

## MEMBERSHIP REQUIREMENT REGULATIONS

### Regulations made by the Council under Bye-Law 4 on 18 September 2015

#### 1. Implementation

These Regulations take effect from 18 September 2015 and supersede previous Bye-Laws and Council decisions, without prejudice to anything done under those previous Bye-Laws and decisions.

#### 2. Definitions

In these Regulations the following definitions apply:

**%Associate Prosecutor+** means a person who is designated by the Director of Public Prosecutions under Section 7A of the Prosecution of Offences Act 1985.

**%The Admissions and Licensing Committee+** means the Committee established by CILEx Regulation to deal with matters relating to these Membership Requirement Regulations.

**%Chartered Institute+** means the Chartered Institute of Legal Executives.

**%CILEx+** means the Chartered Institute of Legal Executives.

**%Graduate+** means a person who holds a qualifying law degree.

**%CILEx Regulation+** means CILEx Regulation Limited.

**%Licensed Conveyancer+** means a person authorised to provide conveyancing and in some situations probate services by the Council for Licensed Conveyancers.

**%Qualifying Law Degree+** means a degree recognised by the Solicitors Regulation Authority (SRA).

**%Registered Person+** means a person who is not a Fellow but is registered with CILEx in one of its grades of membership in accordance with its Charter and Bye-Laws and regulations made by the Council.

**%Relevant Level 2 Legal Qualification+** means a legal qualification which is listed on the Qualifications Credit Framework and is recognised by CILEx and which may be subject to change from time to time.

References to the male gender shall include the female gender.

### **3. Obligations**

- 3.1 Everyone who is registered with CILEx, in whatever grade, will be bound by the provisions of the Charter and Bye-Laws, and regulations made by the Council, and every applicant for registration shall be taken to have agreed to be so bound.
- 3.2 Everyone who seeks to be registered with CILEx, in whatever grade, must satisfy any requirements in respect of fitness to be registered as a member.

### **4. Membership**

- 4.1 A person wishing to register with CILEx may be registered in any of the following grades, subject to complying with the registration criteria for that grade:

- Student
- Affiliate
- Associate
- Graduate Member
- Hong Kong Member
- Legal Accounts Member
- Legal Accounts Executive
- Associate Prosecutor
- Fellow
- Paralegal.

- 4.1A In accordance with Bye-Law 8(2), there shall be the following additional categories, which shall not be grades of membership, although the Council may permit those persons within these categories to participate in such of the activities of the Chartered Institute as it thinks fit:

- Student (Apprentice)
- Affiliate (Apprentice)
- Associate (Apprentice).

Subject to any other conditions laid down from time to time by the Council, persons may be registered in any of the above Apprentice categories who are intending to apply for registration in one of the substantive grades listed in Regulation 4.1 but who do not at the time of application meet the requirements for the relevant grade.

- 4.2 A person may be registered as a Student provided he has no relevant legal qualification.

- 4.3 A person may be registered as an Affiliate if:
  - 4.3.1 He has a relevant Level 2 legal qualification; or
  - 4.3.2 He has gained at least three years work experience in a legal environment; or
  - 4.3.3 He has passed at least one CILEx Level 3 unit.
- 4.4 Without prejudice to the position of an Associate who qualified and was registered as such before 1 January 1986 a person may be registered as an Associate if:
  - 4.4.1 He has passed the CILEx Level 3 Professional Diploma in Law and Practice; or
  - 4.4.2 He is a Graduate with a qualifying law degree.
- 4.5 A person may be registered as a Graduate Member if:
  - 4.5.1 He has passed the CILEx Level 3 Professional Diploma in Law and Practice and the CILEx Level 6 Professional Higher Diploma in Law (or equivalent); or
  - 4.5.2 He has completed a Legal Practice Course (LPC); or
  - 4.5.3 He has completed a Bar Professional Training Course (BPTC).
- 4.6 A person may be registered as a Hong Kong Member if he is enrolled on the Professional Diploma in Legal Executive Studies (Hong Kong) or any other Hong Kong course recognised by the Council.
- 4.7 A person may be registered as a Paralegal if he is able to evidence a number of outcomes and standards under a CILEx recognised Paralegal framework, as laid down by the Council.
- 4.8 A Legal Accounts Member may be registered as a Legal Accounts Executive if he has passed the qualification in legal and financial matters as are required by CILEx from time to time.
- 4.9 A person may be registered as an Associate Prosecutor member of CILEx if:
  - 4.9.1 He has been designated as an Associate Prosecutor by the Director of Public Prosecutions;
  - 4.9.2 He is employed by the Crown Prosecution Service as an Associate Prosecutor; and

- 4.9.3 His application for registration is endorsed by a Crown Prosecutor who is responsible for his work.
- 4.10 A person who ceases to be designated as an Associate Prosecutor for any reason, shall continue to be a Registered Person and shall be enrolled as a Student, Affiliate or Associate subject to meeting the registration criteria for that membership grade.
- 4.11 A person who has been registered as an Associate, a Graduate Member, a Legal Accounts Member or a Legal Accounts Executive, but whose registration has lapsed, can apply to re-register if:
  - 4.11.1 He pays any fees owing to CILEx at the time his membership ended; and
  - 4.11.2 He satisfies the requirements of the Council in respect of fitness to be registered with CILEx.
- 4.12 A person who seeks admission as an Associate or Graduate member may be able to satisfy certain exemption criteria and be required to pay an additional fee in respect of obtaining exemption.

## **5. Admission as a Fellow**

- 5.1 A Graduate Member may be admitted as a Fellow if he is in qualifying employment as defined in the Application for Fellowship Work Based Learning Rules and;
  - 5.1.1 He has been in qualifying employment for an aggregate of 3 years or more;
  - 5.1.2 He has been in qualifying employment for at least 2 consecutive years immediately prior to making application to become a Fellow, the latter year being as a Graduate member;
  - 5.1.3 He has met the work based learning outcomes in accordance with the requirements set by CILEx Regulation which appear in the Application for Fellowship Work Based Learning Rules;
  - 5.1.4 He has paid all subscriptions and other fees payable by him to CILEx, or has made arrangements for payment;
  - 5.1.5 He provides a Certificate signed by an authorised person within the meaning of the Legal Services Act 2007, or at the discretion of CILEx Regulation any other person, who supervises his work or by whom he is employed, which confirms the nature of his duties and that he is competent to be a Fellow.

- 5.2 A person who has been admitted as a Fellow previously, but whose membership has lapsed, may be re-admitted as a Fellow if he pays any fees owing to the Chartered Institute at the time his membership ended.

**6. Non-Practising Fellows**

- 6.1 A Fellow who is no longer in active practice may use the title ~~Chartered~~ Legal Executive (non-practising) providing that in the opinion of the Council he or she is working in a legal environment where a Practice Certificate is not required.