



Legal Services Committee

TERMS OF REFERENCE:

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Accountability

1. The Legal Services Committee reports to the ICAEW Regulatory Board (IRB).

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Membership

2. The Legal Services Committee is made up of 10 members of whom half are lay members.
3. The chair of the Legal Services Committee is a lay member and will have a casting vote where required.
4. A lay member is defined as a person who is not and never has been -
 - (a) an authorised person in relation to an activity which is a reserved legal activity under the Legal Services Act 2007, for example, a solicitor or barrister
 - (b) a person authorised to provide services which are regulated claims management services under the Compensation Act 2006
 - (c) an advocate in Scotland;
 - (d) a solicitor in Scotland;
 - (e) a member of the Bar of Northern Ireland;
 - (f) a solicitor of the Court of Judicature of Northern Ireland.
5. Half the members of the committee will be practitioners with expertise in the regulated areas.
6. ICAEW office-holders are disqualified from membership of the Legal Services Committee in accordance with Principal Bye-law 44. The Regulatory Appointments Policy applies to this Committee, and therefore ICAEW Council and Board members may not serve on the Committee.

Powers and authorities

7. The IRB has delegated responsibility for the following activities to the Legal Services Committee:

a) ICAEW's functions as an approved regulator and licensing authority as set out more fully in the Legal Services Regulations, which include:

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- considering and determining applications for probate accreditation;
- considering and determining applications for authorised individual, Head of Legal Practice, Head of Finance and Administration, non-authorised owner or probate affiliate status;
- monitoring compliance with the Legal Services Regulations;
- taking regulatory action as required to secure compliance with the Legal Services Regulations;
- referring matters to ICAEW's disciplinary committees as required;
- compiling and maintaining a register of licensed firms and supplying this information to the Legal Services Board as required.

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b) ICAEW's functions under the Legal Services Compensation Scheme Regulations in determining applications for grants;

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Operation

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8. The Legal Services Committee will operate in accordance with the Legal Services Regulations and Legal Services Compensation Scheme Regulations.

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9. In discharging its functions, the Legal Services Committee will have regard at all times to the public interest, and the regulatory objectives and requirements of the Legal Services Act 2007.

10. The Legal Services Committee will have a quorum of five members, the majority of whom will be lay members.

11. There will be a review of the Legal Services Committee's membership and function every 3 years.