NOTE: this table maps subsections between the old and new rules. Within subsections, new rules may be renumbered and reordered.

| RtCLaRoAC Rules | New Rules | Comments |
|--|--|----------------------------|
| DEFINITIONS | DEFINITIONS | Definitions deleted are |
| | | no longer used in the |
| 1. In these Rules, except where | 1. In these Rules, except where otherwise | rules. The majority of |
| otherwise indicated: | indicated: | these relate to the |
| Admissions and Licensing Committee | "Admissions and Licensing Committee" | withdrawal of the QASA |
| means the committee established under | means the <u>C</u> eommittee established <u>by</u> | scheme. |
| the Admissions and Licensing Committee | CILEx Regulation to deal with matters | |
| Rules | relating to these Rules; under the | The previous definition |
| | Admissions and Licensing Committee Rules | of Fellow or applicant in |
| "Advocacy Certificate" means a Rights of | | good standing has been |
| Audience Certificate identified in these | "Advocacy Certificate" means a Rights of | split in two. |
| Rules; | Audience Certificate identified in these | Spire in error |
| | Rules; | |
| "Advocacy Skills Course" means an | | Seven new definitions |
| advocacy skills course approved in | "Advocacy Skills Course" means an | relevant to the |
| accordance with the Rights of Audience | advocacy skills course approved in | amendments made to |
| Certification Rules; | accordance with the Rights of Audience | the rules for |
| | Certification Rules; | authorisation of rights to |
| "Appeals Panel" means the Panel | | conduct litigation and |
| established to hear appeals against | "Appeals Panel" means the Panel | rights of audience have |
| decisions made by the Admissions and | established to hear appeals against | been added |
| Licensing Committee following a | decisions made by the Admissions and | |
| rehearing; | Licensing Committee following a rehearing; | |
| "Authorised Litigator" means a person | "Authorised Litigator" means a person who | |
| who has been granted a right to conduct | has been granted a right to conduct | |
| litigation by an approved regulator, | litigation by an approved regulator, under | |
| under the terms of the Act; | the terms of the Act; | |
| ander the terms of the Act, | the terms of the Act, | |
| "Bar Standards Board (BSB)" means the | "Bar Standards Board (BSB)" means the | |
| regulatory body for barristers; | regulatory body for barristers; | |
| | | |
| "Certificate of Eligibility" means a | "Certificate of Eligibility" means a | |
| Certificate permitting an applicant to | Certificate permitting an applicant to | |
| undertake an Advocacy Skills Course; | undertake an Advocacy Skills Course; | |
| "Cortification Dulos" magazithese Dichte | "Certification Rules" means these Rights to | |
| "Certification Rules" means these Rights to Conduct Litigation and Rights of | Conduct Litigation and Rights of Audience | |
| Audience Certification Rules; | Certification Rules; | |
| Addictive Certification rules, | Certification rates, | |
| "Chambers advocacy" means rights of | "Chambers advocacy" means rights of | |
| audience exercised in Judge's room | audience exercised in Judge's room | |
| hearings; | hearings; | |
| | W-11-11 | |
| "CILEx" means the Chartered Institute of | "CILEx" means the Chartered Institute of | |
| Legal Executives; | Legal Executives; | |

| RtCLaRoAC Rules | New Rules | Comments |
|---|--|----------|
| | | |
| "Criminal Advocacy Evaluation Form | <u>"Criminal Advocacy Evaluation Form</u> | |
| (CAEF)" means the form used by judges | (CAEF)" means the form used by judges to | |
| to complete assessments/evaluations of | complete assessments/evaluations of | |
| advocates appearing before them; | advocates appearing before them; | |
| "- | "- | |
| "External adviser" means a person | "External adviser" means a person | |
| appointed by CILEx Regulation to carry out the roles and functions identified for | appointed by CILEx Regulation to carry out the roles and functions identified for them | |
| them by CILEx Regulation; | by CILEx Regulation; | |
| them by Citex Regulation, | by CILEX Regulation, | |
| "Fellow of CILEx or applicant in good | "Fellow of CILEx or applicant in good | |
| standing" means a Fellow of CILEx whose | standing" means a person who has met the | |
| subscriptions to CILEx are fully paid or an | requirements of CILEx Regulation and has | |
| applicant seeking registration with CILEx | paid all subscriptions and other fees to | |
| Regulation and, in both cases, in respect | CILEx or has made arrangement for | |
| of whose conduct there is no complaint | paymentFellow of CILEx whose | |
| or misconduct matter outstanding, | subscriptions to CILEx are fully paid or an | |
| whose CPD requirements are up to date | applicant seeking registration with CILEx | |
| and against whom there is no | Regulation and, in both cases, in respect of | |
| disciplinary record which in the view of | whose conduct there is no complaint or | |
| CILEx Regulation affects their suitability | misconduct matter outstanding, whose | |
| to be a Chartered Legal Executive | CPD requirements are up to date and | |
| Litigator and Advocate; | against whom there is no disciplinary record which in the view of CILEx | |
| "CILEx" means the Chartered Institute of | Regulation affects their suitability to be a | |
| Legal Executives; | Chartered Legal Executive Litigator and | |
| Legal Exceutives, | Advocate; | |
| "Independent assessor" means an | , are care, | |
| individual that has been appointed by | "CILEx" means the Chartered Institute of | |
| JAG to undertake | Legal Executives; | |
| assessments/evaluations of advocates in | | |
| court; | <u>"Independent assessor" means an</u> | |
| | individual that has been appointed by JAG | |
| "Investigation, Disciplinary and Appeals | to undertake assessments/evaluations of | |
| Rules" means the rules which are in | advocates in court; | |
| place from time to time which govern | | |
| the complaints handling and disciplinary | "Enforcement Investigation, Disciplinary | |
| procedures of CILEx Regulation; | and Appeals Rules" means the rules of | |
| "IAC" maans the laint Advance: Crew | <u>CILEx Regulation</u> which are in place from | |
| "JAG" means the Joint Advocacy Group; | time to time which govern the complaints handling and disciplinary procedures of | |
| "Joint Advocacy Group" means the body | CILEx Regulation; | |
| made up of representatives from the | CILLY REGULATION, | |
| SRA, BSB and CILEx Regulation, | "JAG" means the Joint Advocacy Group; | |
| responsible for the development and | and means the some navocacy croup, | |
| oversight of the scheme; | "Joint Advocacy Group" means the body | |
| | made up of representatives from the SRA, | |
| "Chartered Legal Executive Advocate" | BSB and CILEx Regulation, responsible for | |
| means a Fellow who has been granted a | | |

| RtCLaRoAC Rules | New Rules | Comments |
|--|--|----------|
| Rights of Audience Certificate by CILEx | the development and oversight of the | |
| Regulation; | scheme; | |
| | | |
| "Chartered Legal Executive Litigator" | "Chartered Legal Executive Advocate" | |
| means a Fellow who has been granted a | means a Fellow who has been granted a | |
| Litigation Certificate by CILEx Regulation; | Rights of Audience Certificate by CILEx | |
| | Regulation; | |
| "The Act" means the Legal Services Act | | |
| 2007; | "Chartered Legal Executive Litigator" | |
| | means a Fellow who has been granted a | |
| "Litigation Certificate" means a litigation | Litigation Certificate by CILEx Regulation; | |
| certificate identified in these Rules; | <i>,,</i> | |
| <i>y</i> | "The Act" means the Legal Services Act | |
| "The Officer" means a person with | 2007; | |
| responsibility for the rights to conduct | //···· | |
| litigation qualification scheme and the | "Litigation Certificate" means a litigation | |
| rights of audience qualification scheme; | certificate identified in these Rules; | |
| "OASA" or "the Quality Assurance | "The Officer" means a narran with | |
| "QASA" or "the Quality Assurance Scheme for Advocates" means the | "The Officer" means a person with | |
| | responsibility for <u>Authorisation Rules</u> the rights to conduct litigation qualification | |
| scheme under which the competence of criminal advocates appearing in the | scheme and the rights of audience | |
| courts of England and Wales is assured | qualification scheme; | |
| by the SRA, BSB and CILEx Regulation; | quantication scheme, | |
| by the sivi, bab and citex negatation, | "QASA" or "the Quality Assurance Scheme | |
| "Reaccreditation" means the process by | for Advocates" means the scheme under | |
| which a criminal advocate demonstrates | which the competence of criminal | |
| their competence and renews their | advocates appearing in the courts of | |
| accreditation for a further five years; | England and Wales is assured by the SRA, | |
| , | BSB and CILEx Regulation; | |
| "a Relevant Advocacy Certificate" means | | |
| an advocacy certificate in either civil, | <u>"Reaccreditation" means the process by</u> | |
| family or criminal proceedings, which | which a criminal advocate demonstrates | |
| relates to a litigation certificate in civil, | their competence and renews their | |
| family or criminal proceedings, | accreditation for a further five years; | |
| respectively; | | |
| (/T) 0 1 " · · · · · · · · · · · · · · · · · · | "a Relevant Advocacy Certificate" means | |
| "The Scheme" means the Quality | an advocacy certificate in either civil, | |
| Assurance Scheme for Advocates; | family or criminal proceedings, which | |
| "Solicitors Dogulation Authority (SDAY" | relates to a litigation certificate in civil, | |
| "Solicitors Regulation Authority (SRA)" | family or criminal proceedings, respectively; | |
| means the regulatory body for solicitors; and | respectively, | |
| anu | "The Scheme" means the Quality | |
| "Standards" means the nine | Assurance Scheme for Advocates: | |
| expectations which are assessed by | Assurance scheme for Advocates, | |
| judicial evaluation, assessment | "Solicitors Regulation Authority (SRA)" | |
| organisation, assessed CPD, independent | means the regulatory body for solicitors; | |
| assessor or any other method approved | and | |
| by JAG. | | |

