



LSB  
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## **Rules for applications for Qualifying Regulator status**

### **ILEX Professional Standards**

This response represents the views of ILEX Professional Standards (IPS), the regulatory body for Legal Executives. Legal Executives are members of the Institute of Legal Executives (ILEX). ILEX is the professional body representing 22,000 qualified and trainee Legal Executives, an Approved Regulator under the Legal Services Act 2007 (LSA 07) and a Designated Professional Body under the Immigration and Asylum Act 1999.

IPS does not propose to respond in detail to all of the questions posed, but hopes the general observations below may be of value.

- 1. Do you agree that adapting the existing Rules for Approved Regulator Designation Applications to allow for Qualifying Regulators is the correct approach to reflect the requirements of schedule 18? If not, please provide reasons for your answer.**

IPS agrees with the LSB's approach. Adapting the existing Rules for Approved Regulator Designation Applications is sensible and effective. The existing rules adapt well and accommodate the requirements of Qualifying Regulator applications.

- 2. Do you agree that the proposed amendments to the Rules shown at Annex A accurately reflect the requirements of schedule 18? If not please provide reasons for your answer.**

IPS agrees with the proposed amendments to the Rules. Furthermore, the criteria for determining applications are comprehensive.

- 3. Do you agree that the LSB should treat applications for Qualifying Regulator status on the same basis as applications for new reserved legal activities for the purposes of the Prescribed Fee? If not, please provide reasons for your answer.**

IPS agrees that the LSB should treat applications for Qualifying Regulator status on the same basis as applications for new reserved legal activities for the purposes of the Prescribed Fee. They should be treated the same because only existing Approved Regulators or potential Approved Regulators can apply to become Qualifying Regulators.

- 4. Do you agree that the LSB should make a recommendation to the Home Secretary once it has granted an application from a Qualifying Regulator? If not, please provide reasons for your answer.**

IPS agrees that the LSB should make a recommendation to the Home Secretary once it has granted an application from a Qualifying Regulator. Such a recommendation is not provided for by schedule 18, but provides a practical mechanism for linking the two pieces of legislation. The additional obligation is comparable to the current obligation on the LSB to recommend that an order be made by the Lord Chancellor designating the body as an Approved Regulator.

- 5. Do you agree that changes to LSB Rules, other than the Rules for Approved Regulator Designation Applications, for the purposes of schedule 18 are unnecessary? If not, please provide reasons for your answer.**

IPS has not identified any changes to LSB Rules, other than the Rules for Approved Regulator Designation Applications, for the purposes of schedule 18 which are necessary.

- 6. Do you have any comments about our proposal to delete the definition 'Transitioned Applications' and the related Rules?**

IPS is of the opinion that the definition 'Transitioned Applications', which relate to ILEX's application in relation to rights of audience and the conduct of litigation in respect of associate prosecutor members of ILEX and ILEX's Application in respect of Probate Activities should not be deleted until the applications have been fully considered by the LSB. The application for probate rights is in the early stages of consideration. IPS believes that the correct course of action should be to revise the Rules once the determination process has concluded.

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