

Mapping Document – New Rules to Existing Rules – Litigation & Advocacy Rules

Note: the new rules create a new mechanism to demonstrate competence in the specialist area of litigation. The advocacy requirements in the current Litigation & Advocacy Rules remain in force and will be applied to those seeking litigation and advocacy practice rights in their specialist area (see rule 9 of the new rules).

Rule no	New Rules	Rule no	Existing Rules (to continue)	Comments
1.	<p>In these rules, the following definitions apply:</p> <ul style="list-style-type: none"> • 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; 	<p>1</p> <p>1</p>	<p>Admissions and Licensing Committee means the committee established under the Admissions and Licensing Committee Rules</p> <p>“Appeals Panel” means the Panel established to hear appeals against decisions made by the Admissions and Licensing Committee following a rehearing</p>	<p>There are additional definitions in the existing rules which are found in the Advocacy Rules (there are also standalone Advocacy Rules which will be applied to those seeking litigation rights under the new rules) and are not replicated in the new rules:</p> <p>“Advocacy Certificate” means a Rights of Audience Certificate identified in these Rules;</p> <p>“Advocacy Skills Course” means an advocacy skills course approved in accordance with the Rights of Audience Certification Rules</p> <p>“Chambers advocacy” means rights of audience</p>

				<p>exercised in Judge's room hearings</p> <p>Reference to terminology related to QASA has been omitted from the new rules:</p> <p>“Bar Standards Board (BSB)” means the regulatory body for barristers</p> <p>“Criminal Advocacy Evaluation Form (CAEF)” means the form used by judges to complete assessments/evaluations of advocates appearing before them</p> <p>“Independent assessor” means an individual that has been appointed by JAG to undertake assessments/evaluations of advocates in court</p> <p>“JAG” means the Joint Advocacy Group;</p> <p>☒ “Joint Advocacy Group” means the body made up of representatives from the SRA, BSB and CILEx</p>
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				<p>Regulation, responsible for the development and oversight of the scheme; “QASA” or “the Quality Assurance Scheme for Advocates” means the scheme under which the competence of criminal advocates appearing in the courts of England and Wales is assured by the SRA, BSB and CILEx Regulation;</p> <p>“Reaccreditation” means the process by which a criminal advocate demonstrates their competence and renews their accreditation for a further five years</p> <p>The Scheme” means the Quality Assurance Scheme for Advocates;</p> <p>☒ “Solicitors Regulation Authority (SRA)” means the regulatory body for solicitors; and</p> <p>☒ “Standards” means the nine expectations which are assessed by judicial</p>
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	<ul style="list-style-type: none">• “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”;			evaluation, assessment organisation, assessed CPD, independent assessor or any other method approved by JAG
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	<ul style="list-style-type: none"> • “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; <ul style="list-style-type: none"> • “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; 	<p>1</p> <p>1</p> <p>1</p> <p>1</p>	<p>“Certificate of Eligibility” means a Certificate permitting an applicant to undertake an Advocacy Skills Course</p> <p>“Chartered Legal Executive Advocate” means a Fellow who has been granted a Rights of Audience Certificate by CILEx Regulation;</p> <p>“Chartered Legal Executive Litigator” means a Fellow who has been granted a Litigation Certificate by CILEx Regulation</p> <p>“CILEx” means the Chartered Institute of Legal Executives</p> <p>“Investigation, Disciplinary and Appeals Rules” means the rules which are in place from time to time which govern the</p>	
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	<ul style="list-style-type: none"> • “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 adviser” 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; <p>“Practice Rights Certificate” means a Conveyancing Certificate, Family Litigation Certificate, Immigration Certificate, Litigation (Civil) Certificate, Litigation (Criminal) Certificate, Probate Certificate, identified in these Rules;</p>	<p>1</p> <p>1</p> <p>1</p>	<p>complaints handling and disciplinary procedures of CILEx Regulation</p> <p>“External adviser” means a person appointed by CILEx Regulation to carry out the roles and functions identified for them by CILEx Regulation</p> <p>“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 Litigator and Advocate.</p> <p>“Chartered Legal Executive Advocate” means a Fellow who has been granted a Rights of Audience Certificate by CILEx Regulation;</p> <p>“Chartered Legal Executive Litigator” means a Fellow who has been granted a Litigation Certificate by CILEx Regulation</p>	
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	<ul style="list-style-type: none"> • “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. 	1 1	<p>“The Act” means the Legal Services Act 2007</p> <p>“The Officer” means a person with responsibility for the rights to conduct litigation qualification scheme and the rights of audience qualification scheme</p>	
2.	Reference to the male gender also includes female gender.			
3.	Words importing the singular include the plural and vice versa.	1	Words importing the singular include the plural and vice versa	
4.	Responsibility for this authorisation scheme is delegated to CILEx Regulation by CILEx.	2	Responsibility for this qualification scheme is delegated to CILEx Regulation by CILEx	
5.	<p>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:</p> <ul style="list-style-type: none"> (a) Conveyancing Certificate (b) Family Litigation Certificate (c) Immigration Certificate (d) Litigation (Civil) Certificate (e) Litigation (Criminal) Certificate 	3	<p>A Fellow of CILEx or an applicant eligible to qualify as a Fellow of CILEx who is in good standing may apply to CILEx Regulation to be granted one or more of the following Certificates:</p> <ul style="list-style-type: none"> (a) A Right to Conduct Litigation (Civil Proceedings) Certificate; (b) A Right to Conduct Litigation (Family Proceedings) Certificate; 	<p>Rights of Audience will continue to be administered under the Rights of Audience Rules to cover rule 4:</p> <p>A Fellow of CILEx in good standing who does not already hold a relevant advocacy certificate must, at the same time as their</p>