| RtCLaRoAC Rules | New Rules | Comments |
|---|--|-----------------------------------|
| | "Standards" means the nine expectations | |
| | which are assessed by judicial evaluation, | |
| | assessment organisation, assessed CPD, | |
| | independent assessor or any other method | |
| | approved by JAG. | |
| | "Applicant in good standing" | |
| | means a person in respect of whose | |
| | conduct there is no complaint or | |
| | misconduct matter outstanding, and | |
| | against whom there is no disciplinary | |
| | record which, in the view of CILEx | |
| | Regulation, affects their suitability to be a | |
| | CILEx Lawyer; | |
| | "Chartered Legal Executive | |
| | Litigator and Advocate" means a Fellow | |
| | who has been granted a Litigation | |
| | Certificate and a Rights of Audience | |
| | Certificate by CILEx Regulation; | |
| | "CILEx Lawyer" means a person | |
| | who has been authorised by CILEx | |
| | Regulation to provide one or more | |
| | regulated legal activity; | |
| | • "CILEx Practitioner" means a CILEx | |
| | Lawyer; | |
| | • "CILEx Regulation" means CILEx | |
| | Regulation Ltd; | |
| | • "CPD Regulations" means the Rules | |
| | of CILEx Regulation which are in place to | |
| | govern the continuing professional development of CILEx Lawyers and | |
| | | |
| | members of CILEx;"Litigation and Advocacy | |
| | Certificate" means a litigation and | |
| | advocacy certificate identified in these | |
| | Rules; | |
| | • "Practice Certificate" means a | |
| | "Practice Rights Certificate" or a "Litigation | |
| | Certificate" or an "Advocacy Certificate" | |
| | identified in these Rules; | |
| Manda incorpolation the street to the death | NOTES ON THESE PLUES | No shower but the |
| Words importing the singular include the | NOTES ON THESE RULES 2. Peference to the male gender also | No change, but rule number added. |
| plural and vice versa. | 2. Reference to the male gender also includes female gender. | |
| | 3. Words importing the singular include the | New rules have an |
| | plural and vice versa. | additional note. |
| 2. Responsibility for this qualification | <u>DELEGATIONS</u> | Text change for |
| scheme is delegated to CILEx Regulation | | consistency. Rule |
| by CILEx. | | number added. |

| RtCLaRoAC Rules | New Rules | Comments |
|---|--|----------------------------|
| | 4. 2. Responsibility for this qualification | |
| | scheme is delegated to CILEx Regulation by | |
| | CILEx. | |
| THE RIGHTS TO CONDUCT LITIGATION | Litigation and Advocacy Practice Rights | Changes in this section |
| AND RIGHTS OF AUDIENCE CERTIFICATES | ELIGIBILITY | reflect the application of |
| | THE RIGHTS TO CONDUCT LITIGATION AND | these rules to first time |
| 3. A Fellow of CILEx or an applicant | RIGHTS OF AUDIENCE CERTIFICATES | applicants only. Anyone |
| eligible to qualify as a Fellow of CILEx | | who holds a relevant |
| who is in good standing may apply to | 513. A Fellow of CILEx or an applicant | advocacy certificate |
| CILEx Regulation to be granted one or | eligible to qualify as a Fellow of CILEx who | would not fall under |
| more of the following Certificates: (a) A | is-in good standing who | these rules in future. |
| Right to Conduct Litigation (Civil | • is applying for Fellowship, and | Rule 7 has been deleted |
| Proceedings) Certificate; (b) A Right to | • has three years' general legal | for this reason. |
| Conduct Litigation (Family Proceedings) | experience including relevant litigation and | |
| Certificate; (c) A Right to Conduct | advocacy experience in the two years | |
| Litigation (Criminal Proceedings) Certificate. | preceding the application, may apply to CILEx Regulation to be | |
| Certificate. | granted one or more of the following | |
| 4. A Fellow of CILEx in good standing | Certificates: | |
| who does not already hold a relevant | • (a) A Right to Conduct Litigation | |
| advocacy certificate must, at the same | (Civil Proceedings) Certificate; | |
| time as their application for a litigation | • (b) A Right to Conduct Litigation | |
| certificate, apply to CILEx Regulation to | (Family Proceedings) Certificate; | |
| be granted one or more of the following | • (c) A Right to Conduct Litigation | |
| Rights of Audience Certificates which | (Criminal Proceedings) Certificate. | |
| relate to the same proceedings as the | (| |
| Litigation Certificate: (a) A Rights of | 524. An applicant Fellow of CILEx in good | |
| Audience (Civil Proceedings) Certificate | standing who does not already hold a | |
| in Judge's Room; (b) A Rights of | relevant advocacy certificate must, at the | |
| Audience (Family Proceedings) | same time as their application for a | |
| Certificate in Judge's Room; (c) A Rights | <u>L</u> litigation <u>C</u> eertificate, apply to CILEx | |
| of Audience (Civil Proceedings) | Regulation to be granted one or more of | |
| Certificate; (d) A Rights of Audience | the following Rights of Audience | |
| (Family Proceedings) Certificate; (e) A | Certificates which relate to the same | |
| Rights of Audience (Criminal | proceedings as the Litigation Certificate: | |
| Proceedings) Certificate. | • (a) A Rights of Audience (Civil | |
| 5 The Bights to Conduct Litigation | Proceedings) Certificate in Judge's Room; | |
| 5. The Rights to Conduct Litigation | • (b) A Rights of Audience (Family | |
| exercisable by Chartered Legal Executive | Proceedings) Certificate in Judge's Room; (c) A Rights of Audience (Civil | |
| Litigators holding Litigation Certificates are set out below: | Proceedings) Certificate; | |
| are set out below. | • (d) A Rights of Audience (Family | |
| Rights to Conduct Litigation (Civil | Proceedings) Certificate; | |
| Proceedings) Certificate: To conduct | • (e) A Rights of Audience (Criminal | |
| litigation in all civil proceedings | Proceedings) Certificate. | |
| excluding family proceedings; | | |
| , r | 535. The Rights to Conduct Litigation | |
| Rights to Conduct Litigation (Family | exercisable by a person Chartered Legal | |
| Proceedings) Certificate: To conduct | Executive Litigators holding a Litigation | |
| litigation in all family proceedings; | Certificates are set out below: | |

| RtCLaRoAC Rules | New Rules | Comments |
|---|--|----------|
| | Rights to Conduct Litigation (Civil | |
| Rights to Conduct Litigation (Criminal | Proceedings) Certificate: To conduct | |
| Proceedings) Certificate: To conduct | litigation in all civil proceedings excluding | |
| litigation in all criminal proceedings. | family proceedings; | |
| | Rights to Conduct Litigation (Family | |
| 6. The rights of audience exercisable by | Proceedings) Certificate: To conduct | |
| Litigators holding Rights of Audience | litigation in all family proceedings; | |
| Certificates are set out below: | Rights to Conduct Litigation | |
| | (Criminal Proceedings) Certificate: To | |
| Rights of Audience (Civil Proceedings) | conduct litigation in all criminal | |
| Certificate in Judge's Room: 2 to exercise | proceedings. | |
| rights of audience in Judge's room | 0. | |
| hearings in the County Court and High | 546. The rights of audience exercisable by a | |
| Court in all civil proceedings excluding | person Litigators holding an Advocacy | |
| family proceedings. | Rights of Audience Certificates are set out | |
| ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, | below: | |
| Rights of Audience (Civil Proceedings) | Rights of Audience (Civil | |
| Certificate: | Proceedings) Certificate in Judge's Room: | |
| to exercise rights of audience in | to exercise rights of audience in Judge's | |
| Judge's room hearings in the County | room hearings in the County Court and | |
| Court and High Court in all civil | High Court in all civil proceedings excluding | |
| proceedings excluding family | family proceedings. | |
| proceedings; | Rights of Audience (Civil | |
| to appear in open Court in the | Proceedings) Certificate: to exercise rights | |
| County Court in all actions, except family | of audience in Judge's room hearings in the | |
| proceedings; | County Court and High Court in all civil | |
| to appear before Magistrates, | proceedings excluding family proceedings; | |
| District Judges (Magistrates' Court) or | to appear in open Court in the County | |
| Justices' Legal Advisers in the | Court in all actions, except family | |
| Magistrates' Courts in relation to all civil | proceedings; to appear before Magistrates, | |
| and enforcement matters; | District Judges (Magistrates' Court) or | |
| to appear before any tribunal | Justices' Legal Advisers in the Magistrates' | |
| having jurisdiction in England and Wales, | Courts in relation to all civil and | |
| which is listed in Schedule 6 of the | enforcement matters; to appear before | |
| Tribunals, Courts and Enforcement Act | any tribunal having jurisdiction in England | |
| 2007 (as amended or substituted from | and Wales, which is listed in Schedule 6 of | |
| time to time) where the tribunal rules | the Tribunals, Courts and Enforcement Act | |
| provide for a non-discretionary right of | 2007 (as amended or substituted from | |
| audience being available to barristers, | time to time) where the tribunal rules | |
| solicitors and CILEx advocates; | provide for a non-discretionary right of | |
| to appear before Coroners' | audience being available to barristers, | |
| Courts in respect of all matters | solicitors and CILEx advocates; to appear | |
| determined by those Courts and to | before Coroners' Courts in respect of all | |
| exercise rights of audience similar to | matters determined by those Courts and to | |
| those exercised by solicitors and | exercise rights of audience similar to those | |
| barristers. A Civil Proceedings Certificate | exercised by solicitors and barristers. A | |
| does not confer a right of audience in | Civil Proceedings Certificate does not | |
| any proceedings for which a Family | confer a right of audience in any | |
| Proceedings Certificate is required. | proceedings for which a Family | |
| | Proceedings Certificate is required. | |

