

Application by the Costs Lawyer Standards Board (CLSB) for approval by the LSB of alterations to regulatory arrangements under Part 3 of Schedule 4 to the Legal Services Act 2007

Relating to: Proposed amendments to the CLSB's Practising Rules
Date: 23 October 2026

- This application uses the pro forma template published by the LSB to help regulatory bodies comply with its Applications to Alter Regulatory Arrangements Rules 2021 (Rules). In preparing this application, consideration has been given to the Rules as well as the LSB's statutory guidance on the Rules ('the Guidance').
- Paragraph 95 of the Guidance provides that the LSB is likely to give pre-application feedback only in relation to "complex, high-risk proposals or those that may have a significant impact on the regulatory objectives". We do not believe the proposals in this application meet those criteria; rather, we consider this application to be relatively straightforward. As such, and in accordance with the Guidance, we have not sought pre-application feedback on a draft version of this application. However, the LSB has been kept informed of our progress with this project on an ongoing basis through regular relationship management meetings, and provided helpful steers at appropriate stages.
- The contact person for this application is the CEO of the CLSB, Paul Mosson. The proposals detailed in this application were scrutinised and approved by the CLSB's Board at its meeting on 23 April 2026. The Board was informed of the outcome of the subsequent consultation at its meeting on 22 October 2026 at which it approved the final amendments, post-consultation.
- This application was submitted by email on 23 October 2026.

I. Summary and overview

Briefly summarise the application

- This application requests that the LSB approves changes to the CLSB's Practising Rules ('the Rules'), last amended in 2020. The changes will update and improve the Rules by bringing them up to date and ensuring they remain relevant to modern practice following the changes seen over the last six years in the costs law and wider legal sector.
- From January 2026, the CLSB carried out a review of its regulatory arrangements, identifying changes needed to the Rules (*along with the Disciplinary Rules and Procedure which is subject to a separate application at the same time as this application*). The Rules were further reviewed following the Court of Appeal's decision in *Mazur v Charles Russell Speechlys LLP* [2026] EWCA Civ 369 ('the Mazur case') in relation to the supervision of unauthorised persons assisting in the conduct of litigation and other reserved legal activity.
- The current Practising Rules are based on those which came into effect in 2011 which were last amended in 2020. We are not aware of any need to change the fundamentals of the practising regime. We have sought to address a focussed number of issues with the current Rules, as set

out in this section. In the case of one proposed amendment, the change is necessary to ensure we meet our regulatory objective of protecting the consumer. Another is to respond to the concerns raised about delegation of the conduct of litigation following the Mazur case. The other changes are largely process driven to ensure clarity. These proposed changes are summarised below:

Specifying disclosure of complaints histories

- The current Rules are not sufficiently detailed on the need for applicants to declare relevant complaints histories prior to being admitted to, or reinstated to, the Register of Costs Lawyers. Historically, Rule 4.2 (i) has been relied upon to seek disclosure of such information, but the proposed amendments makes this clearer for those considering a first application or reinstatement. This brings the requirements for new entrants or those reinstating to the Costs Lawyers Register in line with what is expected of practising Costs Lawyers renewing their Practising Certificate each year.

Delegation of work

- The current Rules are silent on what work can be delegated, how it can be delegated, and to who. The [Code of Conduct](#) (Principles 3 and 4) already provides public protection in this area, but the introduction of a **new Rule 5** in these Practising Rules seeks to make explicit what was implicit. We believe this addresses any misunderstanding that can have arisen following the recent appeals in the Mazur case, so far as we are able. The CLSB also produced new guidance on delegation, that is aligned as far as practical with that which was issued by the SRA. Subject this application being approved, the guidance will once again be updated to reflect the new Rule.
- There is a further addition which seeks to ensure that work is only delegated to individuals who are of the same character and fitness as the Costs Lawyers who are delegating the work. This specifically addresses the risk that someone who was struck off the Costs Lawyer Register could not continue undertake delegated costs work for a Costs Lawyer without the CLSB's express permission.

Removal of Rule 6.2

- The current Rule 6.2 is obsolete now the only Register is the online public Register. Prior to 2021 there were two registers, but since the new database was introduced there has been only one which is published on the website, therefore this Rule is now obsolete.

Professional Indemnity Insurance from overseas

- The current Rules are silent on whether the CLSB would accept professional indemnity insurance from a provider outside of England and Wales. The CLSB does not seek to prevent Costs Lawyers continuing to practise from overseas subject to compliance with our full regulatory requirements. Therefore we proposed to insert a new section to existing Rule 9 (which becomes Rule 10 if the new Rule 5, above, is approved) to allow for equivalent cover from outside the United Kingdom.

Other considerations

- We have also taken into account:
 - the CLSB's other updated regulatory arrangements (including the concurrent application to alter the Disciplinary Rules and Procedure);

- LSB expectations and promotion of the regulatory objectives in the Legal Services Act 2007;
 - the Better Regulation Principles, in particular ensuring that the Rules do not impose unnecessarily broad regulatory burdens; and
 - evidence of good practice from across the professional services sectors.
- The LSB is asked to approve the updated Rules attached at Annex A to this application. We also attach a document tracking the changes between the current and the revised Rules, and setting out in detail the rationale for each change, at Annex B.

II. Regulatory objectives and better regulation principles (rule 9)

Provide details on the impact of the proposals on the regulatory objectives, including assessment of potential benefits and detriments against those objectives, having regard to the better regulation principles. Where there are negative impacts, how the alterations nonetheless comply with and thus promote the regulatory objectives overall and are in the public interest. Please focus on those regulatory objectives that are meaningfully engaged by the proposals.

- A summary of the impact of the proposals on the regulatory objectives is provided in the table below. We do not anticipate the proposals having a negative effect on any of the regulatory objectives.

Table 1 – The Regulatory Objectives

The Regulatory Objectives (ROs)	The impact of the changes on the ROs
Protecting and promoting the public interest	The current Rules are not sufficiently detailed on the need for applicants to declare relevant complaints histories prior to being admitted to or reinstated to the Register of Costs Lawyers. Existing Rule 4.2 (i) [now 4.2(j)] has been relied upon to seek disclosure of such information, but the proposed amendments to Rule 4.2 (g), (h) and (i) makes this clearer for existing practitioners and those considering a first application or reinstatement. This change will increase transparency during the application process. It will also enable the CLSB to enhance protection of the public interest when determining the suitability of an application, by ensuring we only admit those who are suitable to be authorised individuals under the Legal Services Act 2007.
Supporting the constitutional principle of the rule of law	The Rule 5 changes around supervision are intended to ensure that only those who should be undertaking reserved legal activities are doing so, protecting the rule of law by ensuring practice aligns with Parliament's intent.
Improving access to justice	The Rule changes, taken together with the existing regulatory framework, go only so far as is necessary to protect the interests of the consumer, clients, public and the interests of justice, while enabling a distinct profession within the legal sector to operate at often less cost to the ultimate client than many other

	branches – improving access to justice for all through proportionate regulation at a corresponding funding level.
Protecting and promoting the interests of consumers	The revised Rules protect and promote the interests of consumers in several ways. - They strengthen the obligation on Costs Lawyers entering the profession to declare relevant events that enable the CLSB to only admit those fit to practice as an authorised individual with rights to conduct reserved activities (Rule 4); and - They clarify that no Costs Lawyer should be delegating any work to someone who would not meet the suitable character requirements of the CLSB if they were applying to practice as a Costs Lawyer. This means that Costs Lawyers must consider the suitability of their colleagues/employees when delegating support work. This new Rule would simply mean that those to whom Costs Lawyers delegate work are held to the same standards of fitness as the Costs Lawyers themselves. As the Costs Lawyer is ultimately responsible for the work they delegate, this change should not only offer clients greater protection, but also Costs Lawyers themselves. Ultimately, this would prevent a Costs Lawyer who had been subject to disciplinary proceedings that resulted in suspension or revocation of their Practising Certificate from working in Costs without the express, written permission of the CLSB, further protecting the consumer/client (Rule 5).
Promoting competition in the provision of legal services	The current Rules are silent on whether the CLSB would accept professional indemnity insurance from overseas. The CLSB does not seek to prevent Costs Lawyers continuing to practise from overseas subject to compliance with our full regulatory requirements. Therefore we propose to insert a new section to allow for equivalent cover from outside the United Kingdom (Rule 10). The revised Rules now contain a new provision to enable Costs Lawyers based overseas, but practising in England and Wales, to obtain appropriate minimum levels of professional indemnity insurance cover in their home territory, while still protecting the consumer/client.
Encouraging an independent, strong, diverse and effective legal profession	The changes are largely neutral with regards to this regulatory objective, apart from the strengthening of the process for assessing the suitability of new or returning Costs Lawyers, see above references to new Rule 5.

Increasing public understanding of the citizen's legal rights and duties	The changes are neutral with regards to this regulatory objective.
Promoting and maintaining adherence to the professional principles	The Rules are central to the core regulatory rules that apply to all Costs Lawyers and they remain coherent with contemporary Costs Law practice. Only clear and up-to-date Rules will provide the CLSB with a robust foundation for promoting, maintaining and enforcing the professional principles. This will be supported by the publication of clear guidance and FAQs to assist Costs Lawyers in interpreting and applying the revised Rules and meeting their professional obligations (<i>this be produced only if the LSB approves this application, or a variation of it</i>).

Statement on the Better Regulation Principles

- A summary of how the proposals meet the Better Regulation Principles is provided in the table below. In our view, the proposals are fully in line with each of the Principles.

Table 2: The Better Regulation Principles

The Better Regulation Principles	How the changes support the Principles
Transparent	The revised Rules will be published in the Costs Lawyer Handbook on the CLSB website, providing continued transparency regarding the regulatory arrangements for Costs Lawyers and the public. The publication of updated guidance and FAQs on the CLSB website will also improve transparency in relation to how the Rules should be applied (this will be produced only once we know the outcome of this application to the LSB). The Rules, guidance and website is all written in plain English, avoiding legal jargon where possible and explaining its meaning where it is necessary.
Accountable	The transparent publication of the Rules and related guidance (set out above) will ensure the CLSB continues to be accountable to the profession, interested stakeholders and the public for the regulatory arrangements that apply to Costs Lawyers.
Proportionate	We believe the changes will lead to more proportionate regulation by bringing the Rules up to date with contemporary practice and sector-wide challenges. The revised Rules directly address supervision for support work in reserved and unreserved legal activities without entity regulation.
Consistent	The revised Rules incorporate changes intended to align the Rules with how other approved regulators address supervision and insurance. This will help promote consistency of regulation across the sector.
Targeted	As can be seen from Annex B, each change we propose to make to the Rules is targeted at a specific, explicit outcome, or aims to solve a problem that has been identified through learning from our work and/or risk assessment. Each

	change is aligned to an objective, which in some cases is evidenced by experience, and others are from the Board's horizon and risk scanning.	
III. Alterations detail of each proposed alteration (rule 10) This must provide full details on, and explanation of each alteration, including any regulatory arrangements they will amend. This can include a schedule of changes, a track change word document or any other method the approved regulator considers appropriate. Details must include: (a) the rationale, intent, purpose, and effect of each alteration; (b) if applicable, the gap or defect in existing regulatory arrangements that the alteration is intended to remedy; (c) how and when the alterations will be implemented; (d) assessment of whether the alterations impact on the regulation of regulated persons by another approved regulator or approved regulators, and where there is impact details of consultation with the affected approved regulator(s), any regulatory conflict and how it will be resolved; and (e) the details in (d) applies to any conflict with an external regulatory body and include measures to prevent unnecessary duplication of regulatory provisions. (a) Rationale, intent, purpose, and effect of proposed alterations <i>This section should include information and evidence setting out:</i> <i>why the approved regulator is making the alteration or alterations.</i> <i>what defects are intended to be remedied.</i> <i>what the intent, purpose and effect of the alteration or alterations will be.</i> <i>what impact the proposals are anticipated to have on the regulatory objectives.</i> (b) The gap or defect in existing regulatory arrangements that the alteration is intended to remedy - Annex B sets out the specific revisions made to the Rules and provides an explanation for each change. For this reason, we have not set out each alteration individually in this section of our application; rather, in this section we have explained the overall approach taken and the rationale for that approach. We emphasise that Annex B is central to our application by providing the detail of each proposed alteration in line with the LSB's requirements. Current position - The Rules are a central pillar of the regulatory arrangements for Costs Lawyers. Read along with the Code of Conduct (both as part of the Costs Lawyer Handbook), they set out the professional conduct, behaviour and competency to which Costs Lawyers must adhere, fostering public confidence in individual practitioners and the profession as a whole. - The present Rules are contained within the Costs Lawyer Handbook, which is accessible via the Handbook page of the CLSB website. The Handbook contains the core regulatory rules that apply to all Costs Lawyers, and guidance notes covering a variety of topics. Proposed changes and rationale		

