



Summary of Decision
The purpose of this summary sheet is to provide a high level and accessible overview of the Legal Services Board's ("LSB") decision. Readers are recommended to read the formal decision notice below for further details. This summary is not and should not be taken as a formal part of the LSB's decision notice under the Legal Services Act 2007 ("the Act") The LSB decision in this notice is to grant in full the application from CILEx Regulation Limited ("CRL") for approval of amendments to its regulatory arrangements (in accordance with the Legal Services Board's previous decision notice dated 13 October 2020), to remove the sunrise clause (rule 39) from the CILEx Regulation Practice Rights Certificate for Chartered Legal Executives Rules so that the new proposed alternative route can be made available to all chartered legal executives. The new rules provide an alternative option for chartered legal executives to obtain Practice Rights Certificates. This is in addition to the "portfolio-based" option available currently. Following assessment of CRL's application, the LSB has concluded that the changes do not meet the conditions for refusal under paragraph 25(3) of Schedule 4 to the Act. The decision notice explains our assessment of the main issues that we considered in reaching our decision.

Decision notice

CILEX Regulation Limited's application for approval of alteration to its existing regulatory arrangements relating to the grant of Practice Rights Certificates to chartered legal executives

1. The Legal Services Board (“**LSB**”) has granted an application from CILEx Regulation Limited (“**CRL**”) for approval of amendments to its regulatory arrangements (in accordance with the Legal Services Board's previous decision notice dated 13 October 2020), relating to the grant of Practice Rights Certificates to chartered legal executives through alternative routes.
2. The LSB is required by Part 3 of Schedule 4 to the Legal Services Act 2007 (“the Act”) to review and grant or refuse applications by approved regulators to make alterations to their regulatory arrangements. The Chartered Institute of Legal Executives (CILEX) is an approved regulator and CRL is the regulatory body to which CILEX has delegated its regulatory functions.
3. This decision notice sets out the decision taken, including a description of the changes. The statutory framework for applications to the LSB for approval of changes to regulatory arrangements can be found on the LSB website¹.

Chronology

- This application was received on 8 April 2022.
- The LSB confirmed receipt of the current application from CRL on 8 April 2022.
- The 28-day initial decision period for considering the application ends on 5 May 2022.
- This decision notice is effective from 3 May 2022.
- The decision notice will be published on the LSB's website by 5 May 2022.

Background

4. In its decision notice² dated the 13 October 2020, the LSB approved, in principle, the proposed alternative route for chartered legal executives to obtain independent practice rights.
5. CRL has confirmed that since then, it has undertaken a tender process to select a training and assessment provider, followed by a successful pilot of the proposed alternative route with the chosen provider (University of Law).

Summary of proposed changes

6. CRL proposes to amend the Practice Rights Certificate for Chartered Legal Executives Rules as follows:
 - i) Paragraph 7 of the application proposes to amend the Practice Rights Certificate for Chartered Legal Executives Rules by removing the sunrise clause (rule 39) which states

¹ <https://legalservicesboard.org.uk/our-work/statutory-decision-making/alterations-to-regulatory-arrangements/statutory-framework-for-applications-to-the-lsb-for-approval-of-changes-to-regulatory-arrangements>

² [Decision Notice 13 October 2020](#)

that the rules will come into force once a training provider has been appointed and the training and assessment process and costs have been developed and then approved by the LSB.

- ii) Paragraph 8 of the application confirms that CRL has appointed The University of Law as the training and assessment provider for the alternative route for chartered legal executives to obtain practice rights. Paragraph 8 also confirms that this application is intended to provide additional information regarding the training, assessment and the costs associated.
7. Alongside the proposed Rules, CRL has provided at paragraph 73 of the application, details of a public facing website³ which will contain relevant information for applicants and details of the tender process.