| RtCLaRoAC Rules | New Rules | Comments |
|--|--|----------|
| Rights of Audience (Family Proceedings) | | |
| Certificate in Judge's Room: | Rights of Audience (Family | |
| to exercise rights of audience in | Proceedings) Certificate in Judge's Room: | |
| Judge's room hearings in the Family | to exercise rights of audience in Judge's | |
| Court and High Court, except reserved | room hearings in the Family Court and High | |
| proceedings, in all family proceedings. | Court, except reserved proceedings, in all | |
| | family proceedings. | |
| Rights of Audience (Family Proceedings) | | |
| Certificate: | Rights of Audience (Family | |
| to exercise rights of audience in | Proceedings) Certificate: to exercise rights | |
| Judge's room hearings in the Family | of audience in Judge's room hearings in the | |
| Court and High Court, in all family | Family Court and High Court, in all family | |
| proceedings; | proceedings; to appear in the Family Court | |
| to appear in the Family Court in | in all proceedings; to appear before | |
| all proceedings; 2 to appear before | Coroners' Courts in respect of all matters | |
| Coroners' Courts in respect of all matters | determined by those Courts and to | |
| determined by those Courts and to | exercise rights of audience similar to those | |
| exercise rights of audience similar to | exercised by solicitors and barristers. | |
| those exercised by solicitors and | | |
| barristers. | A Rights of Audience (Criminal | |
| | Proceedings) Certificate: to appear before | |
| A Rights of Audience (Criminal | Justices Clerks, Justices or a District Judge | |
| Proceedings) Certificate: to appear | (Magistrates' Court) in all adult | |
| before Justices Clerks, Justices or a | Magistrates' Courts in relation to all | |
| District Judge (Magistrates' Court) in all | matters within that Court's criminal | |
| adult Magistrates' Courts in relation to | jurisdiction; to appear before Justices | |
| all matters within that Court's criminal | Clerks, Justices or a District Judge | |
| jurisdiction; to appear before Justices | (Magistrates' Court) in all Youth Courts in | |
| Clerks, Justices or a District Judge | relation to all matters within that Court's | |
| (Magistrates' Court) in all Youth Courts | criminal jurisdiction; to appear in the | |
| in relation to all matters within that | Crown Court or High Court before a judge | |
| Court's criminal jurisdiction; to appear in | in chambers to conduct bail applications; | |
| the Crown Court or High Court before a | to appear in the Crown Court on appeal | |
| judge in chambers to conduct bail | from the Magistrates' Court, the Youth | |
| applications; to appear in the Crown Court on appeal from the Magistrates' | Court or on committal of an adult for | |
| Court, the Youth Court or on committal | sentence or to be dealt with, if they, or any approved person in the same employment | |
| of an adult for sentence or to be dealt | as them, appeared on behalf of the | |
| with, if they, or any approved person in | defendant in the Magistrates' Court or | |
| the same employment as them, | Youth Court; to appear before Coroners' | |
| appeared on behalf of the defendant in | Courts in respect of all matters determined | |
| the Magistrates' Court or Youth Court; to | by those Courts and to exercise rights of | |
| appear before Coroners' Courts in | audience similar to those exercised by | |
| respect of all matters determined by | solicitors and barristers. | |
| those Courts and to exercise rights of | | |
| audience similar to those exercised by | | |
| solicitors and barristers. | | |
| | 7. A person who has qualified as a | |
| 7. A person who has qualified as a | Chartered Legal Executive Advocate before | |
| 1 | l | |

qualification as a Chartered Legal Executive

Chartered Legal Executive Advocate

| RtCLaRoAC Rules | New Rules | Comments |
|--|---|--|
| before qualification as a Chartered Legal | Litigator may continue to exercise all the | |
| Executive Litigator may continue to | rights of audience appropriate to the | |
| exercise all the rights of audience | Advocacy Certificate or Certificates they | |
| appropriate to the Advocacy Certificate | hold, as described in Rule 6 above | |
| or Certificates they hold, as described in | immediately upon qualification as a | |
| Rule 6 above immediately upon | Chartered Legal Executive Litigator. | |
| qualification as a Chartered Legal | | |
| Executive Litigator. | | |
| QUALIFICATION ARRANGEMENTS – | QUALIFICATION ARRANGEMENTS - RIGHTS | New drafting to reflect |
| RIGHTS TO CONDUCT LITIGATION | TO CONDUCT LITIGATION | the three different areas of knowledge and |
| | APPLICATIONS | competence under the |
| | Rights to Conduct Litigation Certificates | revised Education |
| | | Standards. |
| 8. Applicants who seek rights to conduct | 8. Applicants who seek rights to conduct | |
| litigation must demonstrate that they | litigation must demonstrate that they meet | |
| meet the knowledge, skills and | the knowledge, skills and experience for | |
| experience for the certificate they seek | the certificate they seek in accordance with | |
| in accordance with the knowledge, skills | the knowledge, skills and experience | |
| and experience guidelines and portfolio | guidelines and portfolio guidelines which | |
| guidelines which appear at Annexes 1 | appear at Annexes 1 and 2 and the | |
| and 2 and the competence framework at | competence framework at Annex 3. | |
| Annex 3. | | |
| | 55. Applicants who seek a Rights to | |
| | Conduct Litigation (Civil Proceedings) | |
| | Certificate must demonstrate that they | |
| | meet the knowledge and competence | |
| | requirements set out at Annex 1, in | |
| | accordance with the application guidelines | |
| | set by CILEx Regulation. | |
| | 56. Applicants who seek a Rights to | |
| | Conduct Litigation (Criminal Proceedings) | |
| | Certificate must demonstrate that they | |
| | meet the knowledge and competence | |
| | requirements set out at Annex 2, in | |
| | accordance with the application guidelines | |
| | set by CILEx Regulation. | |
| | 57. Applicants who seek a Rights to | |
| | Conduct Litigation (Family Proceedings) | |
| | Certificate must demonstrate that they | |
| | meet the knowledge and competence | |
| | requirements set out at Annex 3, in | |
| | accordance with the application guidelines | |
| | set by CILEx Regulation. | |
| | 58. Applicants who seek a Litigation | |
| | Certificate should demonstrate meeting | |
| | the knowledge and competence | |
| | | 1 |
| | requirements by using the documentation | |
| | requirements by using the documentation prescribed by CILEx Regulation to produce | |

| RtCLaRoAC Rules | New Rules | Comments |
|---|---|--|
| | | |
| QUALIFICATION ARRANGEMENTS – RIGHTS OF AUDIENCE | Rights of Audience – Application for Certificate of Eligibility QUALIFICATION ARRANGEMENTS – RIGHTS OF AUDIENCE | Changes in this section reflect the application of these rules to first time applicants only. |
| 9. Unless they already hold a relevant rights of audience certificate, applicants who seek rights to conduct litigation must also make an application for rights of audience. In the case of rights to conduct litigation in civil proceedings, an applicant must make an application in civil proceedings either for a Rights of Audience (Civil Proceedings) Certificate in Judge's room or Rights of Audience (Civil Proceedings) Certificate. In the case of family proceedings, an applicant must make an application for either a Rights of Audience (Family Proceedings) Certificate in Judge's room or Rights of Audience (Family Proceedings) Certificate. In the case of criminal proceedings, an applicant must make an application for a Rights of Audience (Criminal Proceedings) Certificate. | 9. Unless they already hold a relevant rights of audience certificate, applicants who seek rights to conduct litigation must also make an application for rights of audience. In the case of rights to conduct litigation in civil proceedings, an applicant must make an application in civil proceedings either for a Rights of Audience (Civil Proceedings) Certificate in Judge's room or Rights of Audience (Civil Proceedings) Certificate. In the case of family proceedings, an applicant must make an application for either a Rights of Audience (Family Proceedings) Certificate in Judge's room or Rights of Audience (Family Proceedings) Certificate. In the case of criminal proceedings, an applicant must make an application for a Rights of Audience (Criminal Proceedings) Certificate. | The details in current rule 11 will be covered by supplementary guidance. Current rule 12 has been moved to the decision making section (below) |
| 10. Applicants must make an application for a Certificate of Eligibility to undertake the rights of audience skills course relevant to the Certificate they seek. In their application they must demonstrate that they meet the entry criteria for the certificate they seek in accordance with the knowledge, skills and experience guidelines which appear at Annex 1. | 5910. Applicants must make an application for a Certificate of Eligibility to undertake the rights of audience skills course relevant to the Certificate they seek. In their application they must demonstrate that they meet the entry criteria for the certificate they seek in accordance with the knowledge, skills and experience guidelines which appear at Annex 1. 60. Applicants who seek a Rights of Audience (Civil Proceedings) Certificate in Judge's room or a Rights of Audience (Civil Proceedings) Certificate must demonstrate that they meet the knowledge and competence requirements set out at Annex 1, in accordance with the application guidelines set by CILEx Regulation. | |

| RtCLaRoAC Rules | New Rules | Comments |
|--|---|----------|
| | 61. Applicants who seek a Rights of | |
| | Audience (Criminal Proceedings) Certificate | |
| | must demonstrate that they meet the | |
| | knowledge and competence requirements | |
| | set out at Annex 2, in accordance with the | |
| | application guidelines set by CILEx | |
| | Regulation. | |
| | - Negatation | |
| | 62. Applicants who seek a Rights of | |
| | Audience (Family Proceedings) Certificate | |
| | in Judge's Room or a Rights of Audience | |
| | (Family Proceedings) Certificate must | |
| | demonstrate that they meet the | |
| | knowledge and competence requirements | |
| | set out at Annex 3, in accordance with the | |
| | application guidelines set by CILEx | |
| | Regulation. | |
| | | |
| | 63. Applicants who seek a Certificate of | |
| | Eligibility should demonstrate meeting the | |
| | knowledge and competence requirements | |
| | by using the documentation prescribed by | |
| | CILEx Regulation to produce a portfolio of | |
| | evidence. | |
| | | |
| 11. An application for a Certificate of | 11. An application for a Certificate of | |
| Eligibility must be supported by: • | Eligibility must be supported by: • | |
| Evidence of the applicant's | Evidence of the applicant's | |
| knowledge of the law, the rules of | knowledge of the law, the rules of | |
| evidence and legal practice relevant to | evidence and legal practice relevant to the | |
| the practice area in which they seek | practice area in which they seek rights of | |
| rights of audience in accordance with | audience in accordance with the | |
| the competence criteria set out at Annex | competence criteria set out at Annex 3; ◆ | |
| 3; • A portfolio of cases in which the | A portfolio of cases in which the | |
| Applicant has been involved during the | Applicant has been involved during the two | |
| two years preceding their application, in | years preceding their application, in | |
| accordance with the portfolio guidelines | Annex 2: • Details of two referees. | |
| at Annex 2; • Details of two referees, | who are members of the legal profession, | |
| who are members of the legal | who can attest to the applicant's | |
| profession, who can attest to the applicant's knowledge of civil, criminal | knowledge of civil, criminal or family law | |
| or family law and practice, whichever is | and practice, whichever is relevant, and | |
| relevant, and who are able to offer an | who are able to offer an informed opinion | |
| informed opinion on whether the | on whether the applicant meets the | |
| applicant meets the competence criteria | competence criteria set out in the | |
| set out in the knowledge, skills and | knowledge, skills and experience guidelines | |
| experience guidelines at Annex 1; • | at Annex 1; • A statement from the | |
| A statement from the applicant | applicant confirming that the details | |
| confirming that the details provided in | provided in their application are true to the | |
| comming that the details provided in | best of their knowledge and belief. | |