- The Rules govern the practice of Costs Lawyers and the issue and revocation of practising certificates by the CLSB, and were last amended in 2020.
- During the early part of 2026, the CLSB undertook a review of the Practising Rules and determined that some focussed changes were needed to introduce clearer language and address real life queries received by the CLSB. Further, the CLSB's rules need to ensure that any individual applying for their first Costs Lawyer practising certificate or reinstatement to the Register of Costs Lawyers is of satisfactory character and suitability. This includes any period prior to first application, and during any pauses in practicing.
- Following the Mazur case, the Rules were once again reviewed and further proposed amendments were added.
- There were also some minor amendments needed to reflect the current operational set up of the CLSB, which has evolved as any organisation does.
- Further amendments were required to add new definitions in order to be clear and consistent with other regulatory documents. For example, the inclusion of a definition of a First and Second-tier complaint was deemed necessary in order to support wider activity by the CLSB and the Legal Ombudsman aimed at improving the handling of complaints.
- The majority of the Rules were found to be meeting their objectives, and the changes are limited to the following:
 - Amending definitions;
 - Amplifying disclosure expectations;
 - Introducing new expectations about who Costs Lawyers can delegate work to;
 - An update to the Register of Costs Lawyers and Issue of Practising Certificates rules to bring them in line with operations at the CLSB; and
 - Providing for professional indemnity insurance when based overseas.
- The details of how these changes impact the Rules are contained in this application form and at **Annex B**.
- Throughout the review, we have been mindful that there is clear potential for regulation to add value in this branch of the legal profession, but only if our regulatory model appropriately reflects the practicalities of that sector. The proposed amendments to the Rules aim to achieve this by creating clear added value for clients (whether professional or otherwise) in using authorised Costs Lawyers as distinct from unregulated providers, as well as strengthening the role that Costs Lawyers play in upholding the public interest.
- We have also made amendments based on the valuable and helpful feedback from our regulated community and others in response to our consultation earlier this year. On 22 June 2026 we held an online drop-in session exclusively for Costs Lawyers to ask us questions or offer feedback. Only two Costs Lawyers joined and the meeting could be summarised as very positive. We answered some questions about how the proposals would apply, but to quote one individual, *"the changes all seem perfectly sensible to Costs Lawyers I've spoken to, which probably explains why so few are here today."* That has been the general sentiment but there is more on our consultation at section IV.

(c) Implementation

Detail setting out how and when the alteration or alterations will be implemented.

- Subject to LSB approval, we intend to implement the changes to the Rules in the first quarter of 2027. We will work with ACL Training, the current provider of the Costs Lawyer Qualification, to ensure they have sufficient lead time to update any aspects of the qualification that relate to the Rule changes; this will impact the precise timing for implementation.
- We will also need to update relevant guidance, policy statements and other published materials that cross-refer to the Rules. We will begin this process of review once we know the outcome of this application and have a final version of the Rules to work with. The updated supporting materials will be implemented at the same time as the introduction of the revised Rules.
- We will (as usual) notify Costs Lawyers of the date for implementation of the revised Rules well in advance directly by email, supported by social media and reminders in our regular newsletters.
- The changes will apply to all Costs Lawyers from the date of implementation. We do not believe that transitional provisions are necessary as we are not considering any live matters that could be impacted by the changes (such as conduct issues), but in any event such matters would be considered under the version of the Rules that applied at the time the issue arose.

(d) and (e) Impact on other regulated persons/approved regulators

Provide an assessment of whether the alteration or alterations impact on the regulation of regulated persons by another approved regulator(s) and/or external regulatory bodies. If there is impact please provide detail of any consultation or engagement with the affected regulator and details of any regulatory conflict and how such conflict will be addressed, as is reasonably practicable.

- We do not believe there will be any direct impact on the regulation of regulated persons by other approved regulators and/or external regulatory bodies, and none responded to our consultation. As referred to elsewhere in this application, the proposed changes will improve consistency across legal services regulation, given that the changes are intended to ensure that the revised Rules are better aligned with those of other approved regulators insofar possible. For example, the CLSB believes that these proposed changes align us closer with other frontline regulators such as the SRA regarding delegation, despite not regulating entities.

IV. Consultation and Engagement (rule 11)

Provide detail of the consultation and engagement process undertaken when developing the proposals leading to the alterations. This must include detail of any responses/feedback along with information on your consideration of that, and any consequential changes to the alterations. This section must also provide an explanation of why the approach taken to consultation and engagement was proportionate in the circumstances.

- We issued a consultation on the proposed changes to both the [Costs Lawyer Practising Rules](#) and [Disciplinary Rules and Procedure](#) on 14 May 2026 (a copy of the email is at Annex C) running for 12 weeks. The original email was followed up with reminders on social media, in the CLSB newsletter, the Association of Costs Lawyers' newsletter, and in some cases direct contact. We

also held an event exclusively for Costs Lawyers on 22 June 2026 but only two Costs Lawyers attended, despite more RSVPing saying they'd attend. We adopted a longer consultation period due to running two consultations concurrently and to allow time for any debate had such arisen, which it did not.

- We received a response from the Legal Services Consumer Panel ('LSCP'), and 12 individual responses submitted online. The Association of Costs Lawyers Council did not submit a collective response and encouraged its members to respond individually. We received one further email prompted by the consultation but relating to strategic communication opportunities where the CLSB and the ACL may collaborate, along with concerns over emotional wellbeing. The respondent specifically stated *"I do not hold particularly strong views on the proposals."* For this reason, it was excluded from the consultation response document as the matters fell outside of those being considered, but it is being considered as part of our ongoing communications strategy.
- Overall, respondents were supportive of the proposed changes and made several helpful suggestions to improve clarity. We have adopted those suggestions where appropriate. Among the 12 individual responses, two respondents indicated that they did not agree with the proposals, and one provided further comments on their concerns. The two Costs Lawyers who attended the session on 22 June also pledged their support and were clear they had not responded online.
- Where appropriate we also reference comments in the DR&P Consultation that are relevant to the Practising Rules. One respondent in the concurrently-run DR&P Consultation commented, *"At present unqualified costs persons who are being supervised by, and employed by Costs Lawyers, are exempt, and the CL supervisor is not liable under the code for their subordinates falling short. CLs should be liable for the work product and conduct of those in their employ and who they are supervising such that the public can have confidence that the DR&P cannot be circumvented by CLs by simply avoiding being the person (eg drafter of bill) which gives rise to a complaint."* The CLSB agrees that this is a concern but it is fully addressed within these proposals for change to the Practising Rules and requires no further action in the DR&P.
- The [consultation outcome report](#) was published on 23 October 2026 (**Annex D**). It sets out the CLSB responses and any specific changes that we made to the Practising Rules in response to feedback, and the rationale. The feedback the CLSB proposes adopting are as follows:
 - Definitions: The LSCP suggested we define an 'individual voluntary arrangement', which we have now included. We also added in an additional definition for 'partnership voluntary arrangement' based on the same rationale.
 - Rule 10 (previously Rule 9): the LSCP suggested some clarifying text to the provision on overseas professional indemnity insurance. We propose adopting this so that Rule 10(c) reads as follows with the LSCP suggestion in red: "professional indemnity insurance will ordinarily be written in the United Kingdom from a provider regulated under United Kingdom legislation. **Where a Costs Lawyer is based in another jurisdiction, serves clients in that jurisdiction and provides cover from that jurisdiction, they must evidence its equivalency**, and if written in any language other than English, provide a suitable translation certified as accurate.
 - The LSCP was generally supportive of the proposed changes. Annex D sets this out in more detail.

V. & VI. Impact Assessment (rule 12)

a) Equality impact assessment: Provide an assessment of the impact of the alterations on persons with protected characteristics as defined by section 4 of the Equality Act 2010. Please include in this section details of any positive impacts as well as any adverse impacts, measures that will be implemented to mitigate any adverse impacts, and on why any remaining adverse impact is proportionate, reasonable, and not prejudicial to the regulatory objectives overall. To include details on the consideration given to how the alterations advance equality of opportunity between persons who share protected characteristics and persons who do not and support the aim of dismantle barriers to a diverse and inclusive profession where relevant.

b) Impact on regulated persons, consumers and the public interest

Provide an assessment of the impact of the alteration or alterations on the conduct of legal services by regulated persons, consumers and the public interest. Please include in this section details of any measures to mitigate any adverse impacts. Where adverse impact remains, an explanation of why this is proportionate, reasonable and will not be prejudicial to the regulatory objectives overall.

Where significant alterations to the regulatory framework are proposed, an approved regulator must undertake a proportionately more detailed assessment of the potential impact on the regulated persons, consumers and the public interest.

Equality impact assessment

- Our May 2026 consultation included [an Initial Equality Impact Assessment \(EIA\)](#). We asked: “Do you foresee any reason why the proposed changes could have a harmful impact on persons with a protected characteristic under the Equality Act 2010? All respondents responded “no” to that question.
- The CLSB agreed with the LSCP that the proposed changes should be considered carefully in light of their impact on consumers and the public. We note the LSCP’s view that no obvious adverse impact on any particular group has been identified. Our consultations are public and open to all, although we recognise that direct engagement with consumers can be challenging because many instruct Costs Lawyers through a professional client, such as a solicitor. We will continue to consider how we can make future engagement more accessible and inclusive. Our current communications activity is attempting to engage Costs Lawyers’ ultimate clients but this will take time. We were pleased to see that respondents did not foresee any reason why the proposed changes could have a harmful impact on persons with a protected characteristic under the Equality Act 2010.

Impact on regulated persons, consumers and the public interest

- As set out in this application, the changes will have a positive impact on regulated persons, consumers and the public interest. The changes will strengthen the obligation on Costs Lawyers to only delegate work of any kind to appropriate individuals, with a sharp focus on delegation in areas of reserved legal activity work.
- The proposed amendments will also reinforce the CLSB’s ability to identify concerns with those entering or returning to the profession prior to issuing a practising certificate, further enhancing public protection.

- The revised Rules emphasise the important role that Costs Lawyers play in the legal services sector, over and above providing services directly to clients, insofar as enhancing consumer confidence and strengthening the reputation of quality legal services at home and abroad.
- In the absence of evidence or feedback to the contrary, the CLSB considers the initial EIA is accurate and no further assessment is necessary.

VII. Evaluation and monitoring

Provide full details on the evaluation and monitoring the approved regulator will undertake to assess the impact of the alterations once they have been implemented. This should include specific plans and timescales for carrying out the monitoring and evaluation work.

- The most significant changes to the Practising Rules are designed to prevent harm. If they are successful, then the CLSB should see no greater evidence of any breaches, bearing in mind there have been no breaches to date relating to the proposed changes around delegation. The challenge to evaluation and monitoring is that, in these proposed changes, the CLSB has sought proactive change to prevent harm exposed by risk analysis and scenario planning, rather than responding to mischief. It will therefore be challenging to say whether there has been an improvement when no harm has been identified, but the CLSB would be failing in its public interest duty if it only responded once harm had occurred, rather than acting when potential harm was identified. The consultation responses from Costs Lawyers support this preventative action. However, the CLSB accepts that low complaint numbers are not themselves evidence of no wrongdoing as it could relate to under-detection. We will therefore triangulate all available relevant data.
- We do not consider the proposed changes to the Rules to be sufficiently fundamental to require a full review of the new Rules after a specified time period. Rather, we intend to carry out a routine review of the impact of the changes to the Rules alongside our data to assess whether further updates are required, or if new evidence suggests that more wholesale reforms might (by that stage) be warranted. This data includes the following:
 - applications to enter for the first time, or be reinstated to the Costs Lawyer Register;
 - annual regulatory returns completed as part of practising certificate applications;
 - information about the nature of Costs Lawyers' practices, clients and insurance arrangements;
 - complaints and disciplinary information;
 - intelligence arising from regulatory enquiries and engagement with Costs Lawyers;
 - supervision and audit findings;
 - equality, diversity and inclusion data;
 - emerging issues identified through the Annual Risk Outlook;
 - stakeholder intelligence and engagement with consumers, the judiciary, the LSCP and its Tracker, other legal regulators and the Legal Services Board;
 - research into the profession and its development; and

- external developments affecting legal services, including technology, AI and economic crime.
- We do not intend to wait for a routine periodic review of the Rules before acting on any evidence, as is clear from this application - which was not featured in the CLSB's 2026 business plan but became necessary. We will also make adjustments and improvements in real time wherever possible by adding to our online guidance, [Ethics Hub](#) and website content to reflect key themes in any issues raised, and broader developments in the sector.
- We intend to consider a standalone survey of the regulated community and those working in Costs Law businesses to assess the impact of proposed new Rule 5. This will be considered around the second anniversary of the Rules coming into effect. That can be brought forward should intelligence come to light suggesting earlier attention.
- We will, of course, keep the LSB updated on progress and implementation through the relevant oversight mechanisms.

