



**LEGAL SERVICES
BOARD**

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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 licensing authority decisions under part 5 of the Act or licensing rules.

In the opinion of the LSB, the draft order to be annexed to the recommendation differs materially from the order that was published with our consultation document on 23 August 2010. The material change that has been made is to omit The Law Society and the Legal Services Board from the order. This is because:

- the Solicitors Regulation Authority (part of The Law Society) has included the Solicitors Disciplinary Tribunal as its appellate body in its proposed licensing rules. The LSB is therefore consulting separately about whether it should make a recommendation to the Lord Chancellor for a further order to modify the functions of the SDT to enable it to hear appeals from the SRA, acting as a LA; and
- discussions are continuing with the Ministry of Justice about commencing the provisions of the Legal Services Act 2007 relating to the LSB in the ABS commencement order, and the need for a section 80 order that includes the LSB. The LSB does not want these ongoing discussions to jeopardise consideration of the Order necessary to designate the GRC as the CLC's appellate body.

The current draft order therefore only includes the Council for Licensed Conveyancers.

Legal Services Board

10 May 2010