| RtCLaRoAC Rules | New Rules | Comments |
|---|---|----------|
| their application are true to the best of | | |
| their knowledge and belief. | | |
| | | |
| 12. CILEx Regulation will assess an | [see below] | |
| application for a Certificate of Eligibility | | |
| in accordance with the criteria set out in | | |
| the knowledge, skills and experience | | |
| guidelines and the portfolio guidelines at | | |
| Annexes 1 and 2 and the criteria at | | |
| Annex 3. An applicant who meets the | | |
| criteria will be granted a Certificate of | | |
| Eligibility. | | |
| | [see below] | |
| 13. Upon receiving a Certificate of | | |
| Eligibility an applicant will complete a | | |
| Judge's room or full advocacy skills | | |
| course in accordance with the Rights of | | |
| Audience they seek. Courses must meet | | |
| the qualification criteria which appear at | | |
| Annex 3. Courses will be assessed in | | |
| accordance with the assessment criteria | | |
| which appear at Annex 4. | | |
| | | |
| | 6414. Where an applicant who has met the | |
| 14. Where an applicant who has met the | criteria set out in the <u>application</u> | |
| criteria set out in the knowledge, skills | guidelines, the relevant knowledge and | |
| and experience guidelines and the | competence requirements, and | |
| portfolio guidelines, has completed an | knowledge, skills and experience guidelines | |
| advocacy skills course and qualification | and the portfolio guidelines, has completed | |
| which is of a similar standard they may | an advocacy skills course and qualification | |
| seek an exemption from the | which is of a similar standard they may | |
| requirement to undertake the advocacy | seek an exemption from the requirement | |
| skills course and assessment. In making | to undertake the advocacy skills course and | |
| such an application for exemption, the | assessment. In making such an application | |
| applicant will be required to provide an | for exemption, the applicant will be | |
| outline of the advocacy skills course and | required to provide an outline of the | |
| assessment they completed, along with | advocacy skills course and assessment they | |
| the results they obtained. CILEx | completed, along with the results they | |
| Regulation will assess whether the course and assessment meet the | obtained. CILEx Regulation will assess whether the course and assessment meet | |
| advocacy skills course and assessment | the advocacy skills course and assessment | |
| criteria set out at Annexes 3 and 4. An | criteria set out Rights of Audience | |
| exemption will be granted where an | Qualification Schemeat Annexes 3 and 4. | |
| applicant is able to demonstrate that the | An exemption will be granted where an | |
| course and assessment covered at least | applicant is able to demonstrate that the | |
| 50% of the course outcomes and | course and assessment covered at least | |
| assessment criteria set out at Annexes 3 | 50% of the course outcomes and | |
| and 4. Where an applicant is unable to | assessment criteria set out Rights of | |
| demonstrate that they meet the course | Audience Qualification Schemeat Annexes | |
| - | | |
| outcomes and assessment criteria, they | 3 and 4. Where an applicant is unable to | |

| RtCLaRoAC Rules | New Rules | Comments |
|---|---|---|
| will be required to complete the | demonstrate that they meet the course | |
| advocacy skills course and assessment. | outcomes and assessment criteria, they | |
| | will be required to complete the advocacy | |
| | skills course and assessment. | |
| | CEAE An application for a Dights to | |
| | 6515. An application for a Rights to Conduct Litigation Certificate and a | |
| | Certificate of Eligibility for Rights of | |
| | Audience shall be made on such a form as | |
| | may be prescribed for the purpose by CILEx | |
| | Regulation and shall be accompanied by | |
| | such fee as may be fixed by CILEx | |
| | Regulation from time to time. | |
| | | |
| ALL APPLICATIONS | Decision making | Current rule 23 has been |
| | ALL APPLICATIONS | deleted as the provision |
| 15. An application for a Diabta to | Courrent rule 15 is now 65 in marriage | for deferring an |
| 15. An application for a Rights to Conduct Litigation Certificate and a | [current rule 15 is new 65, in previous section] | application while Litigation skills gaps are |
| Certificate of Eligibility for Rights of | section | addressed is no longer |
| Audience shall be made on such a form | | available. |
| as may be prescribed for the purpose by | | avanasie. |
| CILEx Regulation and shall be | | Rule 25 has been |
| accompanied by such fee as may be | | incorporated into new |
| fixed by CILEx Regulation from time to | | rule 66. |
| time. | | |
| | [current rules 12 (previous section), and | |
| 16. CILEx Regulation will check the | 16-19, and 21 have been replaced by new | |
| application to ensure it meets the | rule 66. These cross reference to Rules 41- | |
| criteria set out in the knowledge, skills | 48. Rule 20 is now found at new Rule 39 | |
| and experience guidelines at Annex 1. | (see following section)] | |
| The portfolios which form part of the | CC Decisions about applications for a | |
| application will be sent to an external advisor. The external advisor will assess | 66. Decisions about applications for a | |
| whether the portfolios meet the criteria | Rights to Conduct Litigation Certificate and a Certificate of Eligibility for Rights of | |
| set out at Annexes 1 to 3. | Audience will be governed by Rules 41 to | |
| | 48, save that in Rule 41 and Rule 42, | |
| 17. Where the external advisor decides | reference to Practice Rights Certificate | |
| that the portfolios are satisfactory and | should be a reference to a Rights to | |
| meet the criteria set out at Annexes 1 to | Conduct Litigation Certificate and a | |
| 3, a CILEx Regulation Officer will | Certificate of Eligibility for Rights of | |
| consider whether the application for a | Audience. | |
| Rights to Conduct Litigation Certificate | | |
| and a Certificate of Eligibility for Rights | 12. CILEx Regulation will assess an | |
| of Audience may be approved. In | application for a Certificate of Eligibility in | |
| reaching their decision the Officer will | accordance with the criteria set out in the | |
| consider all the information provided by | knowledge, skills and experience guidelines | |
| the applicant and may call for further | and the portfolio guidelines at Annexes 1 and 2 and the criteria at Annex 3. An | |
| information from any person or source it considers appropriate. Where the | and 2 and the criteria at Affrex 3. Afr | |
| considers appropriate. Where the | | |

| RtCLaRoAC Rules | New Rules | Comments |
|---|---|----------|
| Officer has any doubt as to the suitability | applicant who meets the criteria will be | |
| of the applicant they may request | granted a Certificate of Eligibility. | |
| additional information from the | | |
| applicant and/or refer the application to | | |
| the Admissions and Licensing Committee | 16. CILEx Regulation will check the | |
| for decision. | application to ensure it meets the criteria | |
| 18. Where the external advisor decides | set out in the knowledge, skills and | |
| that the portfolios are not satisfactory | experience guidelines at Annex 1. The | |
| and do not meet the criteria set out at | portfolios which form part of the | |
| Annexes 1 to 3 they will give reasons for | application will be sent to an external | |
| their decision. The Officer will inform | advisor. The external advisor will assess | |
| the applicant of the decision. The | whether the portfolios meet the criteria set | |
| applicant may withdraw their | out at Annexes 1 to 3. | |
| application, amend and resubmit their | | |
| application or make further | 17. Where the external advisor decides | |
| representations and ask that the full | that the portfolios are satisfactory and | |
| application be referred to the | meet the criteria set out at Annexes 1 to 3, | |
| Admissions and Licensing Committee to | a CILEx Regulation Officer will consider | |
| consider. | whether the application for a Rights to | |
| | Conduct Litigation Certificate and a | |
| 19. The Admissions and Licensing | Certificate of Eligibility for Rights of | |
| Committee will decide whether or not | Audience may be approved. In reaching | |
| an application should be approved. In | their decision the Officer will consider all | |
| reaching its decision the Committee will | the information provided by the applicant | |
| consider all the information provided by | and may call for further information from | |
| the applicant, and may call the applicant | any person or source it considers | |
| for interview or call for information from | appropriate. Where the Officer has any | |
| any person or source it considers | doubt as to the suitability of the applicant | |
| appropriate. The Committee may: 2 | they may request additional information from the applicant and/or refer the | |
| approve the application; or 2 decide that | application to the Admissions and Licensing | |
| the applicant does not meet the criteria and indicate which of the criteria the | Committee for decision. | |
| | 18. Where the external advisor decides | |
| applicant does not meet. 20. In making any assessment or | that the portfolios are not satisfactory and | |
| <i>o</i> , | do not meet the criteria set out at Annexes | |
| decision required by these Rules the Admissions and Licensing Committee | 1 to 3 they will give reasons for their | |
| shall have regard to the criteria at | decision. The Officer will inform the | |
| Annexes 1 to 3 to these Rules. | applicant of the decision. The applicant | |
| 21. The Officer will notify an applicant in | may withdraw their application, amend | |
| writing of their decision or the decision | and resubmit their application or make | |
| of the Admissions and Licensing | further representations and ask that the | |
| Committee. | full application be referred to the | |
| | Admissions and Licensing Committee to | |
| | consider. | |
| | | |
| | 19. The Admissions and Licensing | |
| | Committee will decide whether or not an | |
| | application should be approved. In | |
| | reaching its decision the Committee will | |
| | consider all the information provided by | |

| RtCLaRoAC Rules | New Rules | Comments |
|--|--|----------|
| 22. Where the application has been approved the notification shall include the Certificate(s) of Eligibility for Rights of Audience and an indication that the Rights to Conduct Litigation Application has been approved. The Litigation Certification may only be granted on the successful completion of the associated Rights of Audience skills course and assessment. | the applicant, and may call the applicant for interview or call for information from any person or source it considers appropriate. The Committee may: (2) approve the application; or (2) decide that the applicant does not meet the criteria and indicate which of the criteria the applicant does not meet. 20. In making any assessment or decision required by these Rules the Admissions and Licensing Committee shall have regard to the criteria at Annexes 1 to 3 to these Rules. 21. The Officer will notify an applicant in writing of their decision or the decision of the Admissions and Licensing Committee. 6722. Where the application has been approved the notification shall include the Certificate(s) of Eligibility for Rights of Audience and an indication that the Rights to Conduct Litigation Application has been approved. The Certificate of Eligibility for Rights of Audience will specify which of the advocacy skills course options the applicant may take. The Litigation Certification may only be granted on the successful completion of the associated Rights of Audience skills course and assessment, and | Comments |
| 23. Where the application for a Certificate of Eligibility in Rights of Audience has been approved but the application for the Rights to Conduct Litigation Certificate identifies gaps in an applicant's knowledge, skills or experience, the notification shall set out details of the gaps and the reasons why the assessment has identified the full knowledge, skills and experience guidelines and portfolio guidelines have not been met. An applicant may defer their application while they develop their knowledge, skills or experience or attend a course. A course must meet the outcomes set out at Annex 3 in | 23. Where the application for a Certificate of Eligibility in Rights of Audience has been approved but the application for the Rights to Conduct Litigation Certificate identifies gaps in an applicant's knowledge, skills or experience, the notification shall set out details of the gaps and the reasons why the assessment has identified the full knowledge, skills and experience guidelines and portfolio guidelines have not been met. An applicant may defer their application while they develop their knowledge, skills or experience or attend a course. A course must meet the outcomes set out at Annex 3 in respect of the outcomes the applicant has not met. Upon completion of a course or development of | |
| respect of the outcomes the applicant has not met. Upon completion of a | experience, CILEx Regulation will reassess the application to determine whether the | |