VIII. Any draft guide or policy that will support implementation of the alterations

These documents can give necessary context to how the alterations will work in practice which may be important in assessing their impact on the regulatory objectives, and against the refusal conditions. It also may be the case that these documents may fall within the meaning of regulatory arrangements and having them enclosed with an application will assist in determining this.

- As noted above, we will update all our guidance, policy statements and other published materials that cross-refer to the Rules once we know the outcome of this application. The updated supporting materials will be implemented at the same time as the introduction of the revised Rules, in line with feedback from our Advisory Panel (a panel of volunteer Costs Lawyers who assist us in ensuring materials make plain sense but has no decision-making powers).
- We will make adjustments and improvements in real time wherever possible by adding to our online guidance and website content (such as FAQs) to reflect key themes in any issues raised, and broader developments in the sector.

CLSB

Complete version of proposed new Practising Rules

Introduction

These Rules govern the practice of Costs Lawyers and the issue and revocation of practising certificates by the CLSB. They replace any other practising rules or regulations previously issued by the CLSB.

Definitions

ACL	Association of Costs Lawyers (named in the Legal Services Act 2007 as the Association of Law Costs Draftsmen)
Applicant	Any person who applies for a Practising Certificate
Approved Regulator	A body designated as an approved regulator under the Legal Services Act 2007
CLSB	Costs Lawyer Standards Board, acting as an approved regulator under the LSA following delegated authority by the ACL on 31 October 2011.
Costs Lawyer	A person who holds a current Practising Certificate and is therefore authorised to carry on the following reserved legal activities: • The exercise of a right of audience • The conduct of litigation • The administration of oaths
Complaint	Information established by the CLSB under its supervision arrangements or information received from a third party (natural, legal or commercial) which relates to a potential breach of a Principle by a Costs Lawyer.
Conduct Committee	Committee established by the CLSB to consider Costs Lawyer conduct matters, as defined in the Disciplinary Rules and Procedures

CPD	Continuing Professional Development
CPD Rules	CLSB's rules and requirements for continuing professional development that apply at the relevant date
Disciplinary Rules and Procedures	CLSB's rules and procedures governing disciplinary matters that apply at the relevant date
First-tier Complaint	Complaints that are made directly to a provider of legal services are referred to as "first-tier complaints".
Individual voluntary arrangement	An Individual Voluntary Arrangement (IVA) is an agreement with your creditors to pay all or part of your debts. You agree to make regular payments to an insolvency practitioner, who will divide this money between your creditors. This may be called something different outside of the United Kingdom.
Partnership Voluntary Arrangement	A Partnership Voluntary Arrangement (PVA) is a formal agreement whereby partnerships repay a proportion of business debts to unsecured creditors over an agreed length of time.
Practising Certificate	Certificate issued annually allowing a Costs Lawyer to practise under the title of Costs Lawyer and carry on reserved legal activities
Prescribed	Prescribed by the CLSB from time to time
Register	The register of Costs Lawyers who hold a current Practising Certificate
Regulatory Arrangements	The CLSB Handbook, including the Code of Conduct, and associated CLSB guidance, policies and procedures
Regulatory Objectives	The objectives listed in section 1(1) of the Legal Services Act 2007
Second-tier Complaint	Complaints that are escalated to the CLSB or Legal Ombudsman are known as "second-tier complaints".
Training Rules	The CLSB's rules and requirements for training and qualification that apply at the relevant date

RULE 1: Right to practise as a Costs Lawyer

- 1.1 No person shall be entitled to practise as a Costs Lawyer unless:
- (a) they have qualified as a Costs Lawyer in accordance with the Training Rules;
 - (b) they have a current Practising Certificate which has been issued in accordance with these Rules and which is not suspended;
 - (c) they comply with CPD requirements set out in the CPD Rules; and
 - (d) they have professional indemnity insurance in accordance with Rule 9.

RULE 2: Application for a Practising Certificate

- 2.1 An application for a Practising Certificate must be made in the prescribed form, correctly completed, by the prescribed time, and be accompanied by:
- (a) the prescribed fee; and
 - (b) any information and documents that may be prescribed or reasonably requested by the CLSB.
- 2.2 The application will only be made once the CLSB has received all the payments, information and documents relating to it.
- 2.3 The applicant must ensure that all details provided in and in connection with the application are correct and complete, and if they become aware of any changes to the information supplied or any inaccuracy or relevant omission, they must notify the CLSB as soon as practicable.

RULE 3: Decisions

- 3.1 As soon as reasonably practicable after the receipt of a completed application for a Practising Certificate, the CLSB will notify the applicant of its decision.

3.2 The CLSB will either:

- (a) grant a Practising Certificate (with or without conditions); or
- (b) refuse the application.

3.3 The CLSB will refuse the application if the applicant:

- (a) does not meet, or has not demonstrated that they meet, the criteria in Rule 1.1(a), (c) and (d);
- (b) has not complied with Rule 2;
- (c) has failed to pay any fixed costs or financial penalties imposed pursuant to the Disciplinary Rules and Procedures which are due at the date of the application;
- (d) is subject to an order suspending their Practising Certificate; or
- (e) is subject to an order permanently revoking their Practising Certificate.

3.4 The CLSB may refuse the application or impose conditions on the issue of a Practising Certificate if satisfied that:

- (a) the applicant is unsuitable to practise as a Costs Lawyer (or in the case of a condition, is unsuitable to undertake certain activities or engage in certain business or practising arrangements);
- (b) the applicant is putting, or is likely to put, at risk the interests of clients, third parties or the public;
- (c) the applicant will not comply with the CLSB's Regulatory Arrangements (and/or in the case of a condition, will require monitoring in relation to compliance with the CLSB's Regulatory Arrangements);
- (d) in the case of a condition, the applicant should take specified steps conducive to the Regulatory Objectives; or
- (e) it is otherwise in the public interest to do so in light of the Regulatory Objectives.

3.5 The CLSB may also impose or amend conditions on a Practising Certificate during its currency on one or more of the grounds set out in Rule 3.4. If the CLSB does so, it must give 21 calendar days' written notice with reasons to the Cost Lawyer

in question, unless it is satisfied on reasonable grounds that it is not in the public interest to do so.

- 3.6 The CLSB may remove a condition on a Practising Certificate if it considers, on written application of the Costs Lawyer or on its own initiative, that there has been a change of circumstances such that it is no longer satisfied that any of the grounds in Rule 3.4 for imposing a condition apply.
- 3.7 The CLSB must notify its reasons in writing to the applicant in the event the CLSB:
- (a) refuses an application;
 - (b) makes a Practising Certificate subject to conditions; or
 - (c) refuses to remove a condition imposed on a Practising Certificate.

RULE 4: Disclosure

- 4.1 An applicant or Costs Lawyer must disclose the events set out in Rule 4.2 to the CLSB:
- (a) when making an application for a Practising Certificate;
 - (b) when making an application to remove a condition on a Practising Certificate (including to remove a condition imposed under an interim suspension order pursuant to the Disciplinary Rules and Procedures); and
 - (c) at any other time as soon as reasonably practicable after the event has occurred.
- 4.2 The events that the applicant or Costs Lawyer must disclose are that they have (in any jurisdiction):
- (a) been subject to any criminal charge, conviction or caution, subject to the Rehabilitation of Offenders Act 1974;
 - (b) been subject to an adjudication of bankruptcy;
 - (c) been granted a debt relief order;
 - (d) entered into an individual voluntary arrangement or a partnership voluntary arrangement;

-
- (e) been a director of any company or partner in an LLP or partnership that has been the subject of a winding up order, an administrative order or an administrative receivership, or has otherwise been wound up or put into administration in circumstances of insolvency;
 - (f) been disqualified from being a company director or the trustee of a charity;
 - (g) been the subject of an adverse disciplinary finding, or are currently subject to ongoing disciplinary proceedings, by any regulatory or professional body;
 - (h) been the subject of a complaint from a client or member of the public about any costs service they have provided, whether or not the complaint was upheld. Costs Lawyers who hold a current practising certificate should only report first-tier complaints in their annual practising certificate application.
 - (i) been the subject of an adverse order or finding of a court or tribunal; or
 - (j) become aware of any other matter that might reasonably be expected to be disclosed in affecting their fitness to become or remain a Costs Lawyer.

4.3 The applicant must make a prompt report to the CLSB of any material changes of which the applicant is aware to information previously provided to the CLSB by the applicant or on their behalf relating to the applicant or their practice, including any change to the information recorded in the register.

RULE 5: Delegation of Work

- 5.1 Costs Lawyers must ensure that where work is delegated to a person who is not a Costs Lawyer authorised by the CLSB whether employed or not, that individual has the necessary competence and knowledge to undertake the role.
- 5.2 A Costs Lawyer must not delegate to a person who is not a Costs Lawyer and to whom any part of Rule 4.2 would apply if they were a Costs Lawyer without the advance written permission of the CLSB. This permission will not be unreasonably withheld, and, where it is not withheld, it may be issued with

conditions to protect the public interest and integrity of the Costs Lawyer profession.

- 5.3 Where a Costs Lawyer delegates work within the scope of reserved legal activities to someone who is not an authorised person under the Legal Services Act 2007:
- (a) the unauthorised individual must be acting on behalf of the Costs Lawyer in assisting with the delegated work;
 - (b) the Costs Lawyer must suitably supervise these activities; and
 - (c) a Costs Lawyer who fails to suitably supervise an unauthorised individual assisting in reserved legal activities will be in breach of Principles 3 and 4 of the Code of Conduct as well as these Practising Rules.

RULE 6: Register of Costs Lawyers

- 6.1 The Register of Costs Lawyers will be published on the CLSB website.
- 6.2 The name of each Costs Lawyer will be entered onto the Register upon:
- (a) the issue of a Practising Certificate; or
 - (b) the expiry of any suspension of a current Practising Certificate.
- 6.3 The Register will contain the following information in respect of each Costs Lawyer:
- (a) name;
 - (b) registration number;
 - (c) year of qualification as a Costs Lawyer;
 - (d) details of their practice or employment;
 - (e) contact details, including an email address;
 - (f) any conditions on their Practising Certificate;
 - (g) any published disciplinary outcomes; and
 - (h) any other information required by law or deemed appropriate to be held.
- 6.4 If a Costs Lawyer is subject to an order (pursuant to the Disciplinary Rules and Procedures or otherwise) for suspension of their name from the Register, the

Costs Lawyer's name will be removed from the Register for the period of the suspension. The Costs Lawyer's name will be reinstated to the Register upon expiry of the suspension if they have a Practising Certificate that is current at that time. If they do not have a Practising Certificate that is current at that time, their name will be reinstated to the Register upon successful application for a Practising Certificate.

- 6.5 If a Costs Lawyer is subject to an order (pursuant to the Disciplinary Rules and Procedures or otherwise) for permanent removal of their name from the Register, the Costs Lawyer's name will be removed from the Register and will be reinstated only upon successful appeal against the order.
- 6.6 A Costs Lawyer's name will be removed from the Register if they do not have a current Practising Certificate.

RULE 7: Issue of Practising Certificates

- 7.1 The Practising Certificate will be delivered to the address notified to CLSB as the applicant's practising address or to such other address as the applicant shall advise the CLSB in writing and may be delivered either by post or electronically.
- 7.2 The Practising Certificate will include the following details:
- (a) the full name of the Costs Lawyer;
 - (b) the commencement date;
 - (c) the date of expiry; and
 - (d) any condition to which the Practising Certificate is subject.
- 7.4 In the event conditions are imposed on a Practising Certificate, a replacement Practising Certificate will be issued stating the condition and the date on which it was imposed.
- 7.5 A replacement Practising Certificate will be issued in the event a condition expires, is varied, is successfully appealed or is revoked.

RULE 8: Expiration of a Practising Certificate

8.1 A Practising Certificate will expire:

- (a) on the expiry date stated on the Practising Certificate;
- (b) when a replacement Practising Certificate is issued; or
- (c) on the death of the Costs Lawyer.

RULE 9: Revocation and suspension of a Practising Certificate

9.1 A Practising Certificate may be revoked by the CLSB if:

- (a) the Costs Lawyer no longer meets the criteria in Rule 1.1(a), (c) and (d), or it comes to light that the Costs Lawyer did not meet those criteria at the time of applying for the Practising Certificate;
- (b) the Costs Lawyer is subject to an order permanently revoking their Practising Certificate;
- (c) the Costs Lawyer discloses one or more of the events set out in Rule 4.2 to the CLSB and the CLSB is satisfied of one or more of the matters in Rule 3.4 (a), (b), (c) or (e).

9.2 If a Costs Lawyer is subject to an order suspending their Practising Certificate, they will not be able to practise as a Costs Lawyer for the period of the suspension. If the Practising Certificate is still current when the suspension ends, the Practising Certificate will remain valid. If the Practising Certificate has expired during the period of the suspension, the Costs Lawyer must apply for a new Practising Certificate.

