
Changes to legislation: There are currently no known outstanding effects for the Legal Services Act 2007, Cross Heading: Decision by the Board. (See end of Document for details)

SCHEDULES

SCHEDULE 4

APPROVED REGULATORS

PART 3

ALTERATION OF APPROVED REGULATOR'S REGULATORY ARRANGEMENTS

Decision by the Board

- 25 (1) After considering—
- (a) the application and any accompanying material,
 - (b) any other information provided by the approved regulator,
 - (c) any advice obtained under paragraph 22,
 - (d) any representations duly made under paragraph 23, and
 - (e) any other information which the Board considers relevant to the application,
- the Board must decide whether to grant the application.
- (2) The Board may grant the application in whole or in part.
- (3) The Board may refuse the application only if it is satisfied that—
- (a) granting the application would be prejudicial to the regulatory objectives,
 - (b) granting the application would be contrary to any provision made by or by virtue of this Act or any other enactment or would result in any of the designation requirements ceasing to be satisfied in relation to the approved regulator,
 - (c) granting the application would be contrary to the public interest,
 - (d) the alteration would enable the approved regulator to authorise persons to carry on activities which are reserved legal activities in relation to which it is not a relevant approved regulator,
 - (e) the alteration would enable the approved regulator to license persons under Part 5 to carry on activities which are reserved legal activities in relation to which it is not a licensing authority, or
 - (f) the alteration has been or is likely to be made otherwise than in accordance with the procedures (whether statutory or otherwise) which apply in relation to the making of the alteration.
- (4) For the purposes of sub-paragraph (3)(b) the designation requirements are—
- (a) a requirement that the approved regulator has appropriate internal governance arrangements in place,
 - (b) a requirement that the applicant is competent, and has sufficient resources to perform the role of approved regulator in relation to the reserved legal activities in respect of which it is designated, and

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- (c) the requirements of paragraph 13(2)(c) to (e).
- (5) Sub-paragraph (3) applies in relation to any part of an application as if references to the application were to the part.
- (6) The Board must give notice of its decision (“the decision notice”) to the approved regulator.
- (7) Where the Board decides to refuse the application (in whole or in part), the decision notice must specify the reasons for that decision.
- (8) The Board must publish the decision notice.

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