Intent and rationale behind the application

8. The intent and rationale for the application was set out in detail within the previous application and a summary can be found at paragraphs 11-13 and 22-23 respectively, of the LSB's previous decision notice.
9. CRL states that by introducing an alternative route for chartered legal executives to obtain independent practice rights, its intention is to provide improved choice and flexibility in order to increase the number of CILEX Practitioners.
10. The existing portfolio-based route to acquiring practice rights in a reserved or regulated area will be retained and the change will not impact those chartered legal executives who may be part way through seeking practice rights via the existing route. The rights granted through the proposed alternative route will mirror the rights granted under the existing route and is simply intended to offer a choice.
11. CRL has explained that the new route is also intended to remove an element of duplication as feedback from the regulated community suggests that the existing route can create duplication of work that is required of applicants when applying for authorisation as a chartered legal executive.

Key Issues

Single training and assessment provider

12. We placed an expectation within the Decision Notice dated 20 October 2020 for CRL to consider in more detail, any risks associated with the potential conflict of interest associated with the appointment of a single training and assessment provider before approaching the LSB for further approval.
13. At paragraphs 15-18 of the application CRL has set out how it has considered such risks. CRL considers that the required separation of the delivery of training from the assessment (to ensure integrity of the assessment stage) can be achieved by a single provider, provided relevant safeguard mechanisms are in place.
14. During the tendering process, CRL asked amongst other things, about the separation between training and/or the production of materials and the delivery of the assessment to

³ [Routes for Additional Practice Rights for Chartered Legal Executives Routes for Additional Practice Rights for Chartered Legal Executives \(cilexregulation.org.uk\)](https://cilexregulation.org.uk)

protect the integrity of the assessment. Information was provided by all bidders to answer this question.

15. CRL has confirmed that it is assured by the evidence The University of Law has provided of the separation, as well as an explanation as to how the personnel involved in the programme delivery would be separated from those within the programme and assessment design.
16. Additionally, CRL highlight that an information barrier is to be put in place within the University, to prevent the sharing of information between trainers and assessors, thereby protecting the integrity of the assessment.
17. We are assured by the information CRL has provided setting out how the risks it has identified associated with a single training and assessment provider will be mitigated.

Public Facing Guidance

18. We placed an expectation within the Decision Notice dated 20 October 2020, that CRL would develop additional public facing guidance to ensure the routes from Fellowship to obtaining practice rights are clearly and coherently explained. At paragraph 4 of the application, CRL confirms it has considered and addressed this point by creating website resources (a link to these has been provided at Section G, paragraph 73 of the application).
19. CRL has explained that it will contact all chartered legal executives directly to explain the routes available for obtaining practice rights (Further information has been provided at Section C, paragraph 42 of the application).

Cost of Alternative Route to Practice Rights

20. CRL sets out its cost impact analysis of the proposed alternative route at paragraphs 57-59 of the application. CRL found that there is no negative impact as the route is proposed as an alternative to the existing route.
21. While the proposed alternative route does have a higher application fee, chartered legal executives will have the choice to apply for additional practice rights through the existing portfolio-based route which CRL submit is slightly more cost effective (albeit with a greater time commitment on the part of applicants). While fees for the training and assessment are higher, CRL consider there is still value for money when balanced with the convenience of undertaking an online assessment in place of compiling an extensive portfolio of evidence.
22. CRL also refer to the possibility of applying for a bursary from the CILEX foundation⁴ for those experiencing hardship.
23. We asked CRL whether it would signpost the availability of bursaries and it confirmed that this would be done using the online resources it is putting in place.
24. We expect CRL to keep the LSB updated through relationship management on the number of chartered legal executives making use of the new route.

