

Subsidiary Legislation made under s.18(1)(b).

Solicitors' (Practising Certificates) (Extension of Validity) Rules 2020

LN.2020/146

Commencement

2.4.2020

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2017-15

Legal Services

**2020/146 Solicitors' (Practising Certificates) (Extension of Validity)
Rules 2020**

In exercise of the powers conferred upon him by section 18(1)(b) of the Legal Services Act the Chief Justice has made these Rules-

Title and commencement.

1.(1) These rules may be cited as the Solicitors' (Practising Certificates) (Extension of Validity) Rules 2020

(2) These rules come into operation on the date of publication.

Interpretation.

2. In these Rules –

“2005 Rules” means the Solicitors' (Practising Certificates) Rules 2005

“LSRA” means the Legal Services Regulatory Authority a statutory authority created by section 14 of the Legal Services Act 2017

“solicitor” includes a barrister who acts as a solicitor pursuant to section 32 of the Supreme Court Act and a registered European Lawyer.

“auditor” means an auditor whose name is included on the register established by the Auditors Approval and Registration Act, 1998.

Extension of Validity of Practising Certificates.

3. Subject to the requirements set out in rule 5 the validity of any Practising Certificate issued under the 2005 Rules and valid and subsisting as 30 April 2020, is extended until 30 June 2020.

4. The Chief Justice after consultation with the LSRA and by Notice in the Gazette may extend the period of validity for such further period or periods as he may determine subject to compliance with the requirements of rule 5.

Requirements for Extension of Validity.

5. The requirements referred to in rule 4 are –

- (a) the solicitor must have provided to the Registrar not later than 31 December 2019 the auditors' certificate which satisfy the LSRA that such solicitor has complied

with the Solicitors' Accounts Rules for the preceding year, pursuant to rule 4(1) of the 2005 Rules;

- (b) the solicitor must produce to the Chief Executive Officer of the LSRA not later than 15 April 2020 a certificate of cover or similar document which satisfies the Chief Executive Officer that the solicitor has taken out and is maintaining for the period(s) of validity professional indemnity insurance in the minimum sum of £1m each claim and in the aggregate.

No Extension.

- 6. Where the validity of a solicitor's Practising Certificate shall not be extended due to non-compliance with rule 5, the LSRA shall notify the solicitor no later than 22 April 2020.

Deemed Compliance.

- 7. A solicitor shall be deemed to have complied with rule 5 if he satisfies the Chief Executive Officer of the LSRA that the firm of solicitors in which he is a consultant, partner, associate or employee has complied with rule 5.

Continuing Application of the 2005 Rules.

- 8. Save as expressly provided for in these Rules strictly in respect of the period(s), and for the purposes of the extension of validity of Practising Certificates, the 2005 Rules shall continue to apply.

Appeal.

- 9. Any solicitor who is aggrieved by the validity of his Practising Certificate not being extended may appeal in writing to the Chief Justice.