RULE 10: Indemnity insurance

10.1 Costs Lawyers must ensure that they:

- (a) practise with the benefit of professional indemnity insurance of a minimum £100,000 (any one claim) to include loss of documents; and

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- (b) on an ongoing basis, assess all financial risk associated with work being undertaken by them and ensure that professional indemnity insurance (including loss of documents insurance) is in place in excess of the minimum set out in Rule 10.1(a) at a level commensurate with that risk.
 - (c) professional indemnity insurance will ordinarily be written in the United Kingdom from a provider regulated under United Kingdom legislation. Where a Costs Lawyer is based in another jurisdiction, serves clients in that jurisdiction and provides cover from that jurisdiction, they must evidence its equivalency, and if written in any language other than English, provide a suitable translation certified as accurate.

RULE 11: Appeals

11.1 An applicant or Costs Lawyer may appeal a decision of the CLSB to:

- (a) refuse to grant permission to delegate work to an unauthorized individual under Rule 5.2;
- (b) refuse to issue a Practising Certificate;
- (c) impose conditions upon a Practising Certificate;
- (d) refuse to remove a condition imposed on a Practising Certificate; or
- (e) revoke a Practising Certificate.

11.2 An appeal must be made within 21 calendar days of the date on which the Costs Lawyer is notified of the decision they intend to appeal.

11.3 The appeal must be in writing to the CLSB and must set out the grounds on which the appeal is being made.

11.4 The only grounds for making an appeal are that the decision was flawed because:

- (a) there was a material error of law;
- (b) there was a failure to take into account material information;
- (c) the decision was irrational or based on irrelevant considerations;
- (d) there was a material failure to follow the Regulatory Arrangements;
- (e) the decision was unlawful; or

-
- (f) new evidence has been obtained which could not have been made available when the decision was made and which will be material to the decision.

11.5 An appeal shall be by way of review by a Conduct Committee and the decision on the appeal shall be made on the papers.

11.6 The Conduct Committee may not impose any decision or condition that is harsher than the original.

11.7 There is no right of appeal beyond the Conduct Committee.

RULE 12: Notification of decisions

12.1 If it is considered to further the Regulatory Objectives, the CLSB may notify any or all of the following about decisions made under these Rules:

- (a) ACL;
- (b) an Approved Regulator;
- (c) the Legal Services Board;
- (d) a law enforcement agency;
- (e) the Legal Ombudsman.

Board



Final proposed amendments to the Practising Rules

Section of Rules – Revised Text	Explanation of Proposed Amendments
Definitions Complaint Information established by the CLSB under its supervision arrangements or information received from a third party (natural, legal or commercial) which relates to a potential breach of a Principle by a Costs Lawyer. First-tier Complaint Complaints that are made directly to a provider of legal services are referred to as “first-tier complaints”. Individual voluntary arrangement An Individual Voluntary Arrangement (IVA) is an agreement with your creditors to pay all or part of your debts. You agree to make regular payments to an insolvency practitioner, who will divide this money between your creditors. This may be called something different outside of the United Kingdom.	<i>The current version omits these definitions found elsewhere in the CLSB Handbook. This corrects that as well as adopts consultation feedback. While the LSCP only suggested adding a definition for an individual Voluntary Arrangement, we have also added one for a Partnership Voluntary Arrangement using the same rationale.</i>
Partnership Voluntary Arrangement A Partnership Voluntary Arrangement (PVA) is a formal agreement whereby partnerships repay a proportion of business debts to unsecured creditors over an agreed length of time. Second-tier Complaint Complaints that are escalated to the CLSB or Legal Ombudsman are known as “second-tier complaints”. Rule 4: Disclosure 4.2 The events that the applicant or Costs Lawyer must disclose are that they have (in any jurisdiction) :- (a) been subject to any criminal charge, conviction or caution, subject to the Rehabilitation of Offenders Act 1974; (b) been subject to an adjudication of bankruptcy; (c) been granted a debt relief order; (d) entered into an individual voluntary arrangement or a partnership voluntary arrangement;	<i>The current Rules are not sufficiently detailed on the need for applicants to declare relevant complaints histories prior to being admitted to or reinstated to the Register of Costs Lawyers. Existing Rule 4.2 (i) [now 4.2(j)] has been relied upon to seek disclosure of such information, but the proposed amendments to Rule 4.2 (g), (h) and (i) makes this</i>

Commented [PM1]: This addresses LSCP feedback

Section of Rules – Revised Text	Explanation of Proposed Amendments
(e) been a director of any company or partner in an LLP or partnership that has been the subject of a winding up order, an administrative order or an administrative receivership, or has otherwise been wound up or put into administration in circumstances of insolvency; (f) been disqualified from being a company director or the trustee of a charity; (g) been the subject of an adverse disciplinary finding, or are currently subject to ongoing disciplinary proceedings, by any regulatory or professional body; (h) been the subject of a complaint from a client or member of the public about any costs service they have provided, whether or not the complaint was upheld. Costs Lawyers who hold a current practising certificate should only report first-tier complaints in their annual practising certificate application. (i) been the subject of an adverse order or finding of a ~~civil~~ court or tribunal; or (j) become aware of any other matter that might reasonably be expected to be disclosed in affecting their fitness to become or remain a Costs Lawyer 4.3 The applicant must make a prompt report to the CLSB of any material changes of which the applicant is aware to information previously provided to the CLSB by the applicant or on their behalf relating to the applicant or their practice, including any change to the information recorded in the register.	<i>clearer for existing practitioners and those considering a first application or reinstatement.</i>
RULE 5: Delegation of Work 5.1 Costs Lawyers must ensure that, where work is delegated to a person who is not a Costs Lawyer authorised by the CLSB whether employed or not, that individual has the necessary competence and knowledge to undertake the role. 5.2 A Costs Lawyer must not delegate to a person who is not a Costs Lawyer and to whom any part of Rule 4.2 would apply if they were a Costs Lawyer without the advance written permission of the CLSB. This permission will not be unreasonably withheld, and, where it is not withheld, it may be issued with conditions to protect the public interest and integrity of the Costs Lawyer profession. 5.3 Where a Costs Lawyer delegates work within the scope of reserved legal activities to someone who is not an authorised person under the Legal Services Act 2007:	<i>This new Rule 5 is proposed to address concerns across the legal sector in England and Wales in relation to what work can be delegated, who is ultimately responsible and awareness of reserved legal activities.</i> <i>Guidance will be used to improve understanding of what is a reserved legal activity.</i> <i>This proposed new Rule seeks to codify what the CLSB understands to be the usual behaviour of Costs Lawyers. However, following the fallout from the Mazur case it has become clear to the legal sector's frontline regulators that there was not a shared understanding on delegation of work; this proposed new rule simply seeks to make explicit what was implicit.</i> <i>The only exception to the above is proposed Rule 5.2. This new Rule would simply mean that those to whom Costs Lawyers delegate work are held to the</i>

Section of Rules – Revised Text	Explanation of Proposed Amendments
(a) the unauthorised individual must be acting on behalf of the Costs Lawyer in assisting with the delegated work; (b) the Costs Lawyer must suitably supervise these activities; and (c) a Costs Lawyer who fails to suitably supervise an unauthorised individual assisting in reserved legal activities will be in breach of Principles 3 and 4 of the Code of Conduct as well as these Practising Rules.	<i>same standards of fitness as the Costs Lawyers themselves. As the Costs Lawyer is ultimately responsible for the work they delegate, this change should not only offer clients greater protection, but also Costs Lawyers themselves.</i>
Rule 5 6: Register of Costs Lawyers ~~56.1 The Register may be kept in electronic form of Costs Lawyers will be published on the CLSB website.~~ 56.3 The Register will contain the following information in respect of each Costs Lawyer: (a) name; (b) registration number; (c) ~~date~~ year of qualification as a Costs Lawyer; (d) details of their practice or employment (e) contact details; (f) any conditions on their Practising Certificate; (g) ~~any published disciplinary outcomes~~, and (h) any other information required by law or deemed appropriate to be held. ~~5.4 A short version of the Register which shows the name and registration number of each Costs Lawyer, their date of qualification, the organisation in which they practise (if applicable) and any conditions on their Practising Certificate will be made available in an electronic format for public inspection through the CLSB website. Other information may appear in this public Register from time to time, unless the Costs Lawyer requests that it does not so appear. Disciplinary information~~	<i>This Rule changes from Rule 5 to Rule 6 to accommodate the proposed new Rule 5.</i> <i>These changes at 6.1, 6.3 and 6.4 (formerly 5.1, 5.3 and 5.4) collectively update the Rules to reflect the manner in which the CLSB publishes details of all Costs Lawyers, and harmonises it with what is specified in the Disciplinary Rules and Procedure. Rule 5.4 is obsolete as there are no longer two registers, there is only the one, which is published on the website.</i>

Section of Rules – Revised Text	Explanation of Proposed Amendments
~~relating to a Costs Lawyer may appear in the public Register in accordance with the Regulatory Arrangements.~~	
Former Rule 6: Issue of Practising Certificates ~~6.2 The commencement date for the Practising Certificate will be the date on which it is entered on the Register and this will also appear on the Practising Certificate.~~	<i>Rule 6 is now Rule 7. However, the former Rule 6.2 is obsolete now the only Register is the online public Register. Historically, prior to 2021, there were two registers but since the new database was introduced there has been only one, which is as published on the website therefore this Rule is now obsolete.</i>
Rule 10: Indemnity Insurance 10.1 Costs Lawyers must ensure that they: (a) practise with the benefit of professional indemnity insurance of a minimum £100,000 (any one claim) to include loss of documents; and (b) on an ongoing basis, assess all financial risk associated with work being undertaken by them and ensure that professional indemnity insurance (including loss of documents insurance) is in place in excess of the minimum set out in Rule 10.1(a) at a level commensurate with that risk. (c) professional indemnity insurance will ordinarily be written in the United Kingdom from a provider regulated under United Kingdom legislation. Where a Costs Lawyer is based in another jurisdiction, serves clients in that jurisdiction and provides cover from that jurisdiction, they must evidence its equivalency, and if written in any language other than English, provide a suitable translation certified as accurate.	<i>The current Rules are silent on whether the CLSB would accept professional indemnity insurance from overseas. The CLSB does not seek to prevent Costs Lawyers continuing to practise from overseas subject to compliance with our full regulatory requirements. Therefore we proposed to insert a new section to Rule 9 to allow for equivalent cover from outside the United Kingdom.</i>
Rule 11: Appeals An applicant or Costs Lawyer may appeal a decision of the CLSB to:	<i>The absence of an appeal route for a decision under 5.2 is an omission corrected post-consultation.</i>

Section of Rules – Revised Text	Explanation of Proposed Amendments
(a) refuse to grant permission to delegate work to an unauthorized individual under Rule 5.2;	

Annex C

CLSB consultation launch email to the profession

Subject: Consultation on proposed changes to regulatory rules and updated guidance on reserved legal activities.

We have launched a 12 week [consultation](#) on proposed changes to the **Practising Rules** and the **Disciplinary Rules and Procedure (DR&P)**.

The proposed changes to the Practising Rules and DR&P seek to both protect consumers and clients and clarify expectations of Costs Lawyers. The Court of Appeal's ruling in Mazur has been reflected in the changes as appropriate. The changes do not impact the fundamentals of the regulatory rules.

Costs Lawyers should review this and we have set up a SurveyMonkey link **for each consultation** to enable you to respond. Please ensure you respond to the relevant consultation via the correct link. You can read more about each consultation, and obtain the SurveyMonkey link on the [consultation page of our website](#).

We will also be holding an online meeting exclusively for Costs Lawyers on **22 June 2026 at 14.00**. If you are interested in joining this, please email enquiries@clsb.info.

We strongly encourage Costs Lawyers to review our proposals and give us feedback. You can read more about these proposed changes in this month's edition of the newsletter. **The consultations will both close on 7 August 2026 at 5pm.**

We have also updated our guidance following the Court of Appeal ruling in Mazur on **Reserved Legal Activity Rights** and **Guidance for costs law firms**, both of which can be found [here](#). All Costs Lawyers should read these urgently.

You can find more information about when, how and whom we consult in our policy [statement](#) on the CLSB's approach to consultation.

CLSB consultation launch email to others

Subject: CLSB consultation on proposed changes to regulatory rules and updated guidance on reserved legal activities.

We have launched a 12 week [consultation](#) on proposed changes to the **Practising Rules** and the **Disciplinary Rules and Procedure (DR&P)**.

The proposed changes to the Practising Rules and DR&P seek to both protect consumers and clients and clarify expectations of Costs Lawyers. The Court of Appeal's ruling in Mazur has been reflected in the changes as appropriate. The changes do not impact the fundamentals of the regulatory rules.