⁴ [CILEX Foundation](#)

Evaluation and monitoring

25. In the previous Decision Notice dated 20 October 2020, we confirmed that once CRL had reviewed the impact of the new route, we expected them to consider whether it remains appropriate to retain both routes to obtaining practice rights.
26. CRL has confirmed it is committed to monitoring the impact of the proposed alternative route and will consider the viability of retaining both routes after two years of the alternative route being implemented. Further information can be found at Section F of the application, at paragraphs 65-72.
27. CRL set out at paragraph 69 of the application, the baseline data which will provide a benchmark against which to test, to establish if the process is working effectively. Where improvements are identified these will be monitored with the course provider. CRL will also consider whether there is a benefit, and if it remains appropriate, to continue to offer two routes.
28. We welcome the commitments CRL has made and expect it to closely monitor the data relating to both routes and to keep us updated. We expect CRL to carry out a full evaluation at the end of a two-year period on the viability of running two routes to obtaining practice rights and the impacts, if any, on equality, diversity and inclusion.

Decision

29. The LSB has considered the application against the criteria in paragraph 25(3) of Schedule 4 to the Act. It considers that there is no reason to refuse this application, and accordingly, the application is granted.
30. Annex A to this decision notice contains the amendments to the regulatory arrangements approved by the LSB.

Matthew Hill, Chief Executive

Acting under delegated authority granted by the Board of the Legal Services Board

3 May 2022

Annex A

CILEX REGULATION PRACTICE RIGHTS CERTIFICATE FOR CHARTERED LEGAL EXECUTIVES RULES

DEFINITIONS

1. In these rules, the following definitions apply:

- “Admissions and Licensing Committee” means the Committee established by CILEx Regulation to deal with matters relating to these Rules;
- “Appeals Panel” means the Panel established to hear appeals against decisions made by the Admissions and Licensing Committee following a rehearing;
- “Applicant” means any Chartered Legal Executive making an application for one or more Practice Rights Certificate pursuant to these Rules;
- “Approved Course” means a specified course of study or training in the Specified Practice Area for which the Practice Rights Certificate is sought and which is delivered by an Authorised Provider;
- “Assessment” means an assessment of competence in the Specified Practice Area for which the Practice Rights Certificate is sought and which is delivered by an Authorised Provider;
- “Authorised person” means a person so described in the Legal Services Act 2007. An authorised person is defined by the Act as “a person who is authorised to carry on the relevant activity by a relevant approved regulator in relation to the relevant activity”;
- “Authorised Provider” means an organisation authorised by CILEx Regulation to provide an Approved Course or Assessment;
- “Certificate of Eligibility” means a Certificate permitting an applicant to undertake an Advocacy Skills Course;
- “Chartered Legal Executive” means a CILEx member authorised by CILEx Regulation to conduct one or more reserved activities (also known as a Fellow of CILEx);
- “Chartered Legal Executive Litigator and Advocate” means a Fellow who has been granted a Litigation Certificate and a Rights of Audience Certificate by CILEx Regulation;
- “CILEx Institute Board” means the Board of the Chartered Institute;
- “CILEx Regulation” means CILEx Regulation Ltd;
- “CILEx” means the Chartered Institute of Legal Executives;

- “CPD Regulations” means the Rules of CILEx Regulation which are in place to govern the continuing professional development of Chartered Legal Executives, CILEx Practitioners and members of CILEx;
- “Enforcement Rules” means the Rules of CILEx Regulation which are in place from time to time and which govern the complaints handling, misconduct investigation and disciplinary procedures of CILEx Regulation;
- “External advisor” means a person appointed by CILEx Regulation to carry out the roles and functions identified for them by CILEx Regulation;
- “Fellow of CILEx or applicant in good standing” means a Fellow of CILEx whose subscriptions to CILEx are fully paid or an applicant seeking registration with CILEx Regulation and, in both cases, in respect of whose conduct there is no complaint or misconduct matter outstanding, whose CPD requirements are up to date and against whom there is no disciplinary record which in the view of CILEx Regulation affects their suitability to be a Chartered Legal Executive;
- “Practice Rights Certificate” means a Conveyancing Certificate, Family Litigation Certificate, Immigration Certificate, Litigation (Civil) Certificate, Litigation (Criminal) Certificate, Probate Certificate, identified in these Rules;
- “Satisfactory Evidence” means relevant, sufficient and adequate evidence of qualifying experience in the Specified Practice Area;
- “Specified Practice Area” means any of the practice areas of Conveyancing, Family Litigation, Immigration, Litigation (Civil), Litigation (Criminal) and Probate and in respect of which a certificate may be granted according to these Rules.
- “The Act” means the Legal Services Act 2007;
- “The Officer” means a person with responsibility for the Authorisation Rules.

