

Probate services

1. The Legal Services Board (LSB) is the oversight regulator for legal services in England and Wales. The LSB was established by the Legal Services Act 2007 (the Act) which sets the framework for legal services regulation in England and Wales.
 2. The LSB oversees the approved regulators, some of which have delegated their regulatory functions to independent regulatory bodies. Approved regulators and/or regulatory bodies authorise individuals and firms to provide reserved legal services. Each approved regulator / regulatory body will set standards and requirements for authorisation.
 3. As oversight regulator the LSB monitors the performance of the approved regulators for the different branches of the profession to ensure they meet expected standards. We provide statutory approval of all regulatory arrangements including education, indemnity/compensation, supervision and enforcement. We put the public, who benefit from legal services, and the people who use or need those services at the heart of what we do and promote the public interest through ensuring independent, effective and proportionate regulation.
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4. Probate is a reserved legal activity. Under the Act, reserved legal activities can only be carried out by authorised persons¹. The Act defines² probate as:
 - *“Probate activities” means preparing any probate papers for the purposes of the law of England and Wales or in relation to any proceedings in England and Wales.*
 - *In this paragraph “probate papers” means papers on which to found or oppose —*
 - (a) *a grant of probate, or*
 - (b) *a grant of letters of administration.*
 5. As probate is a reserved legal activity all individuals and firms authorised to carry out probate activities are regulated under the Act. The regulatory framework provides authorisation of probate across different sections of the legal services market.

¹ ss12 & 13 of the Act

² para 6(1) of Schedule 2 to the Act

6. The table below lists the approved regulators and regulatory bodies which authorise individuals and firms to carry out the reserved legal activities including probate activities (links underlined).

Approved regulator	Regulatory body	Profession
<u>The Law Society</u>	<u>The Solicitors Regulation Authority</u>	Solicitors
<u>Bar Council</u>	<u>Bar Standards Board</u>	Barristers
<u>Chartered Institute of Legal Executives</u>	<u>CILEx Regulation</u>	Chartered Legal Executives
<u>Council for Licensed Conveyancers</u>	N/A	Licensed Conveyancers
<u>Master of the Faculties</u>	N/A	Notaries
<u>Institute of Chartered Accountants in England and Wales</u>	N/A	Chartered Accountants

7. If you want to check if an individual or firm is authorised for probate services you can check the registers of the approved regulators and regulatory bodies by clicking the links in the table below.

Profession	Register
Solicitors	<u>Solicitors Register</u>
Barrister	<u>Barristers' Register</u> <u>Register of BSB entities</u>
Chartered Legal Executives	<u>CILEx Regulation online directory</u>
Licensed Conveyancers	<u>CLC register</u>
Notaries	<u>Master of Faculties register</u>
Chartered Accountants	<u>ICAEW probate register</u>

8. This map shows the regulatory structure overseen by the LSB, including those regulatory bodies who do not regulate probate. If you want to know more about the LSB and legal services regulation in England and Wales, please visit the LSB [website](#).