| RtCLaRoAC Rules | New Rules | Comments |
|--|--|--|
| course or development of experience, CILEx Regulation will reassess the application to determine whether the applicant meets the knowledge, skills and experience guidelines. Where an application meets the guidelines, they may then undertake the Rights of Audience Skills Course and Assessment. | applicant meets the knowledge, skills and experience guidelines. Where an application meets the guidelines, they may then undertake the Rights of Audience Skills Course and Assessment. | |
| 24. Where the application is unsuccessful, the notification shall set out the Committee's reasons and any preconditions to the consideration of any subsequent application. Where an application has been unsuccessful the applicant may apply for reconsideration in accordance with the Admissions and Licensing Committee Rules. 25. The Certificate of Eligibility for Rights | 6824. Where the application is unsuccessful, the notification shall set out the Committee's reasons and any preconditions to the consideration of any subsequent application. Where an application has been unsuccessful the applicant may apply for reconsideration in accordance with the Admissions and Licensing Committee Rules. 25. The Certificate of Eligibility for Rights of Audience will specify which of the | |
| of Audience will specify which of the advocacy skills course options the applicant may take. | advocacy skills course options the applicant may take. | |
| ADMISSIONS AND LICENSING COMMITTEE | ADMISSIONS AND LICENSING COMMITTEE | Rule 26 is now in the Decision making section. New number and made |
| 26. The Admissions and Licensing Committee established under the Admissions and Licensing Committee Rules shall be responsible for the Rights to Conduct Litigation and Rights of Audience schemes. | 3826. The Admissions and Licensing Committee established under the Admissions and Licensing Committee Rules shall be responsible for matters relating to these Rulesthe Rights to Conduct Litigation and Rights of Audience schemes. | applicable across the practice areas. Current rule 20 is new rule 39. |
| | 39. In making any assessment or decision required by these Rules, the Admissions and Licensing Committee shall have regard to the relevant eligibility criteria, application guidelines, and the knowledge and competence requirements. | |
| EXTERNAL ADVISORS 27. CILEx Regulation shall appoint external advisors to advise the Admissions and Licensing Committee and CILEx Regulation on issues relating to litigation and advocacy. | EXTERNAL ADVISORS 4027. CILEx Regulation shall appoint external advisors to advise CILEX Regulation and the Admissions and Licensing Committee and CILEx Regulation on issues matters relating to these Rules relating to litigation and advocacy. | Rule now in the Decision making section. New number and made applicable across the practice areas. |

| RtCLaRoAC Rules | New Rules | Comments |
|---|--|--|
| ADVOCACY SKILLS COURSES | ADVOCACY SKILLS COURSES | Changes to build cross references to other |
| | 6913. Upon receiving a Certificate of | applicable regulations in |
| | Eligibility an applicant will complete a | place of current |
| | Judge's room or full advocacy skills course | annexes. |
| | in accordance with the Rights of Audience | C |
| | they seek. | Current rules 28 and 30 |
| | 70 Courses mount mount the smallfinetion | have been deleted as |
| | 70. Courses must meet the qualification | they unnecessarily |
| | criteria which are set out in the Rights of | duplicate other |
| | Audience Qualification Scheme.appear at Annex 3. Courses will be assessed in | provisions. |
| | accordance with the assessment criteria | |
| | which are set out in the Rights of Audience | |
| | Qualification Schemeappear at Annex 4. | |
| | Qualification scheme appear at rainex 4. | |
| 28. An applicant who has been granted a | 28. An applicant who has been granted a | |
| Certificate of Eligibility in Rights of | Certificate of Eligibility in Rights of | |
| Audience may take advocacy skills | Audience may take advocacy skills courses | |
| courses relating to the Certificate for | relating to the Certificate for which they | |
| which they have been granted a | have been granted a Certificate of | |
| Certificate of Eligibility. | Eligibility. | |
| | | |
| 29. Where an applicant fails to start an | 7129. Where an applicant fails to start an | |
| advocacy skills course within 12 months | advocacy skills course within 12 months of | |
| of being granted a Certificate of | being granted a Certificate of Eligibility, | |
| Eligibility, they must make a fresh | they must make a fresh application for | |
| application for such a Certificate before | such a Certificate before they may start an | |
| they may start an advocacy skills course. | advocacy skills course. In exceptional cases | |
| In exceptional cases the Admissions and | the Admissions and Licensing Committee | |
| Licensing Committee or the CILEx | or the CILEx Regulation Officer may | |
| Regulation Officer may exercise | exercise discretion to extend the duration | |
| discretion to extend the duration of a | of a Certificate of Eligibility. | |
| Certificate of Eligibility. | | |
| 30. Applicants will be required to: • | 30. Applicants will be required to: • | |
| successfully complete the | successfully complete the training | |
| training sessions; and • pass the formal | sessions; and • pass the formal | |
| assessments in accordance with the | assessments in accordance with the | |
| Assessment Criteria set out in Annexes 3 | Assessment Criteria set out in Annexes 3 | |
| and 4. 31. An approved advocacy skills | and 4. 31. An approved advocacy skills | |
| course must: • Meet the course delivery | course must: • Meet the course delivery | |
| criteria set out at Annex 3; and • | criteria set out at Annex 3; and • | |
| Include arrangements for | | |
| assessment of advocacy skills in | assessment of advocacy skills in | |
| accordance with the assessment criteria | accordance with the assessment criteria | |
| set out at Annex 4. | set out at Annex 4. | |
| | | |

| RtCLaRoAC Rules | New Rules | Comments |
|--|--|--|
| COURSE PROVIDERS | COURSE PROVIDERS | Rule 32 deleted as now |
| | | covered in new rule 70 |
| 32. Advocacy skills courses will be | 32. Advocacy skills courses will be provided | above. |
| provided by course providers who are | by course providers who are accredited by | |
| accredited by CILEx Regulation in | CILEx Regulation in accordance with the | |
| accordance with the Rights of Audience | Rights of Audience Certification Rules. | |
| Certification Rules. | | |
| CERTIFICATION | AWARD OF LITIGATION AND ADVOCACY | Rule 34 has been |
| | CERTIFICATE | deleted as this is |
| | CERTIFICATION | covered by other |
| | | provisions and the |
| 33. Upon successfully demonstrating | 7233. Upon successfully demonstrating | application guidelines |
| that they meet the criteria for a Rights to | that they meet the criteria for a Rights to | that supplement the |
| Conduct Litigation Certificate and | Conduct Litigation Certificate and | new Rules. |
| successful completion of the Judge's | successful completion of the Judge's room | Dulas 20 and 20 and |
| room or full advocacy course an | or full advocacy course an applicant may | Rules 38 and 39 are |
| applicant may apply for a Litigation and | apply for a Litigation and Advocacy | replaced with Rule 76 |
| Advocacy Certificate. An applicant who | Certificate. An applicant who is not a Fellow and has completed an advocacy | cross referencing to the generic decision making |
| is not a Fellow and has completed an advocacy course may not make an | course may not make an application for a | process rules. |
| application for a certificate until they | certificate until they become a Fellow of | process rules. |
| become a Fellow of CILEx. | CILEX. | Rule 42 is deleted as it |
| become a renow of CILEX. | CIEEX. | related to the QASA |
| | | scheme. |
| 34. A Fellow may only apply for a | 34. A Fellow may only apply for a Litigation | Scheme. |
| Litigation and Advocacy Certificate | and Advocacy Certificate relating to the | |
| relating to the type of proceedings | type of proceedings covered by the | |
| covered by the litigation application and | litigation application and advocacy skills | |
| advocacy skills course they completed. | course they completed. | |
| , | , and the second | |
| 35. An application shall be made on a | 73 35 . Applicants who seek a Litigation and | |
| form prescribed by CILEx Regulation | Advocacy Certificate must complete all | |
| from time to time for this purpose and | application forms required An application | |
| shall be accompanied by such fee as may | shall be made on a form prescribed by | |
| be fixed by CILEx Regulation from time | CILEx Regulation from time to time for this | |
| to time. | purpose and shall be accompanied by pay | |
| | such fee as may be fixed by CILEx | |
| | Regulation from time to time. | |
| | | |
| 36. The Officer will process the | 3674. The Officer will process the | |
| application for a Litigation and Advocacy | application for a Litigation and Advocacy | |
| Certificate. The applicant shall be | Certificate. The applicant shall be granted | |
| granted a Litigation and Advocacy | a Litigation and Advocacy Certificate | |
| Certificate provided the Officer is | provided the Officer is satisfied that the | |
| satisfied that the applicant: 12 is a Fellow | applicant: | |
| in good standing; I has met the litigation | is a Fellow in good standing; has met the relevant knowledge. | |
| skills criteria; and 🖸 has completed and | has met the <u>relevant knowledge</u> and compatance requirementalitigation | |
| passed an advocacy skills course and | and competence requirements litigation | |
| assessment. | skills criteria ; and | |
| | | |