NOTES ON THESE RULES

2. Reference to the male gender also includes female gender.
3. Words importing the singular include the plural and vice versa.

DELEGATIONS

4. Responsibility for this authorisation scheme is delegated to CILEx Regulation by CILEx.

PRACTICE RIGHTS CERTIFICATES FOR FELLOWS

5. A Fellow of CILEx or applicant in good standing who meets the requirements specified in these rules may be granted one or more of the following Practice Rights Certificates:
 - (a) Conveyancing Certificate
 - (b) Family Litigation Certificate
 - (c) Immigration Certificate
 - (d) Litigation (Civil) Certificate
 - (e) Litigation (Criminal) Certificate
 - (f) Probate Certificate.
6. These Rules do not affect the right of any Fellow or applicant in good standing to apply for any of the following:
 - (a) a Probate Certificate pursuant to the Probate Rights Certification Rules,
 - (b) an Immigration Certificate pursuant to the Immigration Certification Rules; or
 - (c) a Conveyancing Certificate pursuant to the Reserved Instrument Activity Certification Rules.
 - (d) A Criminal, Family or Civil Litigation Certificate pursuant to the Rights to conduct Litigation and Rights of Audience Rules
7. A Fellow with 5 years or more qualifying employment and 2 years' or more experience in the Specified Practice Area may be granted a certificate to practice in that Specified Practice Area provided that he or she meets the following requirements:
 - (a) Pass an Assessment in the relevant practice area; and
 - (b) Provide Satisfactory Evidence of experience in the relevant practice area.
8. A Fellow with 5 years or more qualifying employment and less than 2 years' experience in the Specified Practice Area may be granted a certificate to practice in that Specified Practice Area provided that he or she meets the following requirements:
 - (a) complete an Approved Course delivered by an Authorised Provider; and
 - (b) pass an Assessment administered by an Authorised Provider in the Specified Practice area; and
 - (c) provide Satisfactory Evidence of experience in the Specified Practice Area.
9. An Applicant intending to conduct Family Litigation, Civil Litigation and/or Criminal Litigation must also apply for and be granted the relevant certificate or certificates relating to rights of audience and advocacy pursuant to the Rights to Conduct Litigation and the Rights of Audience Certification Rules.

DEFINITION OF QUALIFYING EMPLOYMENT

10. A person is in qualifying employment if he is employed either:

- by an authorised person in private practice;
- by an organisation where the employment is subject to supervision by an authorised person employed in duties of a legal nature by that organisation; and in either case
- the work under the terms of his employment is, for at least 20 hours per week, wholly of a legal nature.

11. An Applicant will be regarded as being employed if:

- he is employed under a contract of service and is engaged on his employer's business for specified hours; or
- he is a partner in any firm or is an owner of any company; or
- at the discretion of CILEx Regulation, he is employed under a contract for services, whether he works as an independent contractor or provides services through an intervening agent.

12. Part-time employment may be accepted as qualifying employment, if the work undertaken provides the opportunity for practical expertise to be developed. Part-time employment is employment for less than 20 hours per week. CILEx Regulation shall have the power to determine that employment for less than 20 hours per week shall be regarded as part-time qualifying employment, where it decides it is appropriate to do so.

13. Unpaid work may be regarded as 'employment' for the purposes of these rules.

14. A break in employment for any reason does not count as qualifying employment.

APPLICATIONS

15. Applicants who seek a Practice Rights Certificate must meet the requirements set out in these Rules, complete all application forms required by CILEx Regulation and pay such fees as may be fixed by CILEx Regulation from time to time.

