

## DESTINATION TABLE

The below table shows the destination of provisions from the Code of Conduct of the Bar of England and Wales (8<sup>th</sup> Edition) into the new draft BSB Handbook.

When using the destination table care should be taken to also read the detailed guidance which accompanies each of the specific rules in the new Handbook. Because the BSB has moved towards outcomes focused regulation, a number of the old prescriptive rules that appeared in the 8<sup>th</sup> Edition now appear as guidance (for a full explanation of the relationship between the Core Duties, rules and guidance please read the introduction section to Part 2).

Existing Code			New BSB Handbook	Comments
<b>SECTION 1 - The Code of Conduct</b>				
Paragraph	Sub-paragraph	Sub-subparagraph		
<b>Part 1</b>				
101			I.C.1	
102			No equivalent provisions	All the annexes in relation the 8 <sup>th</sup> Edition have now been included in the body of the BSB Handbook (see specific comments on annexes below)
103			I.A3.1-4	
104	(a)	(i)-(iii)	I.A1.1-4	
	(b)	(i)-(ii)	I.A1.1-4	
105 -107			I.B1-5	
108			I.A4.1-2	
<b>Part 2</b>				
201	(a)	(i)-(ii)	III.B1.R4.1	
	(b)		III.B1.R4.4	
	(c)		III.B1.R5	
202	(a)		Section III.A III.B1 and III.C1.	All the specific points are covered either in B1 or in the practising certificate provisions
	(b)		Section III.A III.B1 and III.C1.	
	(c)		Section III.A , III.B1 and III.C1.	
	(d)	(i)-(ii)	Section III.A and III.B1.R10.3	
203.1	(a)		III.B1.R.3	
	(b)	(i)-(ii)	III.B2.R5	
203.2	(a)		III.B2.R7.1(a)	
	(b)		III.B2.R7.1(b)	
	(c)		Part VI	
203.3	(a)		III.B2.R7.2	
	(b)	(i)-(ii)	III.B2.R7.2	

	(c)		III.B2.R7.2	
	(d)		III.B2.R7.2	
203.4			III.C1.R3.1(d) (equivalent to 1102), III.B1.R10 (equivalent to 1103)	No equivalent provision to 1104. Time expired.
204	(a)		III.B2.R1 and R3.1	
	(b)		III.B2.R5	
	(c)	(i)-(ii)	II.C5.R3	
	(d)	(i)-(iii)	III.B3.R2.3(a) (including by reference II.D2.1)	
205	(a)		III.B2.R1	
	(b)		III.B2.R1	
	(c)		III.B2.R1	
206.1	(a)	(i)-(ii)	III.B1.R7 and III.B1.R10	
	(b)		III.B1.R10.3	
	(c)		No equivalent provision	Time has now expired so this provision is no longer relevant.
206.2			III.B1.R10	
206A			III.C4.R11.1 (d) and III.E1.R5.3	
207	(a)		III.B9	
	(b)	(i)-(ii)	III.B2.R3	
208	(a)-(e)		II.C3.R7.3, II.C5.R9, II.C5.R10 and III.B2.R3	
209	(a)		No equivalent provision	Dropped. Any information needed will be included in monitoring returns
	(b)	(i)-(ii)	II.C5.R9.1; II.C5.R10.1	
	(c)		II.C5.R9.2; II.C5.R10.2	
<b>Part 3</b>				
301	(a)	(i)-(iii)	II.B.CD1, II.B.CD3, II.B.CD5	
	(b)		II.B.CD5, II.B.CD7	
302			II.C1.R1; II.C1.R2; II.C1.R4; II.C3.R2	See related guidance
303	(a)		II.C3.R1.1 – 1.4	
	(b)		II.C3.R1.2-1.4	
	(c)		No equivalent provision	Linked to 304 – see below.
304			II.B.CD2, II.B.CD10, II.C3	Covered by general requirement to abide by the regulatory obligations and to act in the interests of the lay client.
305.1			II.B.CD8, II.C2.R5	

305.2			Not applicable	Deleted from 1 October 2005.
306			II.C3.R6	
307	(a)		II.B.CD4; II.C2.R1; II.C3.R1.4	See related guidance
	(b)		II.C2.R1	
	(c)		II.C1.R1.5, II.C2.R1	
	(d)		II.C2.R1	
	(e)		II.C2.R3	
<b>Part 4</b>				
401	(a)	(i)-(iii)	III.B3.R1 and III.B3.R2	A self-employed barrister's scope of practice is generally set out in III.B3.R1 and III.B3.R2 and now includes the possibility of conducting litigation if so authorised.
	(b)	(i)	III.B3.R3	
		(ii)	No equivalent provision	Self-employed barristers are now permitted to undertake litigation provided they obtain authorisation.
		(iii)	No equivalent provision	But see II.C3.R7.10 and II.C3.G38
		(iv)	No equivalent provision	But see II.B.CD7 and II.C3.G4
		(v)	No equivalent provision	
		(vi)	No equivalent provision	But see II.C3.R7.10 and II.C3.G38
401A.1 and 401A.2	(a)-(b)		No equivalent provision	This has been deleted as the barrister may now be entitled to conduct litigation. However, please note the safeguards at II.C2.G10 and II.C3.G35.
402.1			II.C5.R5.2	
402.2	(a)-(b)		II.C5.R6	
403.1	(a)-(d)		II.C3.R5; II.C5.R7-8;	Prohibition on sharing premises and associations dropped but these rules and related guidance are relevant.
403.2		(i)-(v)	II.C3.R5;	
403.3			II.C3.R5;	
403.4			II.C3.R5;	
403.5	(a)	(i)-(ii)	II.C5.R15	
		(iii)	No equivalent provision	Superseded by contractual terms.
	(b)		No equivalent provision	Deleted.
	(c)	(i)-(iii)	I.A2.2.4(c)	
	(d)	(i)-(iii)	II.D1.1	
404.1	(a)-(c)		No equivalent provision	The relevant obligations now apply to all BSB authorised persons in chambers.
404.2	(a)		II.C5.R17.1	