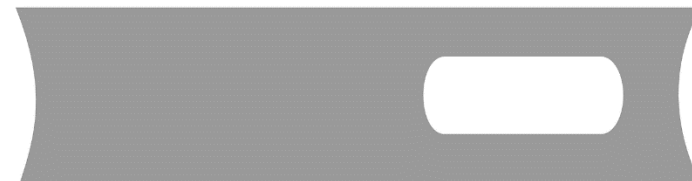
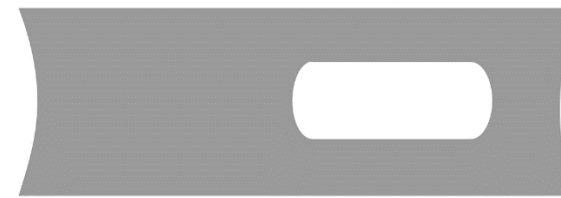
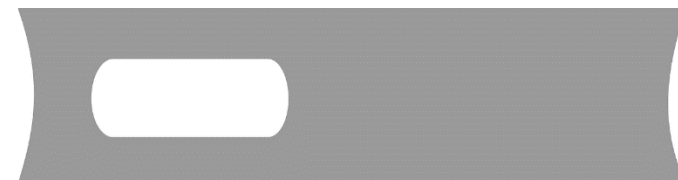
Stakeholders and interested parties should review these and we have set up a SurveyMonkey link **for each consultation** to enable you to respond. Please ensure you respond to the relevant consultation via the correct link. You can read more about each consultation on the CLSB [consultation page of our website](#).

We strongly encourage you to review our proposals and give us feedback.

The consultations will both close on 7 August 2026 at 5pm.

We have also updated our guidance following the Court of Appeal ruling in Mazur on **Reserved Legal Activity Rights** and **Guidance for costs law firms**, both of which can be found [here](#). All Costs Lawyers have been urged to read this promptly.

You can find more information about when, how and whom we consult in our policy [statement](#) on the CLSB's approach to consultation.



CLSB



Overview

The Costs Lawyer Standards Board (CLSB) regulates Costs Lawyers under the framework established by the Legal Services Act 2007. To ensure that Costs Lawyers meet appropriate professional standards, the CLSB establishes requirements in relation to competency and conduct. Those requirements are set out in various regulatory arrangements, collated in the Costs Lawyer Handbook.

The Costs Lawyer Practising Rules govern the practice of Costs Lawyers and the issue and revocation of practising certificates by the CLSB. The current version of the Practising Rules is available on our website.

In early 2026, the CLSB reviewed the Practising Rules and identified a small number of changes that would make the language clearer, respond to practical queries received by the CLSB, and provide greater clarity about the delegation of work. The review also considered how the rules can ensure that anyone applying for their first Costs Lawyer practising certificate, or seeking reinstatement to the Register of Costs Lawyers, meets the required standards of character and suitability. This includes conduct before a first application and during any period when an individual is not practising.

We issued a consultation on the proposed changes to the Practising Rules on 14 May 2026 running for 12 weeks. Consultation responses could be submitted online using <https://www.surveymonkey.com/r/ZY53WTV> or via email, and were to be received by 5pm on 7 August 2026.

The CLSB's published [approach to consultations](#) is available on our website. The consultation explained the reasons for the proposed changes to the Practising Rules and invited respondents to consider a series of questions. Respondents were also welcome to comment on any other aspect of the proposals.

We received a response from the Legal Services Consumer Panel ('LSCP'), 12 individual responses submitted online, and one individual response by email. The Association of

Costs Lawyers Council did not submit a collective response and encouraged its members to respond individually.

Overall, respondents were supportive of the proposed changes and made several helpful suggestions to improve clarity. We have adopted those suggestions where appropriate. Among the 13 individual responses, two respondents indicated that they did not agree with the proposals, and one provided further comments on their concerns. Annex C summarises the individual feedback and explains how it has been considered, including the changes made in response.

Respondents did not raise any concerns that the proposed changes would have a harmful impact on people with protected characteristics under the Equality Act 2010.

The LSCP's feedback is reproduced at Annex A, with the CLSB's response at Annex B. Annex C summarises the online and email responses and explains how they were considered. Annex D contains the final amended version of the Practising Rules showing each change in red, and Annex E shows a clear version of how the new Practising Rules would be published, both incorporating the changes identified through the consultation process.

Having considered the consultation responses, we intend to proceed with the revised Practising Rules, incorporating the minor amendments described in this outcome report. The next stage is to seek approval from the Legal Services Board.

We thank everyone who responded to the consultation. We appreciate the time taken to share views and suggestions, which have helped to shape the final amendments and this outcome report.

Next steps

We will now apply to the Legal Services Board for approval of the revised Practising Rules. Subject to the outcome of that application, we intend to implement the new Practising Rules early in 2027. We will notify Costs Lawyers of the implementation of the revised Practising Rules directly by email.



Costs Lawyer Standards Board
PO Box 4336
Manchester
M61 0BW

Sent by email only to enquiries@clsb.info

7 August 2026

Dear Costs Lawyer Standards Board Policy Team,

Re: Proposed Changes to the Costs Lawyer Practising Rules

The Legal Services Consumer Panel (Panel) welcomes the opportunity to comment on the Costs Lawyer Standards Board's (CLSB's) review of its Practising Rules. As the consultation document suggests, the changes to the CLSB Practising Rules have been considered alongside those planned for the CLSB Disciplinary Rules and Procedure and the Panel's response to both consultations should be viewed together. The Panel understands that this review of the Practising Rules was predominantly to introduce some minor changes and clearer language and to address real life queries received by the CLSB. The Panel has comments on some of proposed changes as well as other parts of the Practising Rules as set out below.

1. Do you agree that we have focused on the right objectives in updating the Practising Rules? Are there any other key objectives or bodies of evidence that we should take into account? If so, how?

The Panel understands the aims of the CLSB's updates. In addition, the CLSB should be learning lessons from the collapse of SSB Law which illustrated how legal regulation failed to spot issues with the firm or to prevent them from causing significant consumer harm. One lesson was that looking at conduct complaints data alongside service complaints data can provide important warning signs of issues with a firm or parts of the sector. Generally speaking, the CLSB should be looking to encourage the reporting of concerns about Costs Lawyers to ensure it is collecting relevant data to understanding the risks in the sector.

In this vein, the CLSB's aim for accessibility of the Practising Rules (along with the Disciplinary Rules and Procedure which is the subject of a simultaneous consultation from the CLSB) is laudable, but the document should be clear to lay people and the public, not just Costs Lawyers. Because many consumers do not receive the legal advice they need, it should be easy for lay people who have a concern about a Costs Lawyer to determine the process and applicable rules.

For example, it seems logical to standardise definitions across the various documents that make up the Costs Lawyer Handbook. However, using the word "complaint" to capture complaints made to a firm, the CLSB, or the Legal Ombudsman is at odds with the definition which has been taken from the Disciplinary Rules and Procedure and inserted into the Practising Rules

document. Because it relates to a potential breach of a principle by a Costs Lawyer (which may not be the case with a service complaint), it could cause confusion, limiting accessibility.

In addition, in light of the recent calls for a higher level of integration in legal regulation in the interests of consumers¹, it may be an appropriate juncture to consider aligning significant definitions with those used by other regulators. Research shows that consumers do not understand the convoluted system of legal regulation and assume all legal services are regulated.² Accordingly, they expect a consistent set of regulatory rules to apply to all legal professionals and the definition of a complaint that relates to service or to conduct would be a good place to start.

2. Do you agree with the proposed amendments to the Practising Rules? Are there any additional amendments that we should consider?

3. Do you find the proposed presentation of the Practising Rules accessible? Are there any other formatting changes we should consider to make the Practising Rules more user-friendly?

The proposed amendments are discussed below as well as other issues relating to the current drafting of the Practising Rules. Where relevant, comments are also provided about ways in which the accessibility of various rules can be improved.

Changes related to the definitions of complaint being added to the Practising Rules

The Panel has called for a “unified complaints and intelligence function” where a consumer can go to one place to lodge a complaint regardless of whether it concerns a lawyer’s service or conduct. The divide between service and conduct is often hard to determine (even for lawyers or regulators) or intertwined as the CLSB’s Disciplinary Rules and Procedure anticipate.

Nevertheless, the current system is bifurcated and accordingly, it is noteworthy that other regulators such as the Solicitors Regulation Authority (SRA) and the Council of Licensed Conveyancers (CLC) use “allegation” rather than “complaint” in their current or proposed Disciplinary Rules.³ This different term makes it clearer which type of complaint is being referred to and the consequential path to follow. The addition of the definitions of complaint (as it appears in the Disciplinary Rules and Procedure), first-tier complaint and second tier complaint into the Practising Rules blur the lines between the two paths to resolution.

While the line between service and conduct complaints is by no means clear, the current drafting risks suggesting that a complaint about service needs to involve a Cost Lawyer’s potential breach of a principle. This could discourage complaints. It may be clearer for the definition to explain first that a conduct complaint (or allegation) refers to information relating to a Cost Lawyer potentially breaching a professional principle, followed by the various sources that this information can come from (the CLSB or a person). If different terms are used to distinguish between first-tier allegations (about conduct) versus first-tier complaints (about service), the meanings may become more accessible. This issue comes up again where updated definitions would clarify the type of complaint being referred to under Rule 4.2(h).

¹ The recently published MOJ [Independent Public Bodies Review of the Legal Services Board](#) (2026) calls for “practical steps to bring about a more integrated, collective approach to legal services regulation” (at p. 4) and the Panel’s own position paper [A Regulatory Framework for the Future](#) (2026) states that “[c]oherence is a precondition for good regulation. It is not a substitute for it.” (at p. 25).

² SRA, [Corporate Strategy Benchmarking Survey](#) (2024) at slides 28-29.

³ See [SRA Regulatory Disciplinary Procedure Rules](#), or [CLC proposed Draft Adjudication Panel Disciplinary Procedure Rules in Annex 2](#).

Changes related to a Costs Lawyer's good character disclosure

Rule 4 describes a Costs Lawyer's obligation to disclose specific events relevant to the good character requirement when applying for a Practising Certificate, when applying to have a condition removed from a Practising Certificate or promptly after they have occurred if the Costs Lawyer is already fully qualified. Generally, the Panel welcomes the changes aimed at improving consumer protection by ensuring the CLSB is exploring issues that could be relevant to a lawyer's character. Rule 4.2(d) could be made more accessible by providing a definition or explanation of what an "individual voluntary arrangement" is. This clarification is important as it may be called something else in another jurisdiction and the proposed changes also mean that the obligation expands to include events that occurred in any jurisdiction.

Rule 4.2's proposed section (h) currently reads:

(h) been the subject of a complaint from a client or member of the public about any costs service they have provided, whether or not the complaint was upheld. Costs Lawyers who hold a current practising certificate should only report first-tier complaints in their annual practising certificate application.

This clause is confusing with the definitions of complaint, first-tier complaint and second-tier complaint now included in the document; One may understand that a Costs Lawyer would have to report every service complaint they ever received (even in another jurisdiction) to the CLSB. Taken this way, it suggests that receiving a complaint is an inherently bad thing. However, the Panel believes that legal regulators should be promoting a professional culture that welcomes all feedback and complaints and deals with them constructively rather than incentivising suppression of complaints. This is especially relevant given that legal services consumers are known to be highly likely to not take any action at all when they are dissatisfied.⁴ Furthermore, the last sentence confuses the issue further. Are Costs Lawyers only meant to report first-tier complaints relating to conduct, or service, or both? Data collection is important, but additional clarity is needed.

Changes relating to supervising delegated reserved activity tasks

The proposed new Rule 5 is meant to address concerns raised by the Mazur case by requiring a Costs Lawyer to suitably supervise any unregulated person they delegate work to (or risk breaching the Code of Conduct and the Practising Rules) and ensure that such a person has the necessary competence and knowledge to complete the delegated tasks. Clarifying the level of accountability involved in these situations is important. It may be helpful to reference the CLSB Guidance that further explains what is meant by suitable supervision here. The Panel appreciates Rule 5.2 which restricts a Costs Lawyer from delegating any tasks to an unregulated person to which any of the conditions described in Rule 4.2(h) apply (that a Costs Lawyer would have to report to the CLSB) without first obtaining the CLSB's written permission. This sets up a parallel presumption that unregulated staff of a Costs Lawyer are subject to the same good character standards as a Costs Lawyer, but it is proportionate because the CLSB can provide written permission on a case by case basis ensuring flexibility. It appears that the SRA (in combination with the Solicitors Act 1974) may have a similar requirement. This rule could potentially be shared with other legal regulators so that further consistency can be brought to the delegation of reserved activities across the legal profession, a recognised area of risk to consumers.

Changes related to the online register

The Panel welcomes the addition of any published disciplinary outcomes about a Costs Lawyer to the CLSB register. The amended Rule 6.1 explains there is only one register of Costs Lawyers which is published online. It may be useful to cite the CLSB's policy on reasonable

⁴ 40% of dissatisfied legal services consumers were silent sufferers, not taking any action at all as a result of their dissatisfaction (See LSCP 2026 Tracker Survey)

accommodation here, which may include how digitally excluded people can access the online register.