| RtCLaRoAC Rules | New Rules | Comments |
|--|---|----------|
| | has completed and passed an | |
| | advocacy skills course and assessment. | |
| 37. Where the Officer has any doubt as | , | |
| to the suitability of the applicant to be | 7537. Where the Officer has any doubt as | |
| awarded a Litigation and Advocacy | to the suitability of the applicant to be | |
| Certificate they may request additional | awarded a Litigation and Advocacy | |
| information from the applicant and/or | Certificate they may request additional | |
| refer the application to the Admissions | information from the applicant and/or | |
| and Licensing Committee for decision. | refer the application to the Admissions and | |
| | Licensing Committee for decision. | |
| | | |
| | 76. Applications referred to the Admissions | |
| | and Licensing Committee will be governed | |
| | <u>by Rules 46-47.</u> | |
| 38. When considering an application to | | |
| award a Litigation and Advocacy | 38. When considering an application to | |
| Certificate the Admissions and Licensing | award a Litigation and Advocacy Certificate | |
| Committee will consider all the | the Admissions and Licensing Committee | |
| information before it and may request | will consider all the information before it | |
| additional information from any person | and may request additional information | |
| or source it considers appropriate. It | from any person or source it considers | |
| may require or permit the applicant to | appropriate. It may require or permit the | |
| attend for interview before reaching its | applicant to attend for interview before | |
| decision. | reaching its decision. | |
| 39. If the Admissions and Licensing | 39. If the Admissions and Licensing | |
| Committee is satisfied that the applicant | Committee is satisfied that the applicant is | |
| is a fit and proper person to be issued | a fit and proper person to be issued with a | |
| with a Certificate it shall grant the | Certificate it shall grant the Certificate. If it | |
| Certificate. If it is not satisfied, it must | is not satisfied, it must give its reasons and | |
| give its reasons and indicate any | indicate any preconditions to the | |
| preconditions to the consideration of | consideration of any subsequent | |
| any subsequent application by the | application by the applicant. | |
| applicant. | | |
| | 77. Notification of application decisions will | |
| | be governed by Rules 48-50, save that in | |
| | Rule 49 reference to Practice Rights | |
| | Certificate should be a reference to the | |
| | Litigation and Advocacy Certificate. | |
| 40. The Officer will notify an applicant in | | |
| writing of the decision as to whether | 40. The Officer will notify an applicant in | |
| their application for a Litigation and/or | writing of the decision as to whether their | |
| Advocacy Certificate is successful. | application for a Litigation and/or | |
| Where the application has been | Advocacy Certificate is successful. Where | |
| approved the notification shall include | the application has been approved the | |
| the Litigation and Advocacy Certificate. | notification shall include the Litigation and | |
| Where the application is unsuccessful, | Advocacy Certificate. Where the | |
| the notification shall set out the reasons | application is unsuccessful, the notification | |
| and any preconditions to the | shall set out the reasons and any | |
| consideration of any subsequent | preconditions to the consideration of any | |

| RtCLaRoAC Rules | New Rules | Comments |
|---|--|--------------------------|
| application by the applicant for a | subsequent application by the applicant for | |
| Litigation and Advocacy Certificate. The | a Litigation and Advocacy Certificate. The | |
| applicant may apply for reconsideration | applicant may apply for reconsideration of | |
| of their application in accordance with | their application in accordance with the | |
| the Admissions and Licensing Committee | Admissions and Licensing Committee | |
| Rules. | Rules. | |
| | | |
| 41. A Fellow holding a Litigation and | | |
| Advocacy Certificate will be described as | [rule 41 is replaced by new rules 78-80] | |
| a Chartered Legal Executive Litigator and | | |
| Advocate. | CILEx Lawyers | |
| | | |
| | 78. An applicant who has been awarded | |
| | Fellowship and a Litigation and Advocacy | |
| | (Civil Proceedings) Certificate will be a | |
| | Chartered Legal Executive Litigator and | |
| | Advocate and known as a CILEx Lawyer | |
| | (Civil Litigation). | |
| | 79. An applicant who has been awarded | |
| | Fellowship and a Litigation and Advocacy | |
| | (Criminal Proceedings) Certificate will be a | |
| | Chartered Legal Executive Litigator and | |
| | Advocate and known as a CILEx Lawyer | |
| | (Criminal Litigation). | |
| | 80. An applicant who has been awarded | |
| | Fellowship and a Litigation and Advocacy | |
| | (Family Proceedings) Certificate will be a | |
| | Chartered Legal Executive Litigator and | |
| | Advocate and known as a CILEx Lawyer | |
| | (Family Litigation). | |
| | Training Englishing | |
| | 41. A Fellow holding a Litigation and | |
| | Advocacy Certificate will be described as a | |
| | Chartered Legal Executive Litigator and | |
| | Advocate. | |
| 42. A Chartered Legal Executive Litigator | | |
| and Advocate who holds a Criminal | 42. A Chartered Legal Executive Litigator | |
| Litigation and Criminal Advocacy | and Advocate who holds a Criminal | |
| Certificate will upon qualification receive | Litigation and Criminal Advocacy Certificate | |
| provisional QASA accreditation, which is | will upon qualification receive provisional | |
| valid until the Chartered Legal Executive | QASA accreditation, which is valid until the | |
| Litigator and Advocate has successfully | Chartered Legal Executive Litigator and | |
| completed the first renewal process. | Advocate has successfully completed the | |
| , | first renewal process. | |
| | , , , , , , , , , , , , , , , , , , , | |
| APPLICATION FOR ADDITIONAL | APPLICATION FOR ADDITIONAL | Rules removed as the |
| CERTIFICATES | CERTIFICATES | new rules will no longer |
| | | apply to those already |
| 43. A Chartered Legal Executive Litigator | 43. A Chartered Legal Executive Litigator | holding practice rights. |
| and Advocate may apply to be granted | and Advocate may apply to be granted | |

| RtCLaRoAC Rules | New Rules | Comments |
|---|---|---|
| Litigation and Advocacy Certificates | Litigation and Advocacy Certificates | |
| additional to any Certificates already | additional to any Certificates already | |
| granted to them under these Rules. | granted to them under these Rules. Prior | |
| Prior to seeking an additional Advocacy | to seeking an additional Advocacy | |
| Certificate the Litigator must obtain a | Certificate the Litigator must obtain a | |
| Litigation Certificate in that practice area | Litigation Certificate in that practice area | |
| or make an application for a Litigation | or make an application for a Litigation | |
| Certificate at the same time. | Certificate at the same time. | |
| 44. Applications shall be processed in accordance with these Rules. | 44. Applications shall be processed in accordance with these Rules. | |
| decordance with these hales. | decordance with these hales. | |
| RENEWAL OF CERTIFICATES | RENEWAL OF ADVOCACY CERTIFICATES | Rule 46 has been deleted as it related to |
| 45. The first Advocacy Certificate issued | 8745. The first Advocacy Certificate issued | the QASA scheme. |
| to a Chartered Legal Executive Litigator, | to a <u>CILEx Lawyer Chartered Legal</u> | |
| and the first Advocacy Certificate issued | Executive Litigator, and the first Advocacy | |
| in respect of any additional proceedings, | Certificate issued in respect of any | |
| will be valid until either 1 June or 1 | additional proceedings, will be valid until | |
| December, whichever is the earlier, after | either 1 June or 1 December, whichever is | |
| 12 months have elapsed from the date | the earlier, after 12 months have elapsed | |
| on which that Certificate was issued. | from the date on which that Certificate was | |
| Thereafter, any Advocacy Certificate will | issued. Thereafter, any Advocacy | |
| be valid indefinitely. | Certificate will be valid indefinitely. | |
| 46.4.61 | 45 4 61 1 15 15 15 15 | |
| 46. A Chartered Legal Executive Litigator | 46. A Chartered Legal Executive Litigator | |
| and Advocate who holds a Criminal | and Advocate who holds a Criminal | |
| Litigation and Criminal Advocacy | Litigation and Criminal Advocacy Certificate | |
| Certificate must also comply with the | must also comply with the reaccreditation | |
| reaccreditation requirements of the | requirements of the QASA | |
| QASA | | |
| 47. Applications for the first renewal of a | 8847. Applicants who seektions for the | |
| certificate will be made on a form | first renewal of an Advocacy certificate | |
| prescribed by CILEx Regulation from | must complete all application forms | |
| time to time for the purpose and shall be | required will be made on a form prescribed | |
| accompanied by such fee as may be | by CILEx Regulation from time to time for | |
| fixed by CILEx Regulation from time to | the purpose and shall be accompanied by | |
| time. | and pay such fee as may be fixed by CILEx | |
| | Regulation from time to time. | |
| 48. An application for the first renewal | 8948. An applicant tion for the first | |
| of an Advocacy Certificate must be | renewal of an Advocacy Certificate must be | |
| supported by: • Confirmation that the | able to demonstrate he meets the relevant | |
| applicant is working as a Chartered Legal | knowledge and competence requirements | |
| Executive Litigator and Advocate; • | using documentation prescribed by CILEx | |
| a record of the applicant's | Regulation to produce a portfolio of | |
| litigation and advocacy experience | evidence. supported by: • | |
| gained during the period since their | Confirmation that the applicant is | |