	(b)		II.D1.2	Therefore, see additional provisions at II.C5.R21.
	(c)		II.D1.3	
	(d)		II.C5.R17.9(a)	
	(e)		II.C5R.17.9(a)	
	(f)		II.C5.R17.6	
	(g)		II.C5.R17.9(b)	
	(h)		II.C5.R16	
	(i)		II.C5.R17.9(b)	
404.3	(a)-(c)		I.A2.2.4(c)	
405	(a)		II.C2.R2.7	
	(b)		No equivalent provision	Dropped.
406.1			No equivalent provision	However, note safeguards to clients in respect of work done by pupils/devils at II.C3.G24.
406.2	(a)-(b)		No equivalent provision	However, note safeguards to clients in respect of work done by pupils/devils at II.C3.G24.
407			II.C5.R1-3	
<b>408</b>			II.D1.3	
<b>Part 5</b>				
501	(a)-(d)		III.B7.R1; III.B7.R2.1-6	
502	(a)-(c)		III.B7.R1; III.B7.R2.7-9	
503	(a)-(c)		No equivalent provision	Definition of employed barrister is now found in Part VI.
504			No equivalent provision	Right of employed barristers to conduct litigation has been superseded by the new scope of practice and authorisation rules.
505			II.C5.R1	
506			No equivalent provision	The general rules are found at Part III.B6.R1-3. Litigation has been superseded by the scope of practice and authorisation rules, and handling client money is permitted if you are a manager of an authorised (non-BSB) body (II.C5.R1).
507			II.C5.R1	
508			No equivalent provision	
<b>Part 6</b>				
601			II.C3.R14	
602			II.C3.R15	
603	(a)-(h)		II.C3.R3; II.C3.R7	The new rules encompass the old and the new II.C3.R8 includes the added requirement to confirm initial acceptance in writing.

				603(g) in relation to Withdrawal of Credit does not have an equivalent provision as it has been superseded by new contractual terms provisions which are not part of the Handbook.
604	(a)-(i)		II.C3.R16	Note there is no equivalent to 604(i).
605			II.C3.R16.6	
606.1			II.C3.R3	See related guidance II.C3.G14.
606.2			II.C3.R3	
606.3			II.C3.R3	
606.4			II.C3.R3	
607			II.C3.R3	
608	(a)-(f)		II.C3.R11	Not an exact match.
609	(a)-(d)		II.C3.R12	
610	(a)-(d)		II.C3.R13	
<b>Part 7</b>				
701	(a)		II.B.CD7	See related guidance at II.C3.G3.
	(b)	(i)-(iii)	II.B.CD7; II.C3.R7.8-7.9	
	(c)		II.B.CD7	See related guidance at II.C3.G3.
	(d)		No equivalent provisions	The written Standards at Part 3 of the 8 <sup>th</sup> Edition have been excluded from the new Handbook in favour of the Core Duties, rules and guidance.
	(e)	(i)-(ii)	II.C3.R4	
	(f)		II.C5.R15	
702			II.B.CD6; II.C1.R3; II.C3.R1.5	
703			II.C3.R3	See related guidance.
704	(a)-(d)		II.C2.R2.2	
705	(a)-(c)		II.C2.R2.3-2.5	
706			No equivalent provision	Dropped.
707			No equivalent provision	
708	(a)-(j)		II.B.CD1; II.C1.R1; II.C1.R4; II.C1.R5; II.C3.R6	See related guidance.
708.1			No equivalent provision	covered by general rules.
709.1			No equivalent provision	See II.C2.G8 about the withdrawal of this prohibition.
709.2			No equivalent provision	