Changes related to professional indemnity cover from another jurisdiction

Rule 10.1(b) refers to the minimum professional indemnity cover provided in Rule 9.1(a) [sic, should be Rule 10.1(a)]. Proposed Rule 10.1(c) states:

(c) professional indemnity insurance will ordinarily be written in the United Kingdom from a provider regulated under United Kingdom legislation. In the event a Costs Lawyer is based overseas and provides cover from another jurisdiction, they must evidence that it provides equivalent cover and, if written in any language other than English, provide a suitable translation certified as accurate.

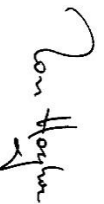
To provide further clarity in a world where remote working is commonplace, it may be helpful to use more precise language in this clause. For example, wording such as “where a Costs Lawyer is based in another jurisdiction, serves clients in that jurisdiction and provides cover from that jurisdiction, they must evidence its equivalency”. This or similar wording would hopefully cover most situations where a Costs Lawyer is based outside England and Wales and draw attention to the fact that the professional indemnity insurance cover must provide protection for the specific consumers that are being served.

4. Do you foresee any reason why the proposed changes could have a harmful impact on persons with a protected characteristic under the Equality Act 2010? If so, is there any evidence you can provide that would help us assess that impact?

The Panel would like to see the CLSB actively consider how their consultations will affect not only Costs Lawyers with a protected characteristic, but also consumers with a protected characteristic. It is important for the CLSB to understand that the Practising Rules have impacts on consumers and these potential impacts should always be contemplated when deciding on which and how regulatory changes are implemented. While the Panel does not see that the proposed changes will affect any one group of consumers in particular, it would still like to see the CLSB turn its mind to this question.

We hope the CLSB finds these comments helpful. Should you have any questions pertaining to this consultation response, please contact Heidi Evelyn, Consumer Panel Manager, at Heidi.Evelyn@legalservicesconsumerpanel.org.uk, with any enquiries.

Yours sincerely,



Tom Hayhoe
Chair, Legal Services Consumer Panel

Consultation outcome

Annex B: How the CLSB addresses LSCP responses

11 August 2026

Costs Lawyer Standards Board



The CLSB welcomes the LSCP’s response and addresses each point below. This document should be read alongside Annex A (‘the LSCP response’).

Do you agree that we have focused on the right objectives in updating the Practising Rules? and, Are there any other key objectives or bodies of evidence that we should take into account? If so, how?

The CLSB agrees that conduct and service complaints data is essential to effective regulation and has been a key driver of this consultation. The CLSB draws on data from its conduct complaint investigations, complaints self-reported by Costs Lawyers at Practising Certificate renewal, and reports from the Legal Ombudsman. This evidence has informed the proposed changes, alongside the proposals to amend the Disciplinary Rules and Procedure (‘DR&P’).

The CLSB agrees that language and definitions should be harmonised where practicable.

Do you agree with the proposed amendments to the Practising Rules?

Do you find the proposed presentation of the Practising Rules accessible? Are there any other formatting changes we should consider to make the Practising Rules more user-friendly?

Changes related to the definitions of complaint being added to the Practising Rules

The LSCP’s response also raises wider questions about the future of legal regulation. These are important matters, but they extend beyond the scope of this consultation and the CLSB’s current statutory powers. The CLSB will continue to meet its responsibilities within the existing legal framework. This response therefore concentrates on the proposed changes to the Practising Rules.

We have considered the LSCP’s suggestion not to use the term “complaint”. On balance, the CLSB considers “complaint” to be clear and widely understood. It is also used by the SRA, including on its page [Problems with a solicitor](#), and is consistent with terminology used by the Legal Services Board and Legal Ombudsman.

For these reasons, we propose to retain the term in the Rules.

We agree that the distinction between service and conduct complaints is not always clear. The CLSB therefore provides [information online](#) to help people understand how to make a complaint and where it should be directed. We propose to retain this explanation in guidance, where it can be updated promptly as evidence and user needs develop. We will keep the guidance under review to ensure that the distinction is explained as clearly as possible.

Changes related to a Costs Lawyer's good character disclosure

We welcome the LSCP's support for the changes intended to strengthen consumer protection by ensuring that the CLSB considers matters that may be relevant to a lawyer's character.

We agree that Rule 4.2(d) would be more accessible if "individual voluntary arrangement" were defined or explained. We will add this clarification to the definitions.

The LSCP's interpretation of proposed Rule 4.2(h) is correct. Practising Costs Lawyers already report all first- and second-tier complaints when renewing their practising certificates, as reflected in the final sentence of the rule. This information helps the CLSB identify themes and assess whether further regulatory action or guidance may be needed. Reporting a complaint does not, by itself, imply that a Costs Lawyer has acted improperly. The aim is to support early learning and constructive handling of feedback while maintaining the confidence of the regulated community.

The new rule aligns the expectations for new entrants and those returning after a lapse in practice with those that already apply to Costs Lawyers in continuous practice. It does not change the annual practising certificate renewal process for current practitioners.

Changes relating to supervising delegated reserved activity tasks

We welcome the LSCP's support for proposed new Rule 5 and agree that supporting guidance will be important. The guidance is being developed with other frontline

regulators. Given that many Costs Lawyers work in SRA-regulated entities, we are also seeking close alignment with the SRA's guidance on supervision. We expect to publish the guidance later in 2026.

As the LSCP suggests, we will share the new Rule with other frontline regulators. We appreciate the LSCP's recognition of the consumer protection objectives that underpin this change.

Changes related to the online register

We welcome the LSCP's feedback on accessibility. We will continue to review the online directory and use feedback to identify improvements. Anyone who has difficulty using the directory can also contact us directly for assistance.

Changes related to professional indemnity cover from another jurisdiction

We will amend Rule 10.1(b) to incorporate the LSCP's helpful suggested wording: "where a Costs Lawyer is based in another jurisdiction, serves clients in that jurisdiction and provides cover from that jurisdiction, they must evidence its equivalency". This wording is intended to cover most circumstances in which a Costs Lawyer is based outside England and Wales, while ensuring that the professional indemnity insurance provides appropriate protection for the consumers being served.

Do you foresee any reason why the proposed changes could have a harmful impact on persons with a protected characteristic under the Equality Act 2010? If so, is there any evidence you can provide that would help us assess that impact?

The CLSB agrees that the proposed changes should be considered carefully in light of their impact on consumers and the public. We note the LSCP's view that no obvious adverse impact on any particular group has been identified. Our consultations are public and open to all, although we recognise that direct engagement with consumers can be challenging because many instruct Costs Lawyers through a professional client, such as a solicitor. We will continue to consider how we can make future engagement more accessible and inclusive.

CLSB response summary

The CLSB is grateful for the LSCP's detailed response and its broad support for the direction of the proposed amendments. The feedback has led to clarifications and amendments in some areas. Where we have taken a different approach, we have set out the reasons and will keep the relevant guidance and arrangements under review. We appreciate the LSCP's contribution to the consultation.



Consultation - Changes to Costs Lawyer Practising Rules 2026

Q1. Do you agree that we have focused on the right objectives in updating the Practising Rules?

Answer Choices	Responses	
Yes	100.00%	12
No	0.00%	0
Answered		12
Skipped		0

Q2. Are there any other key objectives or bodies of evidence that we should take into account? If so, how?

Answered	3
Skipped	9

Respondent	Consultation Response	CLSB Response	Amendment to proposals
Online (anonymous)	One point on evidence. Before finalising rule 5.2, test with the profession how a delegating Costs Lawyer is meant to verify a delegate's history against rule 4.2. There is no register of complaints against unregulated costs draftsmen. A duty that cannot be verified will be complied with on paper and not in fact.	Thank you for highlighting the practical difficulty of verifying the history of an unregulated delegate. The CLSB's position is that Costs Lawyers should undertake appropriate and proportionate due diligence when recruiting or delegating. The other consultation responses supported the amendment and did not identify the same practical concern.	No.
Online (anonymous)	No	No response required.	No.
Online (anonymous)	No	No response required.	No.

Q3. Do you agree with the proposed amendments to the Practising Rules?

Answer Choices	Responses	
Yes	83.33%	10
No	16.67%	2
Are there any additional amendments that we should consider?		3
Answered		12
Skipped		0

Respondent	Consultation Response	CLSB Response	Amendment to proposals
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Online (anonymous)	I support the aims and most of the drafting. Three sets of changes need work, and there are corrections to pick up. Rule 5.2 is unworkable as drafted. (a) The trigger is the whole of rule 4.2, which now includes at 4.2(h) a complaint that was never upheld. Advance written permission of the CLSB before delegating to anyone who has ever had a complaint made against them, upheld or not, is disproportionate. The trigger should be confined to the serious matters: conviction, adverse disciplinary finding, director disqualification and undischarged insolvency. (b) A Costs Lawyer cannot verify most rule 4.2 matters for an unregulated delegate. The duty should be to make reasonable enquiries. (c) Read literally, rules 5.1 and 5.2 catch delegation to solicitors and barristers, who are not Costs Lawyers authorised by the CLSB. Instructing counsel who once faced an unupheld complaint would need advance CLSB permission. Persons authorised under the Legal Services Act 2007 and regulated by another approved regulator should be carved out. (d) There is no time limit for the CLSB to decide a permission request and no route to challenge a refusal; rule 11 covers certificate decisions only. Add a decision period and a review route. A pending request will otherwise hold up client work. Rule 5.3(c) declares that a failure suitably to supervise will be a breach of Principles 3 and 4. Whether a breach occurred is the question the Disciplinary Rules and Procedures exist to decide, on the facts. The deeming sentence should go; rules 5.3(a) and (b), with the promised guidance, do the work. I support the substance of rule 5.3. It states the position after Mazur, and it is right that an unauthorised assistant acts on behalf of the authorised Costs Lawyer, who remains responsible. Rule 4.2(h) requires disclosure of complaints never upheld, with no time limit, in any jurisdiction. (a) Costs work is adversarial. An opposing party aggrieved at the outcome of an assessment is a member of the public, and complaints from opponents are common and sometimes tactical. The rule should be confined to complaints by clients or by consumers of the Costs Lawyer's services, and should exclude complaints made by opposing parties or their representatives in contested proceedings. (b) For first applications and reinstatement there should be a time bound and a materiality filter. (c) The final sentence of 4.2(h), under which current certificate holders report first tier complaints only in the annual application, sits uneasily with rule 4.1(c), which requires disclosure as soon as reasonably practicable after the event. State which governs. Rule 10.1(c). I support it. I am a Costs Lawyer based outside the United Kingdom whose practice is in England and Wales, and the express recognition that overseas based practice continues, subject to full compliance, is welcome. Corrections. Rule 10.1(b) still refers to rule 9.1(a), which under the new numbering should be rule 10.1(a). The final appeals rule is numbered 10.7 where it should be 11.7. The consultation paper twice describes the insurance amendment as a change to rule 9; it is rule 10. Register contents, rule 6.3(e), contact details including an email address. A sole practitioner working from home should not have to publish home details. The rule should let a Costs Lawyer nominate the contact details to be published and use a service address.	Thank you for the detailed response. As noted above, the purpose of the due diligence requirements is to reduce regulatory risk through appropriate safeguards. The CLSB recognises the practical issues involved in checking the history of unregulated delegates. Costs Lawyers are expected to undertake reasonable and proportionate due diligence when delegating to authorised or unauthorised individuals.	Yes. The omission of an appeal route where the CLSB refuses permission under rules 5.2 is an oversight and will be corrected in the final application by inserting a new appeal clause at Rule 11.1 (a).
Online (anonymous)	No	Because many Costs Lawyers are instructed by professional clients, including solicitors, limiting reportable complaints to clients or consumers would not meet the objective of the rule change.	No.
Online (anonymous)	No	The identified numbering and consistency points will be corrected in the final Rules.	No.
		Rule 6.3 permits the use of a contact address other than a home address, provided it is a business address at which clients can contact the Costs Lawyer. Exceptions may be made where necessary, including for personal safety or compliance with a non-molestation order.	

Q4. Do you find the proposed presentation of the Practising Rules accessible?

Answer Choices	Responses	
Yes	100.00%	12
No	0.00%	0
Are there any other formatting changes we should c		
	Answered	12
	Skipped	0

Respondent	Consultation Response	CLSB Response	Amendment to proposals
Online (anonymous)	Correct the numbering points under question 3. In Annex 1 the register entry reads details of their practice of employment; Annex 2 has it right as practice or employment.	Thank you for identifying these points. As noted above, the numbering and wording inconsistencies will be corrected in the final Rules.	Yes, limited to formatting corrections.
Online (anonymous)	No	No response required.	No.
Online (anonymous)	No	No response required.	No.

Q5. Do you foresee any reason why the proposed changes could have a harmful impact on persons with a protected characteristic under the Equality Act 2010?