| RtCLaRoAC Rules | New Rules | Comments |
|---|--|----------|
| Certificate was granted; • a | working as a Chartered Legal Executive | |
| portfolio of cases in which the applicant | Litigator and Advocate; • a record of | |
| has been involved during the period | the applicant's litigation and advocacy | |
| since their Certificate was granted, in | experience gained during the period since | |
| accordance with the Portfolio Guidelines | their Certificate was granted; •a portfolio | |
| set out in Annex 2; • a statement | of cases in which the applicant has been | |
| from the applicant confirming the details | involved during the period since their | |
| provided of their litigation and advocacy | Certificate was granted, in accordance with | |
| experience and whether any rights to | the Portfolio Guidelines set out in Annex 2; | |
| conduct litigation and rights of audience | a statement from the applicant | |
| granted will be exercised in the future. | confirming the details provided of their | |
| | litigation and advocacy experience and | |
| | whether any rights to conduct litigation | |
| | and rights of audience granted will be | |
| | exercised in the future. | |
| | | |
| 49. The portfolio which forms part of the | [Rules 49-56 are replaced by rule 90 which | |
| application for the first renewal of the | cross references to the generic decision | |
| Certificate will be sent to an external | making rules] | |
| advisor. The external advisor will assess | | |
| the portfolio against the criteria set out | 90. Decisions about applications for the | |
| in Annexes 1 and 2. | first renewal of an Advocacy Certificate will | |
| | be governed by Rules 42 to 50, save that in | |
| 50. Where the external advisor decides | Rule 42 and Rule 49, reference to Practice | |
| that the portfolio is satisfactory and | Rights Certificate should be a reference to | |
| shows that the applicant has applied the | the Advocacy Certificate. | |
| litigation and advocacy skills in the cases | | |
| described in accordance with the | 49. The portfolio which forms part of the | |
| Portfolio Guidelines in Annex 2 and the | application for the first renewal of the | |
| criteria set out in the competence and | Certificate will be sent to an external | |
| assessment frameworks at Annexes 3 | advisor. The external advisor will assess | |
| and 4 the Officer will consider the | the portfolio against the criteria set out in | |
| application and decide whether it should | Annexes 1 and 2. | |
| be approved. In reaching a decision the | | |
| Officer will consider all the information | 50. Where the external advisor decides | |
| provided by the applicant and may call | that the portfolio is satisfactory and shows | |
| for further information from any person | that the applicant has applied the litigation | |
| or source it considers appropriate. | and advocacy skills in the cases described | |
| | in accordance with the Portfolio Guidelines | |
| 51. Where the Officer has any doubt as | in Annex 2 and the criteria set out in the | |
| to the suitability of the applicant they | competence and assessment frameworks | |
| may request additional information from | at Annexes 3 and 4 the Officer will consider | |
| the applicant and/or refer the | the application and decide whether it | |
| application to the Admissions and | should be approved. In reaching a decision | |
| Licensing Committee for decision. | the Officer will consider all the information | |
| | provided by the applicant and may call for | |
| 52. Where the external advisor decides | further information from any person or | |
| that the portfolio is not satisfactory and | source it considers appropriate. | |
| does not show that the applicant has | | |
| applied the litigation and/or advocacy | | |

| RtCLaRoAC Rules | New Rules | Comments |
|---|---|----------|
| skills in the cases described in | 51. Where the Officer has any doubt as to | Comments |
| accordance with the Portfolio Guidelines | the suitability of the applicant they may | |
| set out in Annex 2 and the criteria set | request additional information from the | |
| out in in the competence and | applicant and/or refer the application to | |
| assessment frameworks at Annexes 3 | the Admissions and Licensing Committee | |
| and 4 the external advisor shall give | for decision. | |
| reasons for their decision. They shall | Tor accision. | |
| indicate what action the applicant needs | 52. Where the external advisor decides | |
| to take to provide a satisfactory | that the portfolio is not satisfactory and | |
| portfolio. The Officer will inform the | does not show that the applicant has | |
| applicant of the decision. The applicant | applied the litigation and/or advocacy skills | |
| may withdraw their application or make | in the cases described in accordance with | |
| further representations and ask that the | the Portfolio Guidelines set out in Annex 2 | |
| full application be referred to the | and the criteria set out in in the | |
| Admissions and Licensing Committee to | competence and assessment frameworks | |
| consider. | at Annexes 3 and 4 the external advisor | |
| Consider. | shall give reasons for their decision. They | |
| 53. The Admissions and Licensing | shall indicate what action the applicant | |
| Committee will decide whether or not | needs to take to provide a satisfactory | |
| an application referred to it should be | portfolio. The Officer will inform the | |
| approved. In reaching its decision the | applicant of the decision. The applicant | |
| Committee will consider all the | may withdraw their application or make | |
| information provided by the applicant | further representations and ask that the | |
| and may call the applicant for interview | full application be referred to the | |
| or call for further information from any | Admissions and Licensing Committee to | |
| person or source it considers | consider- | |
| appropriate. The Committee may | | |
| approve the application or reject it. | 53. The Admissions and Licensing | |
| | Committee will decide whether or not an | |
| 54. In making any assessment or | application referred to it should be | |
| decision required by these Rules the | approved. In reaching its decision the | |
| Officer and the Admissions and Licensing | | |
| Committee shall have regard to the | provided by the applicant and may call the | |
| portfolio guidelines in Annex 2 and the | applicant for interview or call for further | |
| criteria set out in the competence and | information from any person or source it | |
| assessment frameworks at Annexes 3 | considers appropriate. The Committee | |
| and 4. | may approve the application or reject it. | |
| | | |
| 55. The Officer will notify an applicant in | 54. In making any assessment or decision | |
| writing of the decision. Where the | required by these Rules the Officer and the | |
| application has been approved the | Admissions and Licensing Committee shall | |
| notification shall include the Advocacy | have regard to the portfolio guidelines in | |
| Certificate. Where the application is | Annex 2 and the criteria set out in the | |
| unsuccessful the notification shall set | competence and assessment frameworks | |
| out the reasons for the decision and any | at Annexes 3 and 4. | |
| preconditions to the consideration of | | |
| any subsequent application for an | 55. The Officer will notify an applicant in | |
| Advocacy Certificate. | writing of the decision. Where the | |
| | application has been approved the | |
| | notification shall include the Advocacy | |

| RtCLaRoAC Rules | New Rules | Comments |
|--|--|--|
| 56. Where the application is | Certificate. Where the application is | |
| unsuccessful an applicant may apply for | unsuccessful the notification shall set out | |
| reconsideration in accordance with the | the reasons for the decision and any | |
| Admissions and Licensing Committee | preconditions to the consideration of any | |
| Rules. The Admissions and Licensing | subsequent application for an Advocacy | |
| Committee will have the powers set out | Certificate. | |
| in Rule 54 available upon an application | | |
| for reconsideration. | 56. Where the application is unsuccessful | |
| | an applicant may apply for reconsideration | |
| | in accordance with the Admissions and | |
| | Licensing Committee Rules. The | |
| | Admissions and Licensing Committee will | |
| | have the powers set out in Rule 54 | |
| | available upon an application for | |
| LARGER GERTIE: C. T.C. | reconsideration. | |
| LAPSED CERTIFICATES | LAPSED ADVOCACY CERTIFICATES | Desision maldare cons |
| F7. A Follow who has hald a Litication | O157 A CILEV I comen Faller code has been been | Decision making process |
| 57. A Fellow who has held a Litigation | 9157. A <u>CILEx Lawyer Fellow</u> who has held | for lapsed advocacy |
| and Advocacy Certificate which has | a Litigation and Advocacy Certificate which | certificates reflects that decisions are to be |
| lapsed may apply for that certificate to be renewed. Renewal of a lapsed | has lapsed may apply for that certificate to be renewed. | |
| certificate will be governed by Rules 46 | be renewed. | made by the Admissions and Licensing |
| to 57 which deal with first renewal of an | remainder of Rule 57 is deleted and | Committee and not |
| advocacy certificate save that in Rule 49: | replaced by new rules 92-94, which cross | Officer (in contrast to |
| advocacy certificate save that in Rule 45. | reference to generic decision making rules, | other decisions covered |
| the reference to an application | with some amendments] | by these new rules). |
| for the first renewal of a Advocacy | with some amenaments, | by these new rates). |
| Certificate should be a reference to an | 92. Applicants who seek renewal of a | Portfolios may be sent |
| application for renewal of a lapsed | lapsed Litigation and Advocacy certificate | to External Advisors for |
| Litigation and Advocacy Certificate; | must complete all application forms | review, but it is not a |
| , , | required by CILEx Regulation and pay such | mandatory step in the |
| the applicant will not be | fees as may be fixed by CILEx Regulation | decision making process. |
| required to provide confirmation that | from time to time. | |
| they are working as a Chartered Legal | | |
| Executive Litigator and Advocate; | 93. An applicant for renewal of a lapsed | |
| | <u>Litigation and Advocacy certificate must be</u> | |
| the applicant will be required to | able to demonstrate he meets the relevant | |
| provide a record of their litigation and | knowledge and competence experience | |
| advocacy experience since their | requirements using documentation | |
| Litigation and Advocacy Certificate | prescribed by CILEx Regulation to produce | |
| lapsed, except where the Certificate | a portfolio of evidence. | |
| which has lapsed is a Criminal Litigation | 04 00 5 0 1 11 11 11 | |
| and Criminal Advocacy Certificate, | 94. CILEx Regulation will consider an | |
| reference to the record of the | application to renew a lapsed Litigation | |
| applicant's advocacy experience shall | and Advocacy Certificate to ensure it meets | |
| include police station advice and | the relevant eligibility criteria, the | |
| observed advocacy in accordance with | application guidelines and the related | |
| the Portfolio Guidelines; and | knowledge and competence requirements. | |
| İ | 1 | İ |

| RtCLaRoAC Rules | New Rules | Comments |
|--|---|----------|
| • the information required to be | 95. Decisions about applications to renew a | |
| provided by the applicant shall include, | lapsed Litigation and Advocacy Certificate | |
| additionally, reasons why the Litigation | will be made by the Admissions and | |
| and Advocacy Certificate lapsed and | <u>Licensing Committee.</u> | |
| details of CPD undertaken during the 12 | | |
| months prior to the application. | 96. The portfolios which form part of the | |
| | application may be sent by the Officer to | |
| | an external advisor for assessment. The | |
| | external advisor will assess whether the | |
| | portfolios meet the application guidelines | |
| | and the relevant knowledge and | |
| | competence requirements. | |
| | | |
| | 97. Where the Officer/external advisor | |
| | finds that the portfolios are satisfactory, | |
| | the Officer will refer the application to the | |
| | Admissions and Licensing Committee for | |
| | decision. | |
| | | |
| | 98. Where the Officer/external advisor | |
| | decides that the portfolios do not meet the | |
| | relevant knowledge and competence | |
| | requirements they will give reasons for | |
| | their decision. They shall indicate what | |
| | action the applicant needs to take to | |
| | provide a satisfactory portfolio. The Officer | |
| | will inform the applicant of the decision. | |
| | The applicant may withdraw their | |
| | application, amend and re-submit their | |
| | application or make further representation | |
| | and ask that the full application be referred | |
| | to the Admissions and Licensing | |
| | Committee to consider. | |
| | | |
| | 99. Applications to renew of a lapsed | |
| | Litigation and Advocacy certificate referred | |
| | to the Admissions and Licensing | |
| | Committee will governed by rules 46 to 50 | |
| | save that in rule 49 reference to a Practice | |
| | Rights Certificate should be reference to | |
| | the Litigation and Advocacy Certificate. | |
| | Denougl of a love of contification (III has | |
| | Renewal of a lapsed certificate will be | |
| | governed by Rules 46 to 57 which deal with | |
| | first renewal of an advocacy certificate | |
| | save that in Rule 49: | |
| | the reference to an excitation of | |
| | • the reference to an application for | |
| | the first renewal of a Advocacy Certificate | |
| | should be a reference to an application for | |