	(f) Probate Certificate.		(c) A Right to Conduct Litigation (Criminal Proceedings) Certificate	<p>application for a litigation certificate, apply to CILEx Regulation to be granted one or more of the following Rights of Audience Certificates which relate to the same proceedings as the Litigation Certificate:</p> <p>(a) A Rights of Audience (Civil Proceedings) Certificate in Judge’s Room;</p> <p>(b) A Rights of Audience (Family Proceedings) Certificate in Judge’s Room;</p> <p>(c) A Rights of Audience (Civil Proceedings) Certificate;</p> <p>(d) A Rights of Audience (Family Proceedings) Certificate;</p> <p>(e) A Rights of Audience (Criminal Proceedings) Certificate</p> <p>Applicants will be unable to practice without both litigation and advocacy rights.</p>
6.	These Rules do not affect the right of any Fellow or applicant in good standing to apply for any of the following:			No equivalent in current rules as only one set of rules in operation.

	<ul style="list-style-type: none"> (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.	<p>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:</p> <ul style="list-style-type: none"> (e) Pass an Assessment in the relevant practice area; and (f) Provide Satisfactory Evidence of experience in the relevant practice area. 	8	Applicants who seek rights to conduct litigation must demonstrate that they meet the knowledge, skills and experience for the certificate they seek in accordance with the knowledge, skills and experience guidelines and portfolio guidelines which appear at Annexes 1 and 2 and the competence framework at Annex 3.	
8.	<p>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:</p>			There is no equivalent in the existing rules for this element. This enables those seeking additional rights to undertake a period of training rather than using practical work experience to

	<p>(a) complete an Approved Course delivered by an Authorised Provider; and</p> <p>(b) pass an Assessment administered by an Authorised Provider in the Specified Practice area; and</p> <p>(c) provide Satisfactory Evidence of experience in the Specified Practice Area.</p>			demonstrate the competence requirements
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.	9	Unless they already hold a relevant rights of audience certificate, applicants who seek rights to conduct litigation must also make an application for rights of audience. In the case of rights to conduct litigation in civil proceedings, an applicant must make an application in civil proceedings either for a Rights of Audience (Civil Proceedings) Certificate in Judge’s room or Rights of Audience (Civil Proceedings) Certificate. In the case of family proceedings, an applicant must make an application for either a Rights of Audience (Family Proceedings) Certificate in Judge’s room or Rights of Audience (Family Proceedings) Certificate. In the case of criminal proceedings, an applicant must make an application for a Rights of Audience (Criminal Proceedings) Certificate.	<p>These are combined in the litigation and advocacy rules, so the full requirements are in the existing rules (9-14) –set out below:</p> <p>9. Unless they already hold a relevant rights of audience certificate, applicants who seek rights to conduct litigation must also make an application for rights of audience. In the case of rights to conduct litigation in civil proceedings, an applicant must make an application in civil proceedings either for a Rights of Audience (Civil Proceedings) Certificate in Judge’s room or Rights of Audience (Civil Proceedings) Certificate. In the case of</p>