Answer Choices	Responses	
Yes	0.00%	0
No	100.00%	12
If so, is there any evidence you can provide that would help us assess that impact?		
	Answered	12
	Skipped	0

Q6. Is there anything else you would like to comment on about this consultation?

Answered 4
Skipped 8

Respondent	Consultation Response	CLSB Response	Amendment to proposals
Online (anonymous)	The Mazur clarification and the recognition of overseas based practice are both welcome. Each tells clients what an authorised Costs Lawyer may do, and from where.	No response required.	No.
Online (anonymous)	No	No response required.	No.
Online (anonymous)	N/A	No response required.	No.
Online (anonymous)	No	No response required.	No.

Q7. What sort of organisation do you currently work in?

Answer Choices	Responses	
Costs law firm	25.00%	3
SRA-regulated firm	58.33%	7
In-house - public sector or commercial business	0.00%	0
I am a sole practitioner	16.67%	2
I prefer not to say	0.00%	0
Other (please specify)	0.00%	0
	Answered	12
	Skipped	0

Q8. Which region do you currently work in?

Answer Choices	Responses	
East of England	8.33%	1
East Midlands	0.00%	0
London	41.67%	5
North East	0.00%	0
North West	16.67%	2
South East	8.33%	1
South West	16.67%	2
Wales	0.00%	0
West Midlands	8.33%	1
Yorkshire and the Humber	0.00%	0
I prefer not to say	0.00%	0
Other (please specify)	0.00%	0
	Answered	12
	Skipped	0

Q9. How many years have you been working in costs law?

Answer Choices	Responses	
Up to 5 years	16.67%	2
6 to 15 years	25.00%	3
16 to 25 years	50.00%	6
26 to 40 years	8.33%	1
More than 40 years	0.00%	0
I prefer not to say	0.00%	0
	Answered	12
	Skipped	0

Q10. What best describes your current role?

Answer Choices	Responses	
Junior employed lawyer or sole practitioner	16.67%	2
Mid-level employed lawyer or sole practitioner	8.33%	1
Senior employed lawyer or sole practitioner	33.33%	4
Partner or business owner with employees	33.33%	4
Retired	0.00%	0
I prefer not to say	0.00%	0
Other (please specify)	8.33%	1
	Answered	12
	Skipped	0

Respondent	Consultation Response	CLSB Response	Amendment to proposals
Online (anonymous)	is no box for question 9 so I respond here although I am a Costs Lawyer and previously FALCD your question (for a regulatory body could be misconstrued) From recollection Costs Lawyers as such have only been regulated since 2006/7 thus options 4 & 5 are unanswerable !	Thank you for raising this point. The question asks about time spent working in costs law, rather than time practising under the Costs Lawyer title. Its purpose is to capture broader sector experience across all respondents, including Costs Lawyers, members of the public and unregulated costs advisers. On that basis, the longer-service options remain relevant to respondents with experience in costs law predating regulation of the title.	No.

CLSB

Final proposed amendments to the Practising Rules

Section of Rules – Revised Text	Explanation of Proposed Amendments
Definitions Complaint Information established by the CLSB under its supervision arrangements or information received from a third party (natural, legal or commercial) which relates to a potential breach of a Principle by a Costs Lawyer. First-tier Complaint Complaints that are made directly to a provider of legal services are referred to as “first-tier complaints”. Individual voluntary arrangement An Individual Voluntary Arrangement (IVA) is an agreement with your creditors to pay all or part of your debts. You agree to make regular payments to an insolvency practitioner, who will divide this money between your creditors. This may be called something different outside of the United Kingdom. Partnership Voluntary Arrangement A Partnership Voluntary Arrangement (PVA) is a formal agreement whereby partnerships repay a proportion of business debts to unsecured creditors over an agreed length of time. Second-tier Complaint Complaints that are escalated to the CLSB or Legal Ombudsman are known as “second-tier complaints”. Rule 4: Disclosure 4.2 The events that the applicant or Costs Lawyer must disclose are that they have (in any jurisdiction) -: (a) been subject to any criminal charge, conviction or caution, subject to the Rehabilitation of Offenders Act 1974; (b) been subject to an adjudication of bankruptcy; (c) been granted a debt relief order; (d) entered into an individual voluntary arrangement or a partnership voluntary arrangement;	<i>The current version omits these definitions found elsewhere in the CLSB Handbook. This corrects that as well as adopts consultation feedback. While the LSCP only suggested adding a definition for an individual Voluntary Arrangement, we have also added one for a Partnership Voluntary Arrangement using the same rationale.</i> <i>The current Rules are not sufficiently detailed on the need for applicants to declare relevant complaints histories prior to being admitted to or reinstated to the Register of Costs Lawyers. Existing Rule 4.2 (i) [now 4.2(j)] has been relied upon to seek disclosure of such information, but the proposed amendments to Rule 4.2 (g), (h) and (i) makes this</i>

Section of Rules – Revised Text	Explanation of Proposed Amendments
(e) been a director of any company or partner in an LLP or partnership that has been the subject of a winding up order, an administrative order or an administrative receivership, or has otherwise been wound up or put into administration in circumstances of insolvency; (f) been disqualified from being a company director or the trustee of a charity; (g) been the subject of an adverse disciplinary finding, or are currently subject to ongoing disciplinary proceedings, by any regulatory or professional body; (h) been the subject of a complaint from a client or member of the public about any costs service they have provided, whether or not the complaint was upheld. Costs Lawyers who hold a current practising certificate should only report first-tier complaints in their annual practising certificate application. (i) been the subject of an adverse order or finding of a ~~civil~~ court or tribunal; or (j) become aware of any other matter that might reasonably be expected to be disclosed in affecting their fitness to become or remain a Costs Lawyer 4.3 The applicant must make a prompt report to the CLSB of any material changes of which the applicant is aware to information previously provided to the CLSB by the applicant or on their behalf relating to the applicant or their practice, including any change to the information recorded in the register.	<i>clearer for existing practitioners and those considering a first application or reinstatement.</i>
RULE 5: Delegation of Work 5.1 Costs Lawyers must ensure that, where work is delegated to a person who is not a Costs Lawyer authorised by the CLSB whether employed or not, that individual has the necessary competence and knowledge to undertake the role. 5.2 A Costs Lawyer must not delegate to a person who is not a Costs Lawyer and to whom any part of Rule 4.2 would apply if they were a Costs Lawyer without the advance written permission of the CLSB. This permission will not be unreasonably withheld, and, where it is not withheld, it may be issued with conditions to protect the public interest and integrity of the Costs Lawyer profession. 5.3 Where a Costs Lawyer delegates work within the scope of reserved legal activities to someone who is not an authorised person under the Legal Services Act 2007:	<i>This new Rule 5 is proposed to address concerns across the legal sector in England and Wales in relation to what work can be delegated, who is ultimately responsible and awareness of reserved legal activities.</i> <i>Guidance will be used to improve understanding of what is a reserved legal activity.</i> <i>This proposed new Rule seeks to codify what the CLSB understands to be the usual behaviour of Costs Lawyers. However, following the fallout from the Mazur case it has become clear to the legal sector's frontline regulators that there was not a shared understanding on delegation of work; this proposed new rule simply seeks to make explicit what was implicit.</i> <i>The only exception to the above is proposed Rule 5.2. This new Rule would simply mean that those to whom Costs Lawyers delegate work are held to the</i>

Section of Rules – Revised Text	Explanation of Proposed Amendments
(a) the unauthorised individual must be acting on behalf of the Costs Lawyer in assisting with the delegated work; (b) the Costs Lawyer must suitably supervise these activities; and (c) a Costs Lawyer who fails to suitably supervise an unauthorised individual assisting in reserved legal activities will be in breach of Principles 3 and 4 of the Code of Conduct as well as these Practising Rules.	<i>same standards of fitness as the Costs Lawyers themselves. As the Costs Lawyer is ultimately responsible for the work they delegate, this change should not only offer clients greater protection, but also Costs Lawyers themselves.</i>
Rule 5 6: Register of Costs Lawyers ~~56.1~~ The Register ~~may be kept in electronic form~~ of Costs Lawyers will be published on the CLSB website. ~~56.3~~ The Register will contain the following information in respect of each Costs Lawyer: (a) name; (b) registration number; (c) ~~date~~ year of qualification as a Costs Lawyer; (d) details of their practice or employment (e) contact details; (f) any conditions on their Practising Certificate; (g) ~~any published disciplinary outcomes~~, and (h) any other information required by law or deemed appropriate to be held. ~~5.4 A short version of the Register which shows the name and registration number of each Costs Lawyer, their date of qualification, the organisation in which they practise (if applicable) and any conditions on their Practising Certificate will be made available in an electronic format for public inspection through the CLSB website. Other information may appear in this public Register from time to time, unless the Costs Lawyer requests that it does not so appear. Disciplinary information~~	<i>This Rule changes from Rule 5 to Rule 6 to accommodate the proposed new Rule 5.</i> <i>These changes at 6.1, 6.3 and 6.4 (formerly 5.1, 5.3 and 5.4) collectively update the Rules to reflect the manner in which the CLSB publishes details of all Costs Lawyers, and harmonises it with what is specified in the Disciplinary Rules and Procedure. Rule 5.4 is obsolete as there are no longer two registers, there is only the one, which is published on the website.</i>

Section of Rules – Revised Text	Explanation of Proposed Amendments
~~relating to a Costs Lawyer may appear in the public Register in accordance with the Regulatory Arrangements.~~	
Former Rule 6: Issue of Practising Certificates ~~6.2 The commencement date for the Practising Certificate will be the date on which it is entered on the Register and this will also appear on the Practising Certificate.~~	<i>Rule 6 is now Rule 7. However, the former Rule 6.2 is obsolete now the only Register is the online public Register. Historically, prior to 2021, there were two registers but since the new database was introduced there has been only one, which is as published on the website therefore this Rule is now obsolete.</i>
Rule 10: Indemnity Insurance 10.1 Costs Lawyers must ensure that they: (a) practise with the benefit of professional indemnity insurance of a minimum £100,000 (any one claim) to include loss of documents; and (b) on an ongoing basis, assess all financial risk associated with work being undertaken by them and ensure that professional indemnity insurance (including loss of documents insurance) is in place in excess of the minimum set out in Rule 10.1(a) at a level commensurate with that risk. ~~(c) professional indemnity insurance will ordinarily be written in the United Kingdom from a provider regulated under United Kingdom legislation. Where a Costs Lawyer is based in another jurisdiction, serves clients in that jurisdiction and provides cover from that jurisdiction, they must evidence its equivalency, and if written in any language other than English, provide a suitable translation certified as accurate.~~	<i>The current Rules are silent on whether the CLSB would accept professional indemnity insurance from overseas. The CLSB does not seek to prevent Costs Lawyers continuing to practise from overseas subject to compliance with our full regulatory requirements. Therefore we proposed to insert a new section to Rule 9 to allow for equivalent cover from outside the United Kingdom.</i>
Rule 11: Appeals An applicant or Costs Lawyer may appeal a decision of the CLSB to:	<i>The absence of an appeal route for a decision under 5.2 is an omission corrected post-consultation.</i>

Section of Rules – Revised Text	Explanation of Proposed Amendments
(a) refuse to grant permission to delegate work to an unauthorized individual under Rule 5.2;	

CLSB

Complete version of proposed new Practising Rules

Introduction

These Rules govern the practice of Costs Lawyers and the issue and revocation of practising certificates by the CLSB. They replace any other practising rules or regulations previously issued by the CLSB.

