

Direction 140 issued under Part 3 of Schedule 4 to the Legal Services Act 2007 to the Solicitors Regulation Authority (SRA)

1. This is a direction issued pursuant to paragraph 19(3) of Schedule 4 to the Legal Services Act 2007 (the Act).
2. Unless stated otherwise, words in this direction are used as they are defined in the Act.
3. In accordance with paragraph 19(3) of Schedule 4 to the Act, the Legal Services Board (the Board) has directed that the following alterations to regulatory arrangements be treated as exempt alterations for the purposes of paragraph 19(2)(c) of Schedule 4:

SRA amendments to its Fee Determinations to refer to the new Standards and Regulations and to widen the application of leave equivalent to maternity leave.

Proposed amendments

4. The proposed amendments are to sections of the Practising Certificate Fee Determination, the Recognised Body and Recognised Sole Practice Fee Determination and the Licensed Body Fee Determination.
5. The proposed amendments are not in respect of fee levels and are primarily to reflect the introduction of the SRA Standards and Regulations (StaRs), which will replace the current SRA handbook on 25 November 2019. In addition to there is also a proposed amendment to widen the application of leave equivalent to maternity leave.
6. The proposed amendments are set out below:

Practising Certificate Fee Determination

- **Preamble** – addition of wording to update the references that show the authority under which the Determination is made, to include reference to the StaRs
- **Section 5 (former)** (late delivery of an accountant's report 5 where a single solicitor applies for a practising certificate at a time when section 11(4) of the Solicitors Act 1974 has effect because the solicitor has failed to deliver an accountant's report by such time or in such circumstances as prescribed by rules made under section 34(1) of that Act, an additional fee of £200 must be paid when making an application for a practising certificate) – deletion of entire section as this requirement is not included in the StaRs
- **Section 8** – addition of wording to allow references to be made to the StaRs from the date of introduction
- **Sections 4 and 8** – alteration of wording to allow the application of "period of leave equivalent to statutory maternity leave" to be widened to include adoption and shared parental leave for example.

Recognised Body and Recognised Sole Practice Fee Determination

- **Preamble** – addition of wording to update the references that show the authority under which the Determination is made, to include reference to the StaRs
- **Section 9** – addition of wording to allow reference to be made to the glossary to the StaRs from the date they are introduced

Licensed Body Fee Determination

- **Preamble** - addition of wording to update the references that show the authority under which the Determination is made, to include reference to the StaRs
- **Sections 1(b), section 7** - addition of wording to allow reference to be made to the StaRs and the glossary to the StaRs from the date they are introduced.

Reason for exemption direction

7. The alterations do not represent a shift in the SRA's regulatory approach or policy. They ensure the determinations are aligned with the SRA's new StaRs and reflect existing practice.
8. A copy of the alteration was submitted to the Board on 25 July 2019.
9. This direction is to be deemed made on and to be effective from 2 August 2019.

For and on behalf of the Legal Services Board
2 August 2019