

**Sheila Cameron CBE QC DCL
Dean of the Arches & Auditor
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Chris Kenny
Chief Executive
Legal Services Board
7th Floor
Victoria House
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Dear Chris,

I am writing as a matter of courtesy to let you know that I am about to retire as Master of the Faculties, so that future correspondence should be addressed to my successor. I do not at present know who this will be, but anticipate that an announcement will be made shortly.

This does mean that the consultations you refer to in the Draft Business Plan will take place with the new Master, but there will be continuity with the Registrar, Peter Beesley and the Chief Clerk of the Faculty Office, Stephen Borton.

I read your Draft Business Plan with great interest. It is an ambitious programme but I assume you are envisaging that there could be some leeway, if it proves impracticable to achieve all you set out to do in the four quarters April 2009 to March 2010. It would be very unfortunate if undue haste resulted in you having inadequate time to consider in depth all the responses to your proposed consultations.

I understand you will be meeting Peter Beesley shortly. I am sure he will be able to give you whatever information you require about our regulatory functions in relation to notaries.

Consultation on rules to be made under section 51 Legal Services Act (para. 106 draft Business Plan)

This will be welcome. We are not affected by section 30 because, as you know, regulation and representation have never been combined in relation to notaries. In fact Sir David Clementi said to me that we were a model to be followed in this respect!

However, approval of the practising fee is a sensitive issue. Bearing in mind your small staff I hope that a system can be evolved for approval of the practising fee for the ensuing year well before the date when such fee is to be implemented.

Consultation on levy (para. 143 of Draft Business Plan)

The subject of the levy causes concern to us in the Faculty Office and to the notaries. So I feel I need to repeat the points I have made throughout all the discussions with Government, before and during the passage of the LSA.

First, notaries are not part of the mainstream of legal service providers dealing with English law. They offer specialist knowledge and assistance in respect of notarial acts required by civil law jurisdictions in the rest of Europe and further afield.

Secondly, it is in the interest of the consumer to be able to have access to a notary as close to home as possible. I have been pleased to see that those new notaries I have admitted to the profession during the past few years are fairly well distributed throughout the country. Some notaries only earn a modest income from notarial work. The practising fee is geared to meet the present cost of regulation. Any levy imposed on the Master of the Faculties will have to be passed on to the notarial profession. Some notaries may be unable to recoup the extra cost (depending what it is) from the consumer and will decide not to renew their practising certificates. This will be to the disadvantage of the consumer in areas of the country affected.

That is why I put in an earnest plea for the notarial profession (one of the smallest legal service providers – para. 16 Draft Business Plan) that you carry into effect as generously as possible your intention “to ensure that the levy is manageable and proportionate” (para. 143). I cannot see how this can be achieved save by a staging programme over several years.

I wish you well with your future work for the LSB.

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'Sheila', written in black ink.

Sheila Cameron