DECISION MAKING

16. The Admissions and Licensing Committee established under the Admissions and Licensing Committee Rules shall be responsible for matters relating to these Rules.
17. In making any assessment or decision required by these Rules, the Admissions and Licensing Committee shall have regard to the relevant eligibility criteria, application guidelines, and the knowledge and competence requirements.
18. CILEx Regulation may appoint external advisors to advise CILEx Regulation and the Admissions and Licensing Committee on matters relating to these Rules.
19. The decision to approve an application for a Practice Rights Certificate may be made by an Officer of CILEx Regulation. In reaching their decision, the Officer will consider all the information provided by the Applicant and may call for further information from any person or source it considers appropriate. Where the Officer has any doubt as to the suitability of the Applicant they may request additional information from the Applicant and/or refer the application to the Admissions and Licensing Committee for a decision.
20. Where the Officer decides that the Applicant has not met the requirements, they will give reasons for their decision. The Officer will inform the Applicant of the decision. The Applicant may withdraw their application, amend and re-submit their application or make further representation and ask that the full application be referred to the Admissions and Licensing Committee to consider.
21. The Admissions and Licensing Committee will decide whether or not an application referred to it should be approved. In reaching its decision, the Committee will consider all the information provided by the Applicant, and, may call the Applicant for interview or call for further information from any person or source it considers appropriate.
22. The Admissions and Licensing Committee may:
 - approve the application;
 - decide that the Applicant does not meet the criteria and indicate which of the criteria the applicant does not meet.

23. The Officer will notify an applicant of their decision or the decision of the Admissions and Licensing Committee.
24. Where the application has been approved, the notification shall include the Practice Rights Certificate.
25. Where the application is unsuccessful, the notification shall set out the reasons and any pre-conditions to the consideration of any subsequent application. Where an application is unsuccessful, the Applicant may apply for reconsideration in accordance with the Admissions and Licensing Committee Rules.

AUTHORISED PERSONS AT CILEX REGULATION

26. An Applicant who has been awarded a Conveyancing Certificate will be known as a **Chartered Legal Executive (Conveyancing)** and authorised to carry out the work specified in **Annex 1A**.
27. An Applicant who has been awarded a Litigation and Advocacy (Civil Proceedings) Certificate will be a **Chartered Legal Executive Litigator and Advocate (Civil Litigation)** and, subject to meeting the requirements specified in Rule 9, authorised to carry out the work specified in **Annex 1B**.
28. An Applicant who has been awarded a Litigation and Advocacy (Criminal Proceedings) Certificate will be a **Chartered Legal Executive Litigator and Advocate (Criminal Litigation)** and, subject to meeting the requirements specified in Rule 9, authorised to carry out the work specified in **Annex 1C**.
29. An Applicant who has been awarded a Litigation and Advocacy (Family Proceedings) Certificate will be a **Chartered Legal Executive Litigator and Advocate (Family Litigation)** and, subject to meeting the requirements specified in Rule 9, authorised to carry out the work specified in **Annex 1D**.
30. An Applicant who has been awarded an Immigration Certificate will be known as a **Chartered Legal Executive (Immigration)** and authorised to carry out the work specified in **Annex 1E**.

31. An Applicant who has been awarded a Probate Certificate will be known as a **Chartered Legal Executive (Probate)** and authorised to carry out the work specified in **Annex 1F**.

CONTINUING PROFESSIONAL DEVELOPMENT

32. Chartered Legal Executives are required to undertake Continuing Professional Development (CPD) in accordance with the CPD regulations issued by CILEx Regulation from time to time.
33. Where a Chartered Legal Executive Practice Certificate has been withdrawn for 12 months or more, on the basis that they have not met their CPD requirements, they will be required to make a fresh application for a Practice Certificate in accordance with these Rules.