Definitions

ACL	Association of Costs Lawyers (named in the Legal Services Act 2007 as the Association of Law Costs Draftsmen)
Applicant	Any person who applies for a Practising Certificate
Approved Regulator	A body designated as an approved regulator under the Legal Services Act 2007
CLSB	Costs Lawyer Standards Board, acting as an approved regulator under the LSA following delegated authority by the ACL on 31 October 2011.
Costs Lawyer	A person who holds a current Practising Certificate and is therefore authorised to carry on the following reserved legal activities: • The exercise of a right of audience • The conduct of litigation • The administration of oaths
Complaint	Information established by the CLSB under its supervision arrangements or information received from a third party (natural, legal or commercial) which relates to a potential breach of a Principle by a Costs Lawyer.
Conduct Committee	Committee established by the CLSB to consider Costs Lawyer conduct matters, as defined in the Disciplinary Rules and Procedures

CPD	Continuing Professional Development
CPD Rules	CLSB's rules and requirements for continuing professional development that apply at the relevant date
Disciplinary Rules and Procedures	CLSB's rules and procedures governing disciplinary matters that apply at the relevant date
First-tier Complaint	Complaints that are made directly to a provider of legal services are referred to as "first-tier complaints".
Individual voluntary arrangement	An Individual Voluntary Arrangement (IVA) is an agreement with your creditors to pay all or part of your debts. You agree to make regular payments to an insolvency practitioner, who will divide this money between your creditors. This may be called something different outside of the United Kingdom.
Partnership Voluntary Arrangement	A Partnership Voluntary Arrangement (PVA) is a formal agreement whereby partnerships repay a proportion of business debts to unsecured creditors over an agreed length of time.
Practising Certificate	Certificate issued annually allowing a Costs Lawyer to practise under the title of Costs Lawyer and carry on reserved legal activities
Prescribed	Prescribed by the CLSB from time to time
Register	The register of Costs Lawyers who hold a current Practising Certificate
Regulatory Arrangements	The CLSB Handbook, including the Code of Conduct, and associated CLSB guidance, policies and procedures
Regulatory Objectives	The objectives listed in section 1(1) of the Legal Services Act 2007
Second-tier Complaint	Complaints that are escalated to the CLSB or Legal Ombudsman are known as "second-tier complaints".
Training Rules	The CLSB's rules and requirements for training and qualification that apply at the relevant date

RULE 1: Right to practise as a Costs Lawyer

- 1.1 No person shall be entitled to practise as a Costs Lawyer unless:
- (a) they have qualified as a Costs Lawyer in accordance with the Training Rules;
 - (b) they have a current Practising Certificate which has been issued in accordance with these Rules and which is not suspended;
 - (c) they comply with CPD requirements set out in the CPD Rules; and
 - (d) they have professional indemnity insurance in accordance with Rule 9.

RULE 2: Application for a Practising Certificate

- 2.1 An application for a Practising Certificate must be made in the prescribed form, correctly completed, by the prescribed time, and be accompanied by:
- (a) the prescribed fee; and
 - (b) any information and documents that may be prescribed or reasonably requested by the CLSB.
- 2.2 The application will only be made once the CLSB has received all the payments, information and documents relating to it.
- 2.3 The applicant must ensure that all details provided in and in connection with the application are correct and complete, and if they become aware of any changes to the information supplied or any inaccuracy or relevant omission, they must notify the CLSB as soon as practicable.

RULE 3: Decisions

- 3.1 As soon as reasonably practicable after the receipt of a completed application for a Practising Certificate, the CLSB will notify the applicant of its decision.

3.2 The CLSB will either:

- (a) grant a Practising Certificate (with or without conditions); or
- (b) refuse the application.

3.3 The CLSB will refuse the application if the applicant:

- (a) does not meet, or has not demonstrated that they meet, the criteria in Rule 1.1(a), (c) and (d);
- (b) has not complied with Rule 2;
- (c) has failed to pay any fixed costs or financial penalties imposed pursuant to the Disciplinary Rules and Procedures which are due at the date of the application;
- (d) is subject to an order suspending their Practising Certificate; or
- (e) is subject to an order permanently revoking their Practising Certificate.

3.4 The CLSB may refuse the application or impose conditions on the issue of a Practising Certificate if satisfied that:

- (a) the applicant is unsuitable to practise as a Costs Lawyer (or in the case of a condition, is unsuitable to undertake certain activities or engage in certain business or practising arrangements);
- (b) the applicant is putting, or is likely to put, at risk the interests of clients, third parties or the public;
- (c) the applicant will not comply with the CLSB's Regulatory Arrangements (and/or in the case of a condition, will require monitoring in relation to compliance with the CLSB's Regulatory Arrangements);
- (d) in the case of a condition, the applicant should take specified steps conducive to the Regulatory Objectives; or
- (e) it is otherwise in the public interest to do so in light of the Regulatory Objectives.

3.5 The CLSB may also impose or amend conditions on a Practising Certificate during its currency on one or more of the grounds set out in Rule 3.4. If the CLSB does so, it must give 21 calendar days' written notice with reasons to the Cost Lawyer

in question, unless it is satisfied on reasonable grounds that it is not in the public interest to do so.

- 3.6 The CLSB may remove a condition on a Practising Certificate if it considers, on written application of the Costs Lawyer or on its own initiative, that there has been a change of circumstances such that it is no longer satisfied that any of the grounds in Rule 3.4 for imposing a condition apply.
- 3.7 The CLSB must notify its reasons in writing to the applicant in the event the CLSB:
- (a) refuses an application;
 - (b) makes a Practising Certificate subject to conditions; or
 - (c) refuses to remove a condition imposed on a Practising Certificate.

RULE 4: Disclosure

- 4.1 An applicant or Costs Lawyer must disclose the events set out in Rule 4.2 to the CLSB:
- (a) when making an application for a Practising Certificate;
 - (b) when making an application to remove a condition on a Practising Certificate (including to remove a condition imposed under an interim suspension order pursuant to the Disciplinary Rules and Procedures); and
 - (c) at any other time as soon as reasonably practicable after the event has occurred.
- 4.2 The events that the applicant or Costs Lawyer must disclose are that they have (in any jurisdiction):
- (a) been subject to any criminal charge, conviction or caution, subject to the Rehabilitation of Offenders Act 1974;
 - (b) been subject to an adjudication of bankruptcy;
 - (c) been granted a debt relief order;
 - (d) entered into an individual voluntary arrangement or a partnership voluntary arrangement;

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- (e) been a director of any company or partner in an LLP or partnership that has been the subject of a winding up order, an administrative order or an administrative receivership, or has otherwise been wound up or put into administration in circumstances of insolvency;
 - (f) been disqualified from being a company director or the trustee of a charity;
 - (g) been the subject of an adverse disciplinary finding, or are currently subject to ongoing disciplinary proceedings, by any regulatory or professional body;
 - (h) been the subject of a complaint from a client or member of the public about any costs service they have provided, whether or not the complaint was upheld. Costs Lawyers who hold a current practising certificate should only report first-tier complaints in their annual practising certificate application.
 - (i) been the subject of an adverse order or finding of a court or tribunal; or
 - (j) become aware of any other matter that might reasonably be expected to be disclosed in affecting their fitness to become or remain a Costs Lawyer.

4.3 The applicant must make a prompt report to the CLSB of any material changes of which the applicant is aware to information previously provided to the CLSB by the applicant or on their behalf relating to the applicant or their practice, including any change to the information recorded in the register.

RULE 5: Delegation of Work

- 5.1 Costs Lawyers must ensure that where work is delegated to a person who is not a Costs Lawyer authorised by the CLSB whether employed or not, that individual has the necessary competence and knowledge to undertake the role.
- 5.2 A Costs Lawyer must not delegate to a person who is not a Costs Lawyer and to whom any part of Rule 4.2 would apply if they were a Costs Lawyer without the advance written permission of the CLSB. This permission will not be unreasonably withheld, and, where it is not withheld, it may be issued with

conditions to protect the public interest and integrity of the Costs Lawyer profession.

- 5.3 Where a Costs Lawyer delegates work within the scope of reserved legal activities to someone who is not an authorised person under the Legal Services Act 2007:
- (a) the unauthorised individual must be acting on behalf of the Costs Lawyer in assisting with the delegated work;
 - (b) the Costs Lawyer must suitably supervise these activities; and
 - (c) a Costs Lawyer who fails to suitably supervise an unauthorised individual assisting in reserved legal activities will be in breach of Principles 3 and 4 of the Code of Conduct as well as these Practising Rules.

RULE 6: Register of Costs Lawyers

- 6.1 The Register of Costs Lawyers will be published on the CLSB website.
- 6.2 The name of each Costs Lawyer will be entered onto the Register upon:
- (a) the issue of a Practising Certificate; or
 - (b) the expiry of any suspension of a current Practising Certificate.
- 6.3 The Register will contain the following information in respect of each Costs Lawyer:
- (a) name;
 - (b) registration number;
 - (c) year of qualification as a Costs Lawyer;
 - (d) details of their practice or employment;
 - (e) contact details, including an email address;
 - (f) any conditions on their Practising Certificate;
 - (g) any published disciplinary outcomes; and
 - (h) any other information required by law or deemed appropriate to be held.
- 6.4 If a Costs Lawyer is subject to an order (pursuant to the Disciplinary Rules and Procedures or otherwise) for suspension of their name from the Register, the

Costs Lawyer's name will be removed from the Register for the period of the suspension. The Costs Lawyer's name will be reinstated to the Register upon expiry of the suspension if they have a Practising Certificate that is current at that time. If they do not have a Practising Certificate that is current at that time, their name will be reinstated to the Register upon successful application for a Practising Certificate.

- 6.5 If a Costs Lawyer is subject to an order (pursuant to the Disciplinary Rules and Procedures or otherwise) for permanent removal of their name from the Register, the Costs Lawyer's name will be removed from the Register and will be reinstated only upon successful appeal against the order.
- 6.6 A Costs Lawyer's name will be removed from the Register if they do not have a current Practising Certificate.

RULE 7: Issue of Practising Certificates

- 7.1 The Practising Certificate will be delivered to the address notified to CLSB as the applicant's practising address or to such other address as the applicant shall advise the CLSB in writing and may be delivered either by post or electronically.
- 7.2 The Practising Certificate will include the following details:
- (a) the full name of the Costs Lawyer;
 - (b) the commencement date;
 - (c) the date of expiry; and
 - (d) any condition to which the Practising Certificate is subject.
- 7.4 In the event conditions are imposed on a Practising Certificate, a replacement Practising Certificate will be issued stating the condition and the date on which it was imposed.
- 7.5 A replacement Practising Certificate will be issued in the event a condition expires, is varied, is successfully appealed or is revoked.

RULE 8: Expiration of a Practising Certificate

8.1 A Practising Certificate will expire:

- (a) on the expiry date stated on the Practising Certificate;
- (b) when a replacement Practising Certificate is issued; or
- (c) on the death of the Costs Lawyer.

RULE 9: Revocation and suspension of a Practising Certificate

9.1 A Practising Certificate may be revoked by the CLSB if:

- (a) the Costs Lawyer no longer meets the criteria in Rule 1.1(a), (c) and (d), or it comes to light that the Costs Lawyer did not meet those criteria at the time of applying for the Practising Certificate;
- (b) the Costs Lawyer is subject to an order permanently revoking their Practising Certificate;
- (c) the Costs Lawyer discloses one or more of the events set out in Rule 4.2 to the CLSB and the CLSB is satisfied of one or more of the matters in Rule 3.4 (a), (b), (c) or (e).

9.2 If a Costs Lawyer is subject to an order suspending their Practising Certificate, they will not be able to practise as a Costs Lawyer for the period of the suspension. If the Practising Certificate is still current when the suspension ends, the Practising Certificate will remain valid. If the Practising Certificate has expired during the period of the suspension, the Costs Lawyer must apply for a new Practising Certificate.

RULE 10: Indemnity insurance

10.1 Costs Lawyers must ensure that they:

- (a) practise with the benefit of professional indemnity insurance of a minimum £100,000 (any one claim) to include loss of documents; and

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- (b) on an ongoing basis, assess all financial risk associated with work being undertaken by them and ensure that professional indemnity insurance (including loss of documents insurance) is in place in excess of the minimum set out in Rule 10.1(a) at a level commensurate with that risk.
 - (c) professional indemnity insurance will ordinarily be written in the United Kingdom from a provider regulated under United Kingdom legislation. Where a Costs Lawyer is based in another jurisdiction, serves clients in that jurisdiction and provides cover from that jurisdiction, they must evidence its equivalency, and if written in any language other than English, provide a suitable translation certified as accurate.

RULE 11: Appeals

- 11.1 An applicant or Costs Lawyer may appeal a decision of the CLSB to:
 - (a) refuse to grant permission to delegate work to an unauthorized individual under Rule 5.2;
 - (b) refuse to issue a Practising Certificate;
 - (c) impose conditions upon a Practising Certificate;
 - (d) refuse to remove a condition imposed on a Practising Certificate; or
 - (e) revoke a Practising Certificate.
- 11.2 An appeal must be made within 21 calendar days of the date on which the Costs Lawyer is notified of the decision they intend to appeal.
- 11.3 The appeal must be in writing to the CLSB and must set out the grounds on which the appeal is being made.
- 11.4 The only grounds for making an appeal are that the decision was flawed because:
 - (a) there was a material error of law;
 - (b) there was a failure to take into account material information;
 - (c) the decision was irrational or based on irrelevant considerations;
 - (d) there was a material failure to follow the Regulatory Arrangements;
 - (e) the decision was unlawful; or

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- (f) new evidence has been obtained which could not have been made available when the decision was made and which will be material to the decision.

11.5 An appeal shall be by way of review by a Conduct Committee and the decision on the appeal shall be made on the papers.

11.6 The Conduct Committee may not impose any decision or condition that is harsher than the original.

11.7 There is no right of appeal beyond the Conduct Committee.

RULE 12: Notification of decisions

12.1 If it is considered to further the Regulatory Objectives, the CLSB may notify any or all of the following about decisions made under these Rules:

- (a) ACL;
- (b) an Approved Regulator;
- (c) the Legal Services Board;
- (d) a law enforcement agency;
- (e) the Legal Ombudsman.