				<p>family proceedings, an applicant must make an application for either a Rights of Audience (Family Proceedings) Certificate in Judge's room or Rights of Audience (Family Proceedings) Certificate. In the case of criminal proceedings, an applicant must make an application for a Rights of Audience (Criminal Proceedings) Certificate.</p> <p>10. Applicants must make an application for a Certificate of Eligibility to undertake the rights of audience skills course relevant to the Certificate they seek. In their application they must demonstrate that they meet the entry criteria for the certificate they seek in accordance with the knowledge, skills and experience guidelines which appear at Annex 1.</p> <p>11. An application for a Certificate of Eligibility must</p>
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				<p>be supported by: ☐ Evidence of the applicant's knowledge of the law, the rules of evidence and legal practice relevant to the practice area in which they seek rights of audience in accordance with the competence criteria set out at Annex 3; ☐ A portfolio of cases in which the Applicant has been involved during the two years preceding their application, in accordance with the portfolio guidelines at Annex 2; ☐ Details of two referees, who are members of the legal profession, who can attest to the applicant's knowledge of civil, criminal or family law and practice, whichever is relevant, and who are able to offer an informed opinion on whether the applicant meets the competence criteria set out in the knowledge, skills and experience guidelines at Annex 1; ☐ A statement from the applicant confirming that the details</p>
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				<p>provided in their application are true to the best of their knowledge and belief.</p> <p>12. CILEx Regulation will assess an application for a Certificate of Eligibility in accordance with the criteria set out in the knowledge, skills and experience guidelines and the portfolio guidelines at Annexes 1 and 2 and the criteria at Annex 3. An applicant who meets the criteria will be granted a Certificate of Eligibility.</p> <p>13. Upon receiving a Certificate of Eligibility an applicant will complete a Judge's room or full advocacy skills course in accordance with the Rights of Audience they seek. Courses must meet the qualification criteria which appear at Annex 3. Courses will be assessed in accordance with the assessment criteria which appear at Annex 4.</p>
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				<p>14. Where an applicant who has met the criteria set out in the knowledge, skills and experience guidelines and the portfolio guidelines, has completed an advocacy skills course and qualification which is of a similar standard they may seek an exemption from the requirement to undertake the advocacy skills course and assessment. In making such an application for exemption, the applicant will be required to provide an outline of the advocacy skills course and assessment they completed, along with the results they obtained. CILEx Regulation will assess whether the course and assessment meet the advocacy skills course and assessment criteria set out at Annexes 3 and 4. An exemption will be granted where an applicant is able to demonstrate that the course and assessment covered at least 50% of the course outcomes and assessment criteria set out</p>
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				at Annexes 3 and 4. Where an applicant is unable to demonstrate that they meet the course outcomes and assessment criteria, they will be required to complete the advocacy skills course and assessment.
10.	<p>A person is in qualifying employment if he is employed either:</p> <ul style="list-style-type: none"> • 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. 			Rules 10-14 are drawn from the Fellowship rules and have been used here to provide a unified approach to the assessment of qualifying employment. The current approach is set out in Annexes 1-3 of the existing rules.
11.	<p>An Applicant will be regarded as being employed if:</p> <ul style="list-style-type: none"> • 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.			
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.	15 & 16	<p>An application for a Rights to Conduct Litigation Certificate and a Certificate of Eligibility for Rights of Audience shall be made on such a form as may be prescribed for the purpose by CILEx Regulation and shall be accompanied by such fee as may be fixed by CILEx Regulation from time to time.</p> <p>CILEx Regulation will check the application to ensure it meets the criteria set out in the knowledge, skills and experience guidelines at Annex 1. The portfolios which form part of the application will be sent to an external advisor. The external advisor will assess</p>	

