notwithstanding Rules 5, 6 and 7, the Board will allow written representations and, so far as reasonably practicable, oral representations to be made by Affected Practitioners.
11. Should the Board authorise a Representing Person to make oral representations or give oral evidence, the representations or the giving of evidence will take place at a hearing to be held either by telephone, video conference or in person. The Board will give the Representing Person not less than ten business days notice that there will be a hearing. If the hearing is to be held in person, the notice will specify the place and time at which the hearing will be held. If the hearing is to be held by telephone or video conference, the notice will specify the time of the telephone call or video conference and also the arrangements for facilitating the telephone call or video conference.
12. 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 written 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.
13. 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 they may appoint for the purpose. The proceeding of the hearing will be recorded on behalf of the Board and will be transcribed onto paper.
14. Where oral representations are made or oral evidence given, the Board will prepare a report of those representations or evidence which will be based on the transcription of the hearing made in accordance with Rule 13. 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.
15. 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 reasonable cost of the transcription service.
16. The Board may from time to time adjourn the hearing.
17. The Board may at its sole discretion pay such costs of a Representing Person as the Board considers reasonable for the purpose of facilitating the giving of oral evidence or the making of oral representations, by or on behalf of a Representing Person.

## **E. FURTHER INFORMATION**

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

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

Email:                         [contactus@legalservicesboard.org.uk](mailto:contactus@legalservicesboard.org.uk)

Telephone:                    020 7271 0050