DISCIPLINARY PROCEDURES AND CODE OF CONDUCT

34. Chartered Legal Executives will be required to abide by the Code of Conduct of CILEx for the time being in force. They will also be bound by the associated regulatory arrangements in force from time to time.
35. Where a complaint is made, or an issue is brought to the attention of CILEx Regulation, regarding the conduct of a Chartered Legal Executive, that matter will be dealt with in accordance with the CILEx Regulation Enforcement Rules. Where a finding, order or decision is made against a Chartered Legal Executive, that finding, order or decision will be referred to the Admissions and Licensing Committee. The Admissions and Licensing Committee will decide whether the Chartered Legal Executive remains a suitable person to hold a Practice Certificate. The Admissions and Licensing Committee must give reasons for its decision.
36. Rule 35 shall not apply where an order is made excluding a Chartered Legal Executive from registration of CILEx Regulation or membership of CILEx. In such a case the Chartered Legal Executive's Practice Certificate shall be invalid from the date the exclusion from membership or registration takes effect.

37. Where the Admissions and Licensing Committee decides that the Chartered Legal Executive is no longer a suitable person to hold a Practice Certificate or their Practice Certificate is invalid in accordance with Rule 35, they must return their Practice Certificate to CILEx Regulation within 28 days of them being notified of the decision. Failure to do so will constitute a disciplinary offence. The Chartered Legal Executive may not exercise any practice rights granted to them under their Practice Certificate after they have been notified of the decision.
38. Notwithstanding the Admissions and Licensing Committee Rules an appeal against the decision of the Admissions and Licensing Committee that a Chartered Legal Executive is no longer a suitable to hold a Practice Certificate will be considered by a professional member and two lay members drawn from the panel of lay and professional members appointed to serve on CILEx Regulation's Appeals Panel.

Sunrise Clause

- ~~39. These rules will come into force once a training provider has been appointed through a tendering process and the training and assessment process and costs have been developed and approved by the Legal Services Board.~~

ANNEX 1A

CONVEYANCING PRACTICE RIGHTS

The rights exercisable by a Fellow holding a Conveyancing Practice Rights Certificate are

- a) Prepare any instrument of transfer or charge for the purposes of the Land Registration Act 2002;
- b) Make an application or lodge a document for registration under that Act;
- c) Prepare any other instrument relating to real or personal estate for the purposes of the law of England and Wales or instrument relating to Court Proceedings in England and Wales.

Instrument includes a contract for the sale or other disposition of land (except a contract to grant a short lease) but does not include

- a) A will or other testamentary instrument;
- b) An agreement not intended to be executed as a Deed, other than a contract that is included by virtue of the preceding provisions of this sub-paragraph;
- c) A letter or Power of Attorney; or
- d) A transfer of stock containing no trust or limitation of the transfer.

A short lease means a lease referred to in section 54(2) of the Law of Property Act 1925.

ANNEX 1B

RIGHTS TO CONDUCT LITIGATION (CIVIL PROCEEDINGS) CERTIFICATE

To conduct litigation in all civil proceedings excluding family proceedings.

THE RIGHTS OF AUDIENCE EXERCISABLE BY LITIGATORS HOLDING RIGHTS OF AUDIENCE CERTIFICATES

- a) Rights of Audience (Civil Proceedings) Certificate in Judge's Room

To exercise rights of audience in Judge's room hearings in the County Court and High Court in all civil proceedings excluding family proceedings.

b) Rights of Audience (Civil Proceedings) Certificate:

- to exercise rights of audience in Judge's room hearings in the County Court and High Court in all civil proceedings excluding family proceedings;
- to appear in open Court in the County Court in all actions, except family proceedings;
- to appear before Magistrates, District Judges (Magistrates' Court) or Justices' Legal Advisers in the Magistrates' Courts in relation to all civil and enforcement matters;
- to appear before any tribunal having jurisdiction in England and Wales, which is listed in Schedule 6 of the Tribunals, Courts and Enforcement Act 2007 (as amended or substituted from time to time) where the tribunal rules provide for a non-discretionary right of audience being available to barristers, solicitors and CILEx advocates;
- to appear before Coroners' Courts in respect of all matters determined by those Courts and to exercise rights of audience similar to those exercised by solicitors and barristers.