			whether the portfolios meet the criteria set out at Annexes 1 to 3.	
16.	The Admissions and Licensing Committee established under the Admissions and Licensing Committee Rules shall be responsible for matters relating to these Rules.	26	The Admissions and Licensing Committee established under the Admissions and Licensing Committee Rules shall be responsible for the Rights to Conduct Litigation and Rights of Audience schemes.	
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.	20	In making any assessment or decision required by these Rules the Admissions and Licensing Committee shall have regard to the criteria at Annexes 1 to 3 to these Rules.	
18.	CILEx Regulation may appoint external advisors to advise CILEx Regulation and the Admissions and Licensing Committee on matters relating to these Rules.	27	CILEx Regulation shall appoint external advisors to advise the Admissions and Licensing Committee and CILEx Regulation on issues relating to litigation and advocacy.	
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.	17	Where the external advisor decides that the portfolios are satisfactory and meet the criteria set out at Annexes 1 to 3, a CILEx Regulation Officer will consider whether the application for a Rights to Conduct Litigation Certificate and a Certificate of Eligibility for Rights of Audience may be approved. 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 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.	18	Where the external advisor decides that the portfolios are not satisfactory and do not meet the criteria set out at Annexes 1 to 3 they will give reasons for their decision. The Officer will inform the applicant of the decision. The applicant may withdraw their application, amend and resubmit their application or make further representations 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.	19	The Admissions and Licensing Committee will decide whether or not an application 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 information from any person or source it considers appropriate	
22.	The Admissions and Licensing Committee may: <ul style="list-style-type: none"> • approve the application; • decide that the Applicant does not meet the criteria and indicate which of the criteria the applicant does not meet. 	19	The Committee may: <ul style="list-style-type: none"> • approve the application; or • 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.	21	The Officer will notify an applicant in writing of their decision or the decision of the Admissions and Licensing Committee	
24. & Rule 9 above	<p>24. Where the application has been approved, the notification shall include the Practice Rights Certificate.</p> <p>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.</p>	<p>22 & rules 28-32 which govern the advocacy skills course and course providers</p> <p>Rules 33-60 cover administration of full rights for litigation & advocacy which will remain in force for administering practice rights holders</p>	Where the application has been approved the notification shall include the Certificate(s) of Eligibility for Rights of Audience and an indication that the Rights to Conduct Litigation Application has been approved. The Litigation Certification may only be granted on the successful completion of the associated Rights of Audience skills course and assessment.	<p>Rule 23 states:</p> <p>Where the application for a Certificate of Eligibility in Rights of Audience has been approved but the application for the Rights to Conduct Litigation Certificate identifies gaps in an applicant's knowledge, skills or experience, the notification shall set out details of the gaps and the reasons why the assessment has identified the full knowledge, skills and experience guidelines and portfolio guidelines have not been met. An applicant may defer their application while they develop their knowledge, skills or experience or attend a course. A course must meet the outcomes set out at Annex 3 in respect of the outcomes the applicant has not met. Upon completion of a course or development of experience, CILEx</p>

				<p>Regulation will reassess the application to determine whether the applicant meets the knowledge, skills and experience guidelines. Where an application meets the guidelines, they may then undertake the Rights of Audience Skills Course and Assessment.</p> <p>The new rules will not create such a situation as the assessment will be pass/fail</p>
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.	24	Where the application is unsuccessful, the notification shall set out the Committee's reasons and any preconditions to the consideration of any subsequent application. Where an application has been unsuccessful the applicant may apply for reconsideration in accordance with the Admissions and Licensing Committee Rules	
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 .			N/A
27.	An Applicant who has been awarded a Litigation and Advocacy (Civil Proceedings) Certificate will be a Chartered Legal Executive Litigator and Advocate (Civil	1	"Authorised Litigator" means a person who has been granted a right to conduct litigation by an approved regulator, under the terms of the Act	The right to conduct litigation will be in a specialist area – i.e. criminal, family or civil – the

	Litigation) and, subject to meeting the requirements specified in Rule 9, authorised to carry out the work specified in Annex 1B			right is not a generic litigation right
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 .	1	“Authorised Litigator” means a person who has been granted a right to conduct litigation by an approved regulator, under the terms of the Act	The right to conduct litigation will be in a specialist area – i.e. criminal, family or civil – the right is not a generic litigation right
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 .	1	“Authorised Litigator” means a person who has been granted a right to conduct litigation by an approved regulator, under the terms of the Act	The right to conduct litigation will be in a specialist area – i.e. criminal, family or civil – the right is not a generic litigation right
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 .			N/A
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 .			N/A
32.	Chartered Legal Executives are required to undertake Continuing Professional Development (CPD) in accordance with the	64	Chartered Legal Executive Litigators and Advocates are required to undertake CPD in accordance with the CPD Regulations issued	Currently in force, to be removed once education

