

Rules with proposed amendments

CILEx Regulation Transparency Rules

Introduction

1. (1) These are the CILEx Regulation Transparency Rules.
(2) ~~If a CILEx An **Authorised Entity** is providing legal services to consumers set out at Annex A, in relation to those legal services, it must publish the information set out at Rules 2 – 7 on its website as required by Rule 1(3).~~
 - a) ~~publish on, or via a link from, its website homepage the information set out at Rules 2-8, or~~
 - b) ~~if it does not have a website, make available on request the information set out at Rules 2-7~~

Publication

- (3) An **Authorised Entity** must publish the information required under Rules 2 – 7 prominently in a clear and accessible format on, or via a link from, the homepage of its website.
- (4) If it does not have a website, an **Authorised Entity** must provide the information set out at Rules 2 – 7 in a leaflet (the “Consumer Information Leaflet”) which it must:
 - a) make available on request, and
 - b) provide to CILEx Regulation at annual renewal, or more frequently where appropriate, for publication on the CILEX Authorised Entity Directory.
- (53) In complying with these rules, ~~a CILEx~~ an **Authorised Entity** is required to adhere to the CILEX Code of Conduct for the time being in force, including but not limited to, Principles 2, 4 and 5. ~~A CILEx~~ An **Authorised Entity** is bound by the associated regulatory arrangements in force from time to time.
- (64) Responsibility for the application and administration of these Rules is delegated by ~~CILEX~~ to **CILEx Regulation**.

PRICE and SERVICES information

2. Price and services information must include:
 - a) The **total price** of the legal service.
 - b) The basis on which the **total price** is calculated, for example, fixed fee or hourly rate.

- c) A description of the legal services that are included in the published **total price**, including the key stages of the legal services, typical timescales for each stage, and details of any services that might reasonably be expected to be included in the published **total price** but are not.
- d) The price of all ~~each~~ disbursements payable, together with an explanation of the disbursement.
- e) The prices and disbursements on which VAT must be paid and the amount of VAT payable.
- f) The mix of staff that deliver the legal services (to include their role, experience and qualifications).
- g) If conditional fee or damages-based agreements are available, then the circumstances in which clients may have to make payments themselves (including from any damages) must be explained.

SERVICE information

~~3. Service information must include:~~

- ~~a) A description of the legal services provided~~
- ~~b) The key stages of the legal service~~
- ~~c) Typical timescales for each stage of the legal service~~

COMPLAINTS AND REDRESS information

- 3. ~~4~~-An **Authorised Entity** must publish details of its free complaints handling procedure including how and when a complaint can be referred to the Legal Ombudsman and to **CILEx Regulation**.
- 4. An **Authorised Entity** must publish a link to the Legal Ombudsman decision data website page.

REGULATORY information

- 5. An **Authorised Entity** must state that it is required to have Professional Indemnity Insurance (PII) to cover all legal services provided and it must be made clear which legal services are covered by the **Authorised Entity's** PII.
- 6. An **Authorised Entity** must make clear the area(s) of law in which it provides legal services that:
 - a) it is authorised for,
 - b) are covered by CILEx Regulation's Compensation Arrangements (Compensation Arrangements) and
 - c) are not covered by Compensation Arrangements

7. An **Authorised Entity** must display on the company's letter headed paper, emails and on the home page of its website the wording that it is 'Authorised by CILEx Regulation for....' followed by the area of law in which it has been granted authorisation for and its Authorisation number.
8. An **Authorised Entity** must display on the home page of its website the **CILEx Regulation logo(s)** relating to the area(s) in which the **Authorised Entity** firm is authorised to conduct legal services.

Interpretation

9. In these Rules, unless otherwise provided:

Authorised Entity:	means a partnership (including a limited liability partnership), company or sole principal authorised or licensed by CILEx under the Legal Services Act 2007 to: (a) carry on an activity which is a Reserved Legal Activity; or (b) provide immigration advice or immigration services; and where the context permits, references to acts or omissions by such a body shall include the acts or omissions of such a body's principals (including the partners in a partnership, the members in an LLP or the directors in a company) and employees;
CILEx:	means the Chartered Institute of Legal Executives;
CILEx Regulation:	means CILEx Regulation Limited
consumers:	includes individual consumers and small businesses with up to 10 employees and less than one million pounds net turnover acting in the position of consumers
prominently:	in a way that stands out so as to be easily seen; noticeably or conspicuously
clear and accessible:	means a clear font and at least font size 12
logo:	means any CILEx Regulation logo or smart badge that any Authorised Entity or CILEx practitioner is authorised to display.
total price:	means all costs that must be paid for a legal service including, but not exclusively, the legal fees, disbursements, any other costs and VAT on these elements where payable.

~~**Annex A** – the list of the areas of legal services to which the price transparency requirements apply~~

~~1. Residential conveyancing of freehold and leasehold sales and purchases, mortgages and re-mortgages including:~~

- ~~• transfer of legal title, ownership or any legal or equitable interest in such property from one party to another~~
- ~~• grant of a mortgage or other lien (the grant of an encumbrance on any such property such as a mortgage or a lien)
 - ~~○ (the drawing of documents which affect such transfers or grants or establish a title or interest in such property)~~
 - ~~○ the examination of the title or ownership of such property)~~~~

~~2. Probate, that is the collection and distribution of money, property and other assets belonging to a person following their death, including, but not exclusively:~~

- ~~• application for grant of probate or letters of administration~~
- ~~• payment of debts and funeral expenses~~
- ~~• payment of inheritance tax liability~~
- ~~• distribution of the remainder to beneficiaries in accordance with a will, or, distribution in accordance with the rules of intestacy where there is no will.~~

~~Contested probate is not included.~~

~~3. Immigration as defined below:~~

~~a) the preparation and submission of immigration applications, excluding asylum applications and/or~~

~~b) the provision of advice and representation at the First-tier Tribunal (Immigration and Asylum Chamber) in relation to appeals against Home Office visa or immigration decisions, excluding asylum appeals. The types of applications which are covered by the rules will include:~~

- ~~• Applications for naturalisation or registration under the British Nationality Act 1981~~
- ~~• Applications on behalf of European Economic Area (EEA) nationals and their family members under the applicable EEA Regulations or Immigration Rules, including applications for permanent residence, residence cards, and registration certificates~~
- ~~• Applications under Immigration legislation, including:
 - ~~○ student and work experience visas~~
 - ~~○ visit visas (for tourism, or visiting friends / family)~~~~

- ~~○ spouse and partners applications, including fiancé(e)s or proposed civil partners~~
- ~~○ applications for work, business or study under the Points Based System~~
- ~~○ dependent relative and family reunion applications~~
- ~~○ ancestry visas~~
- ~~○ other categories, such as applications because of long residence~~

CRL Transparency Rules (xx xx 2024)

Proposed New Rules

CILEx Regulation Transparency Rules

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