A Civil Proceedings Certificate does not confer a right of audience in any proceedings for which a Family Proceedings Certificate is required.

ANNEX 1C

RIGHTS TO CONDUCT LITIGATION (CRIMINAL PROCEEDINGS) CERTIFICATE

To conduct litigation in all criminal proceedings.

RIGHTS OF AUDIENCE (CRIMINAL PROCEEDINGS) CERTIFICATE

- to appear before Justices Clerks, Justices or a District Judge (Magistrates' Court) in all adult Magistrates' Courts in relation to all matters within that Court's criminal jurisdiction;
- to appear before Justices Clerks, Justices or a District Judge (Magistrates' Court) in all Youth Courts in relation to all matters within that Court's criminal jurisdiction;
- to appear in the Crown Court or High Court before a judge in chambers to conduct bail applications;
- to appear in the Crown Court on appeal from the Magistrates' Court, the Youth Court or on committal of an adult for sentence or to be dealt with, if they, or any approved person in the same employment as them, appeared on behalf of the

defendant in the Magistrates' Court or Youth Court;

- to appear before Coroners' Courts in respect of all matters determined by those Courts and to exercise rights of audience similar to those exercised by solicitors and barristers.

ANNEX 1D

RIGHTS OF AUDIENCE (FAMILY PROCEEDINGS) CERTIFICATE IN JUDGE'S ROOM

To exercise rights of audience in Judge's room hearings in the Family Court and High Court, except reserved proceedings, in all family proceedings.

RIGHTS OF AUDIENCE (FAMILY PROCEEDINGS) CERTIFICATE

- to exercise rights of audience in Judge's room hearings in the Family Court and High Court, in all family proceedings;
- to appear in the Family Court in all proceedings;
- to appear before Coroners' Courts in respect of all matters determined by those Courts and to exercise rights of audience similar to those exercised by solicitors and barristers.

ANNEX 1E

IMMIGRATION PRACTICE RIGHTS

The rights exercisable by a Fellow holding an Immigration Practice Rights Certificate are:

Immigration Advice is advice which

- a) Relates to a particular individual;
- b) Is given in connection with one or more relevant matters;
- c) Is given by a person who knows that he is giving it in relation to a particular individual and in connection with one or more relevant matters; and
- d) Is not given in connection with representing an individual before a Court in criminal proceedings or matters ancillary to criminal proceedings;

Immigration Services means the making of representations on behalf of a particular individual in:

- a) civil proceedings before a Court, Immigration Services Tribunal or Adjudicator in the United Kingdom, or

- b) correspondence with a Minister of the Crown or Government department, in connection with one or more of the following matters:
- (i) A claim for asylum;
 - (ii) An application for, or the variation of, entry clearance or leave to enter or remain in the United Kingdom;
 - (iii) Unlawful entry into the United Kingdom;
 - (iv) Nationality and Citizenship under the law of the United Kingdom;
 - (v) Citizenship of the European Union;
 - (vi) Admission to a Member State under Community Law;
 - (vii) Residence in a Member State in accordance with rights conferred by or under Community Law;
 - (viii) Removal or deportation from the United Kingdom;
 - (ix) An application for bail under the Immigration Act or under the Special Immigration Appeals Commission Act 1997;
 - (x) An appeal against, or an application for judicial review in relation to, any decision taken in connection with a matter referred to in Paragraph (i) to (x);

ANNEX 1F

PROBATE PRACTICE RIGHTS

The practice rights exercisable by a person holding a Probate Certificate are:

- to prepare any probate papers for the purposes of the law of England and Wales or in relation to any proceedings in England and Wales.
- Probate papers mean any papers on which to found or oppose a grant of probate or a grant of letters of administration.