	CPD regulations issued by CILEx Regulation from time to time.		by CILEx Regulation from time to time. Those who hold a criminal proceedings certificate must also comply the CPD requirements for reaccreditation under QASA.	standards rules have been approved
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.			
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.	65 & 66	Chartered Legal Executive Litigators and Advocates must abide by the Code of Conduct of CILEx for the time being in force. Those holding a Criminal Litigation and Criminal Advocacy Certificate will additionally be required to comply with the QASA. Where an issue relating to the competence of a Chartered Legal Executive Litigator and Advocate who holds a Criminal Litigation and Criminal Advocacy Certificate is brought to the attention of CILEx Regulation, whether by means of a completed CAEF or otherwise, the Admissions and Licensing Committee will consider whether the Chartered Legal Executive Litigator and Advocate remains a fit and proper person to hold a Litigation and Advocacy Certificate. The Admissions and Licensing Committee must give reasons for its decision. The	Currently in force, to be removed once education standards rules have been approved

			Committee may ask for further information or evidence, including a report from an independent assessor regarding the competence of the Litigator and Advocate in order to assist in its decision making.	
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.	67 & 68	Where a complaint is made or an issue is brought to the attention of CILEx Regulation regarding the conduct of a Chartered Legal Executive Litigator and Advocate that matter will be dealt with in accordance with CILEx Regulation's Investigation, Disciplinary and Appeals Rules. Where a Finding, Order or Decision is made against a Chartered Legal Executive Litigator and Advocate by a Disciplinary Tribunal or Panel 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 Litigator and Advocate remains a fit and proper person to hold a Litigation and Advocacy 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	69	Rule 69 shall not apply where an Order is made excluding a Chartered Legal Executive Litigator and Advocate from membership of CILEx. Rule 71 shall apply in such a case	

	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.	70	Where the Admissions and Licensing Committee decides that the Chartered Legal Executive Litigator and Advocate is no longer a fit and proper person to hold a Litigation and Advocacy Certificate, they must return their Certificate(s) to CILEx Regulation within 28 days of them being notified of the decision. Failure to do so will constitute a disciplinary offence. The Fellow may not exercise any litigation or advocacy rights granted to them under their Litigation and Advocacy Certificate(s) 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.	71	Notwithstanding the Admissions and Licensing Committee Rules an appeal against a decision of the Admissions and Licensing Committee that a Chartered Legal Executive Litigator and Advocate is no longer a fit and proper person to hold a Litigation or Advocacy 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 the CILEx Regulation Appeals Panel.	
ANNEX 1A	CONVEYANCING PRACTICE RIGHTS The rights exercisable by a Fellow holding a Conveyancing Practice Rights Certificate are			N/A

	<p>a) Prepare any instrument of transfer or charge for the purposes of the Land Registration Act 2002;</p> <p>b) Make an application or lodge a document for registration under that Act;</p> <p>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.</p> <p>Instrument includes a contract for the sale or other disposition of land (except a contract to grant a short lease) but does not include</p> <ul style="list-style-type: none"> 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. <p>A short lease means a lease referred to in section 54(2) of the Law of Property Act 1925.</p>			
ANNEX 1B	RIGHTS TO CONDUCT LITIGATION (CIVIL PROCEEDINGS) CERTIFICATE	5	The Rights to Conduct Litigation exercisable by Chartered Legal Executive Litigators	Advocacy Rights will only be granted once the applicant has completed the relevant

