



THE FACULTY OFFICE OF THE ARCHBISHOP OF CANTERBURY

CONSULTATION RESPONSE

Legal Services Board consultation on proposed rules for applications to alter regulatory arrangements

Introduction

The Faculty Office broadly welcomes the LSB's review of its rules and approach when considering applications to alter regulatory arrangements.

We note that the LSB accepts that some of the changes to its requirements and approach will result in an increased regulatory burden. This is likely to be most acutely felt by the smaller regulators of which the Faculty Office is one of the smallest. We trust that the LSB will take a considered and proportionate approach, having regard to the relative resources of Approved Regulators, when assessing applications for both full applications for alterations to regulatory requirements and requests for exemption directions rather than adopting a one-size-fits-all approach.

That said, we consider that the likely effect of the proposals, whilst more prescriptive than outcomes-focussed, will serve to provide a clear framework for the requirements and expectations of approved regulators by focussing on the regulatory objectives and the potential impacts, both positive and negative, of proposed alterations. We welcome the enhanced focus and encouragement for greater pre-application engagement which may well serve, *inter alia*, to provide further clarity around alterations that may, or may not benefit from exemption directions. This is one area which we do consider would benefit from further clarification.

Whilst we appreciate that the level of detail required in the request for an exemption direction may be slightly less than that required for a full application, there does not appear to be any significant difference in the pre-application work required of Approved Regulators which may impact on our ability to react quickly, flexibly and effectively to address a specific and/or urgent matter which is, nonetheless, relatively minor in its impact. In this respect we would also echo the comments made by the Costs Lawyer Standards Board in its published response dated 19 July 2021 particularly in relation to Question 4.

We welcome the provision of optional proformas in the draft guidance which provide additional clarity as regard the LSB's expectations.

We have no further comments to make on the consultation.

The Faculty Office

29th July 2021