



Legal Services Act 2007

2007 CHAPTER 29

PART 5

ALTERNATIVE BUSINESS STRUCTURES

Licensing rules

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- (1) The Board (acting in its capacity as a licensing authority)—
 - (a) must make suitable licensing rules before the end of the period of 12 months beginning with the day on which a licensable body first becomes entitled to make an application to it for a licence by virtue of a decision of the Board (acting otherwise than in its capacity as a licensing authority or as an approved regulator) under Schedule 12;
 - (b) may make or modify its licensing rules only with the approval of the Board (acting otherwise than in its capacity as a licensing authority or as an approved regulator).
- (2) In subsection (1)(a), “suitable licensing rules” means licensing rules which constitute suitable regulatory arrangements (within the meaning of Schedule 12) in respect of licensable bodies entitled by virtue of a decision under that Schedule to make an application to the Board for a licence.
- (3) Licensing rules made by an approved regulator have effect only at a time when the approved regulator is a licensing authority (subject to any provision made by an order under section 25).
- (4) Licensing rules of a licensing authority are rules as to—
 - (a) the licensing by the authority of licensable bodies, and
 - (b) the regulation by the licensing authority of licensable bodies licensed by it, and their managers and employees.
- (5) Licensing rules of a licensing authority must contain—

Status: This is the original version (as it was originally enacted).

- (a) appropriate qualification regulations in respect of licensable bodies to which the licensing authority proposes to issue licences under this Part,
 - (b) provision as to how the licensing authority, when considering the regulatory objectives (in compliance with its duties under section 3(2) or 28(2)) in connection with an application for a licence, should take account of the objective of improving access to justice,
 - (c) appropriate arrangements (including conduct rules, discipline rules and practice rules) under which the licensing authority will be able to regulate the conduct of bodies licensed by it, and their managers and employees,
 - (d) appropriate indemnification arrangements,
 - (e) appropriate compensation arrangements,
 - (f) the provision required by sections 52 and 54 (resolution of regulatory conflict) (including those provisions as applied by section 103),
 - (g) the provision required by sections 112 and 145 (requirements imposed in relation to the handling of complaints), and
 - (h) any other provision required to be contained in licensing rules by this Act.
- (6) Without prejudice to the generality of subsection (4), licensing rules of a licensing authority may contain any provision authorised by this Act.
- (7) Schedule 11 makes further provision as to the contents of licensing rules.
- (8) Subsections (5) to (7) are subject to—
- (a) section 105 (which exempts trade unions from certain provisions), and
 - (b) section 106 (which provides for the modification of licensing rules in their application to bodies to which that section applies).
- (9) Licensing rules may not apply to bodies to which section 106 applies in a way which is different from the way they apply to other bodies, except by virtue of an order under that section.