	<p>To conduct litigation in all civil proceedings excluding family proceedings.</p> <p>THE RIGHTS OF AUDIENCE EXERCISABLE BY LITIGATORS HOLDING RIGHTS OF AUDIENCE CERTIFICATES</p> <p>a) <u>Rights of Audience (Civil Proceedings) Certificate in Judge’s Room</u></p> <p>To exercise rights of audience in Judge’s room hearings in the County Court and High Court in all civil proceedings excluding family proceedings.</p> <p>b) <u>Rights of Audience (Civil Proceedings) Certificate:</u></p> <ul style="list-style-type: none"> • 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, 		<p>holding Litigation Certificates are set out below:</p> <p>Rights to Conduct Litigation (Civil Proceedings) Certificate: To conduct litigation in all civil proceedings excluding family proceedings</p>	<p>Advocacy Skills Course (rule 6):</p> <p>The rights of audience exercisable by Litigators holding Rights of Audience Certificates are set out below:</p> <p>Rights of Audience (Civil Proceedings) Certificate in Judge’s Room:</p> <ul style="list-style-type: none"> • to exercise rights of audience in Judge’s room hearings in the County Court and High Court in all civil proceedings excluding family proceedings. <p>Rights of Audience (Civil Proceedings) Certificate:</p> <ul style="list-style-type: none"> • to exercise rights of audience in Judge’s room hearings in the County Court and High Court in all civil proceedings excluding family proceedings;
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	<p>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;</p> <ul style="list-style-type: none"> 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. <p>A Civil Proceedings Certificate does not confer a right of audience in any proceedings for which a Family Proceedings Certificate is required.</p>			<ul style="list-style-type: none"> 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
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				<p>and CILEx advocates;</p> <ul style="list-style-type: none"> 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. <p>A Civil Proceedings Certificate does not confer a right of audience in any proceedings for which a Family Proceedings Certificate is required.</p>
ANNEX 1C	<p>RIGHTS TO CONDUCT LITIGATION (CRIMINAL PROCEEDINGS) CERTIFICATE</p> <p>To conduct litigation in all criminal proceedings.</p> <p>RIGHTS OF AUDIENCE (CRIMINAL PROCEEDINGS) CERTIFICATE</p> <p>(g) 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;</p>	5	Rights to Conduct Litigation (Criminal Proceedings) Certificate: To conduct litigation in all criminal proceedings	<p>Advocacy Rights will only be granted once the applicant has completed the relevant Advocacy Skills Course (rule 6):</p> <p>A Rights of Audience (Criminal Proceedings) Certificate:</p> <ul style="list-style-type: none"> to appear before Justices Clerks, Justices or a District Judge (Magistrates' Court) in all adult Magistrates' Courts

	<p>(h) 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;</p> <p>(i) to appear in the Crown Court or High Court before a judge in chambers to conduct bail applications;</p> <p>(j) 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;</p> <p>(k) 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.</p>			<p>in relation to all matters within that Court's criminal jurisdiction;</p> <ul style="list-style-type: none"> • 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
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				<p>defendant in the Magistrates' Court or Youth Court;</p> <ul style="list-style-type: none"> 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	<p>RIGHTS OF AUDIENCE (FAMILY PROCEEDINGS) CERTIFICATE IN JUDGE'S ROOM</p> <p>To exercise rights of audience in Judge's room hearings in the Family Court and High Court, except reserved proceedings, in all family proceedings.</p> <p>RIGHTS OF AUDIENCE (FAMILY PROCEEDINGS) CERTIFICATE</p> <ul style="list-style-type: none"> 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; 	5	Rights to Conduct Litigation (Family Proceedings) Certificate: To conduct litigation in all family proceedings	<p>Advocacy Rights will only be granted once the applicant has completed the relevant Advocacy Skills Course (rule 6):</p> <p>Rights of Audience (Family Proceedings) Certificate in Judge's Room:</p> <ul style="list-style-type: none"> to exercise rights of audience in Judge's room hearings in the Family Court and High Court, except reserved proceedings, in all family proceedings. <p>Rights of Audience (Family Proceedings) Certificate:</p>

<ul style="list-style-type: none"> 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. 			<ul style="list-style-type: none"> 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
N/A			<p>IMMIGRATION PRACTICE RIGHTS</p> <p>The rights exercisable by a Fellow holding an Immigration Practice Rights Certificate are:</p> <p>Immigration Advice is advice which</p> <p>a) Relates to a particular individual;</p> <p>b) Is given in connection with one or more relevant matters;</p> <p>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</p>	

	<p>d) Is not given in connection with representing an individual before a Court in criminal proceedings or matters ancillary to criminal proceedings;</p> <p><u>Immigration Services</u> means the making of representations on behalf of a particular individual in:</p> <p>a) civil proceedings before a Court, Immigration Services Tribunal or Adjudicator in the United Kingdom, or</p> <p>b) correspondence with a Minister of the Crown or Government department, in connection with one or more of the following matters:</p> <ul style="list-style-type: none">(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;			
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	<p>(ix) An application for bail under the Immigration Act or under the Special Immigration Appeals Commission Act 1997;</p> <p>(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);</p>			
ANNEX 1F	<p>PROBATE PRACTICE RIGHTS</p> <p>The practice rights exercisable by a person holding a Probate Certificate are:</p> <ul style="list-style-type: none"> • 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. 			N/A