

## Annex 2: Consequential changes to the BSB Handbook

### Consequential changes to the BSB Handbook

REF	Current provision	Proposed provision
rl2	BSB has no power without unanimous consent of the Inns to amend or waive rule Q4.1 (that barristers must be called by an Inn) so as to permit barristers not called to the bar by an Inn to practise as a barrister	Replace with “The BSB shall not without the unanimous consent of the Inns amend or waive any rule so as to permit a person who has not been called to the Bar by an Inn to practise as a barrister.”
rl7.1.b	States that the Handbook applies to <i>“barristers who are undertaking either the first non-practising six months of pupillage or the second practising six months of pupillage...”</i>	Replace with “...barristers who are undertaking pupillage ...”
rl7.1.c	Handbook applies to all <i>“other barristers who do not hold a practising certificate but who have been called to the bar by one of the Inns and have not ceased to be a member of the bar”</i>	Replace with “...all unregistered barristers.”
rl7.8	That solely section 4.b of the Handbook applies to students and approved training organisations	Replace with “Solely as regards section 4B of the Handbook, individuals who wish to be called to the Bar and to become qualified to practise as a barrister and authorised education and training organisations.”
rl7.9	Persons (with the exception of pupils undertaking first six months of pupillage, unregistered barristers and owners) are referred to as “BSB regulated persons” throughout the Handbook	Replace with “Persons (with the exception of pupils without a provisional practising certificate, unregistered barristers and owners) are referred to as “BSB regulated persons” throughout the Handbook”
gC39	Stipulates that in order to provide a ‘competent standard of work’ barristers must take part in educational activities and professional development. It states that merely complying with minimum CPD requirements may not be enough to comply with rC15, and refers to other training requirements (e.g. police station qualification)	Delete “minimum” from CPD requirements.
rC77	Exceptions to the provision that self-employed barristers be a member of BMIF: a pupil who is covered by their pupil supervisor’s insurance or a person called under rQ98 (temp. call)	rQ98 will be replaced with rQ25
rC113 rC114 rC118	Pupillage funding rules. <sup>1</sup>	Replace all instances of “six months” with “period”  rC118.2 replace “pupil-master” and “pupil-masters” with “pupil supervisor” and “pupil supervisors”.

<sup>1</sup> Further changes to these rules will be sought in 2019.

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rC117	Funding exemptions for rC113-116	delete
rS11	Non-practising pupils who accept a brief with permission of supervisor/HOLP do not practise as “a barrister” under rS9	Replace “...pupil in the non-practising six months of pupillage..” with “...pupil without a provisional practising certificate...”
rS19	Pupils who have completed or been exempted from non-practising part of pupillage may only supply legal services to the public or exercise any right by way of being a barrister with permission of pupil supervisor/head of chambers/HOLP	Replace “...who has completed or been exempted from the non-practising six months of pupillage” with “with a provisional practising certificate...”
rS40	Provides that if a person was called to the Bar under rQ98 (temporary call of QFLs) they may not practise as a barrister other than to conduct cases specified in the certificate referred to in rQ99	Replace with “Provides that if a person was called to the Bar under rQ25 (temporary call of QFLs) they may not practise as a barrister other than to conduct cases specified in the certificate referred to in rQ26”
rS45.3.a	Eligibility for practising certificates, including training requirements	Replace with “within the last 5 years either (i) you have held a <i>practising certificate</i> ; or (ii) you have satisfactorily completed (or have been exempted from the requirement to complete) the pupillage component of training; or”
rS46.1.a	Eligibility for types of practising certificates (full, provisional, limited and RELs), including training requirements	Delete “12 months of”
rS46.1.b		Delete “12 months of”
rS46.2		Replace with “a <i>provisional practising certificate</i> if you have successfully completed a period of pupillage satisfactory to the BSB for the purposes of rQ4 and at the time...”
rS64	“A provisional practising certificate authorises pupils in their second six to exercise rights of audience before every court in all proceedings...”	Replace with “A <i>provisional practising certificate</i> shall authorise a pupil to exercise rights of audience before every court in all proceedings...”