710.1	(a)-(d)		No equivalent provision	Advertising is generally permitted provided it does not breach II.C3.R5.
710.2	(a)		II.C3.R5 and II.C3.G22	
	(b)		II.B.CD5	
	(c)		II.C3.R5 and II.C3.G22	
	(d)-(f)		No equivalent provision	
<b>Part 8</b>				
801	(a)		IV.B1.R2.2	Not an exact match but basically requires a pupil to complete the vocational stage of training.
	(b)		No equivalent provision	Pupil to apply himself full time has not been included although there are limitations on when the training should be completed – see IV.B5.R5.2 and IV.B5.R6.3.
	(c)		II.C3.R1.5	
802	(a)-(b)		III.B2.R4; III.B1.R6	
803.1			II.C3.R5	See related guidance II.C3.G27.
803.2			I.B.3	
804	(a)-(c)		IV.B5.R25	
805			II.D1.R18	
806			III.B9.R1	
807	(a)-(c)		III.B9.R2	
808.1			III.B10.R1	A barrister's practising certificate will be revoked if he/she becomes authorised by another approved regulator.
808.2			II.C4.R2.8 and III.C5.R5.1	
808.3	(a)-(c)		No equivalent provision	Proper process was required. Notification is still required, but would go through the suspension process.
808.4			III.B1.R9	
809			III.B8.R1; II.C5.R4	See related guidance in Part II.
<b>Part 9</b>				
901.1			Part V, Section A, paragraph 50-52	The ability of the PCC to impose administrative fines has been expanded.
901.2			Part V, Section A, paragraph 53	It no longer automatically constitutes professional misconduct, although this provision makes it clear that it is likely to.
901.3			Part V, Section A,	

			paragraph 54	
901.4			No equivalent provision	The BSB has moved away from defining various sections as professional misconduct. All breaches of the Handbook can now potentially be dealt with by way of administrative fines and will only be elevated to professional misconduct with reference to paragraphs 37.4 and 37.5 of Section A, Part V.
901.5		No equivalent provision		
901.6		No equivalent provision		
901.7		No equivalent provision		
901.8		No equivalent provision		
902			IV.B9.R6.	
903	(a)-(g)		No equivalent provision	All relevant annexes are now part of the Handbook.
904			No equivalent provision	BSB no longer deals with IPS.
905	(a)	(i)-(iii)	II.C4.R1; II.C4.R7; II.C4.R8	CD9 obliges you to be open and co-operative with your the BSB. There is now an additional requirement to report <i>serious misconduct</i> – see guidance for details.
	(b)	(i)-(v)	II.C4.R2.1-2.5	
	(c)	(i)-(iv)	II.C4.R2.6	
	(d)		II.C4.R1.1	
	(e)		II.B.CD9	
	(f)		II.C4.R1.2	
<b>Part X</b>				
1001			Part VI	All defined terms can be found in Part VI of the Handbook.
<b>Part XI</b>				
1101			I.C.2-I.C.4	
1102	(a)-(b)		III.C1.R3.1(d)	
1103			III.B1.R10	
1104	(a)-(b)		No equivalent provision	Time has now expired so this is no longer relevant.
<b>SECTION 2 – Annex to the Code of Conduct</b>				
<b>Annex A</b>			Replaced by II.C2.R6 – R7 and II.D6; III.B3.R4; III.B4.R4; III.B5.R4	
<b>Annex B</b>	1-3 and 10 8 4(2) 5	(a)-(c)	III.D II.D4.R1-2	Annex B – has been split up and moved to a variety of places in the Handbook. The sections dedicated to Registered European Lawyers are identified.
<b>Annex C</b>			IV.C	
<b>Annex D</b>			III.C	
<b>Annex E</b>			No equivalent provisions	Guidelines on opinions under the funding code.
<b>Annex F1</b>			II.D2.R14-R23	
<b>Annex F2</b>			II.D2.R1-R13	

<b>Annex G1</b>			No equivalent provisions	This Annex has been superseded by the new contractual terms which are not in the Handbook.
<b>Annex G2</b>			No equivalent provisions	This Annex has been superseded by the new contractual terms which are not in the Handbook.
<b>Annex H</b>			II.C5.R17.7	Foreign lawyer chambers rules – these have not been copied across but there is a general obligation on chambers to ensure foreign lawyers comply with the Handbook.
<b>Annex I</b>			No equivalent provisions	Employed barristers conduct of litigation rules have been superseded by new litigation authorisation rules at Part 3: B Scope of practice.
<b>Annex J</b>			Section A of Part V	The Complaints Rules and Disciplinary Tribunal Regulations have been widely amended.
<b>Annex K</b>			Section B of Part V	
<b>Annex L</b>			No equivalent provisions	Summary Procedure Panels no longer exist.
<b>Annex M</b>			Section C of Part V	
<b>Annex N</b>			Section D of Part V	The Interim Suspension Rules have been widely amended.
<b>Annex O</b>			Section E of Part V	To be updated.
<b>Annex P</b>			No equivalent provisions	Adjudication Panels no longer exist.
<b>Annex Q</b>			II.D6	
<b>Annex R</b>			II.D1.R15-20	
<b>Annex S</b>			II.D1.R1-R11	
<b>Annex T</b>			No equivalent provision.	This Annex in relation to the contractual terms is no longer part of the Handbook.
<b>SECTION 3 - The written standards for the conduct of professional work</b>				
	1-16		No equivalent provisions	