| RtCLaRoAC Rules | New Rules | Comments |
|---|---|----------|
| | renewal of a lapsed Litigation and | |
| | Advocacy Certificate; | |
| | the applicant will not be required | |
| | the applicant will not be required to provide confirmation that they are | |
| | working as a Chartered Legal Executive | |
| | Litigator and Advocate; | |
| | Litigator and Advocate, | |
| | the applicant will be required to | |
| | provide a record of their litigation and | |
| | advocacy experience since their Litigation | |
| | and Advocacy Certificate lapsed, except | |
| | where the Certificate which has lapsed is a | |
| | Criminal Litigation and Criminal Advocacy | |
| | Certificate, reference to the record of the | |
| | applicant's advocacy experience shall include police station advice and observed | |
| | advocacy in accordance with the Portfolio | |
| | Guidelines; and | |
| | Galdenies, and | |
| | • the information required to be | |
| | provided by the applicant shall include, | |
| | additionally, reasons why the Litigation and | |
| | Advocacy Certificate lapsed and details of | |
| | CPD undertaken during the 12 months | |
| | prior to the application. | |
| | 10050 A langed Litigation and Advance. | |
| 58. A lapsed Litigation and Advocacy | <u>100</u> 58. A lapsed Litigation and Advocacy Certificate is one which has expired and | |
| Certificate is one which has expired and | has not been renewed, whether by | |
| has not been renewed, whether by | decision of the holder of the certificate or | |
| decision of the holder of the certificate | as a result of a decision of the Admissions | |
| or as a result of a decision of the | and Licensing Committee or, | |
| Admissions and Licensing Committee or, | | |
| | 59. In the case of a Criminal Proceedings | |
| 59. In the case of a Criminal Proceedings | Litigation and Advocacy Certificate, where | |
| Litigation and Advocacy Certificate, | the certificate has lapsed because the | |
| where the certificate has lapsed because | holder has ceased to be eligible to hold a | |
| the holder has ceased to be eligible to | certificate for any reason, including | |
| hold a certificate for any reason, including because the QASA | because the QASA requirements have not been met. | |
| requirements have not been met. | Decir inet. | |
| . Equilibrium nave not been met. | | |
| | 10160. Where a Litigation and Advocacy | |
| 60. Where a Litigation and Advocacy | Certificate which has lapsed is renewed by | |
| Certificate which has lapsed is renewed | the Admissions and Licensing Committee it | |
| by the Admissions and Licensing | will be valid indefinitely. In the case of a | |
| Committee it will be valid indefinitely. In | Criminal Proceedings Litigation and | |
| the case of a Criminal Proceedings | Advocacy Certificate, it will be valid | |
| Litigation and Advocacy Certificate, it | indefinitely subject to meeting the | |

| RtCLaRoAC Rules | New Rules | Comments |
|--|---|--------------------------|
| will be valid indefinitely subject to | requirements for reaccreditation as set out | |
| meeting the requirements for | in the QASA handbook. | |
| reaccreditation as set out in the QASA | | |
| handbook. | | |
| PRACTICE MANAGEMENT AND | PRACTICE MANAGEMENT AND ACCOUNTS | Rules deleted as covered |
| ACCOUNTS | | by regulatory |
| | 61. A Chartered Legal Executive Litigator | arrangements for entity |
| 61. A Chartered Legal Executive Litigator | and Advocate who seeks to practise in an | regulation. |
| and Advocate who seeks to practise in | entity seeking regulation by CILEx | |
| an entity seeking regulation by CILEx | Regulation must demonstrate that they | |
| Regulation must demonstrate that they | meet the knowledge, skills and experience | |
| meet the knowledge, skills and | in accounts and practice management in | |
| experience in accounts and practice | accordance with the knowledge, skills and | |
| management in accordance with the | experience guidelines and portfolio | |
| knowledge, skills and experience | guidelines and the competency | |
| guidelines and portfolio guidelines and | frameworks which appear at Annexes 5 | |
| the competency frameworks which | and 6. They will not be authorised to be an | |
| appear at Annexes 5 and 6. They will not | approved manager in an entity until these | |
| be authorised to be an approved | requirements are met. | |
| manager in an entity until these | 60 144 | |
| requirements are met. | 62. Where an applicant relies upon existing | |
| CO Miles and a configuration of the configuration o | experience they must complete a log in | |
| 62. Where an applicant relies upon | accordance with the portfolio guidelines. | |
| existing experience they must complete | An applicant who relies upon a | |
| a log in accordance with the portfolio | qualification as evidence of meeting the | |
| guidelines. An applicant who relies upon | competency framework must provide details of that qualification and | |
| a qualification as evidence of meeting the competency framework must | assessment. CILEx Regulation will consider | |
| provide details of that qualification and | whether the experience or qualification | |
| assessment. CILEx Regulation will | relied upon demonstrates that the | |
| consider whether the experience or | applicant meets the requirements of the | |
| qualification relied upon demonstrates | competency framework. | |
| that the applicant meets the | competency numework. | |
| requirements of the competency | | |
| framework. | | |
| | 63. An applicant who does not meet the | |
| 63. An applicant who does not meet the | knowledge, skills and experience | |
| knowledge, skills and experience | requirements for practice management | |
| requirements for practice management | and/or accounts must complete | |
| and/or accounts must complete | qualification courses and assessment in | |
| qualification courses and assessment in | those areas which meet the competency | |
| those areas which meet the competency | frameworks at Annexes 5 and 6. | |
| frameworks at Annexes 5 and 6. | | |
| | | |
| CONTINUING PROFESSIONAL | CONTINUING PROFESSIONAL | The CPD rules have been |
| DEVELOPMENT (CPD) | DEVELOPMENT (CPD) | consolidated for all |
| , , | • • | practice areas. |
| 64. Chartered Legal Executive Litigators | 10264. As CILEx Practitioners, CILEx | |
| and Advocates are required to | Lawyers Chartered Legal Executive | The second half of Rule |
| undertake CPD in accordance with the | Litigators and Advocates are required to | 64 has been deleted |

| RtCLaRoAC Rules | New Rules | Comments |
|---|--|----------------------------|
| CPD Regulations issued by CILEx | undertake Continuing Professional | because it related to the |
| Regulation from time to time. Those | <u>Development (CPD)</u> in accordance with the | QASA scheme. |
| who hold a criminal proceedings | CPD Regulations issued by CILEx Regulation | |
| certificate must also comply the CPD | from time to time. Those who hold a | The addition of Rule 103 |
| requirements for reaccreditation under | criminal proceedings certificate must also | is not a change in policy. |
| QASA. | comply the CPD requirements for | |
| | reaccreditation under QASA. | |
| | | |
| | 103. Where a CILEx Lawyer's certificate has | |
| | been withdrawn for 12 months or more, on | |
| | the basis that they have not met their CPD | |
| | requirements, they will be required to | |
| | make a fresh application for a Practice | |
| | Certificate in accordance with these Rules. | |
| DISCIPLINARY PROCEDURES AND CODE | DISCIPLINARY PROCEDURES AND CODE OF | The Disciplinary Rules |
| OF CONDUCT | CONDUCT | have been consolidated |
| | | for all practice areas. |
| 65. Chartered Legal Executive Litigators | 10465. As CILEx Practitioners, CILEx | Minor text changes for |
| and Advocates must abide by the Code | Lawyers will be required Chartered Legal | consistency across all |
| of Conduct of CILEx for the time being in | Executive Litigators and Advocates must to | practice areas. |
| force. Those holding a Criminal Litigation | abide by the Code of Conduct of CILEx for | |
| and Criminal Advocacy Certificate will | the time being in force. They will also be | Rule 65 is amended and |
| additionally be required to comply with | bound by the associated regulatory | Rule 66 is deleted |
| the QASA. | arrangements in force from time to time. | because of the QASA |
| | Those holding a Criminal Litigation and | scheme. |
| | Criminal Advocacy Certificate will | |
| | additionally be required to comply with the | |
| | QASA. | |
| | CC What are the second attended to | |
| CC Whare an increase relation to the | 66. Where an issue relating to the | |
| 66. Where an issue relating to the | competence of a Chartered Legal Executive Litigator and Advocate who holds a | |
| competence of a Chartered Legal | | |
| Executive Litigator and Advocate who holds a Criminal Litigation and Criminal | Criminal Litigation and Criminal Advocacy Certificate is brought to the attention of | |
| Advocacy Certificate is brought to the | CILEx Regulation, whether by means of a | |
| attention of CILEx Regulation, whether | completed CAEF or otherwise, the | |
| by means of a completed CAEF or | Admissions and Licensing Committee will | |
| otherwise, the Admissions and Licensing | consider whether the Chartered Legal | |
| Committee will consider whether the | Executive Litigator and Advocate remains a | |
| Chartered Legal Executive Litigator and | fit and proper person to hold a Litigation | |
| Advocate remains a fit and proper | and Advocacy Certificate. The Admissions | |
| person to hold a Litigation and Advocacy | and Licensing Committee must give | |
| Certificate. The Admissions and Licensing | reasons for its decision. The Committee | |
| Committee must give reasons for its | may ask for further information or | |
| decision. The Committee may ask for | evidence, including a report from an | |
| further information or evidence, | independent assessor regarding the | |
| including a report from an independent | competence of the Litigator and Advocate | |
| assessor regarding the competence of | in order to assist in its decision making. | |
| the Litigator and Advocate in order to | in order to assist in its decision making. | |
| assist in its decision making. | | |
| assist in its accision making. | | |

| RtCLaRoAC Rules | New Rules | Comments |
|--|---|----------|
| | 10567. Where a complaint is made or an | |
| 67. Where a complaint is made or an | issue is brought to the attention of CILEx | |
| issue is brought to the attention of CILEx | Regulation regarding the conduct of a | |
| Regulation regarding the conduct of a | Chartered Legal Executive Litigator and | |
| Chartered Legal Executive Litigator and | Advocate CILEx Lawyer that matter will be | |
| Advocate that matter will be dealt with | dealt with in accordance with the CILEx | |
| in accordance with CILEx Regulation's | Regulation Enforcement 's Investigation, | |
| Investigation, Disciplinary and Appeals | Disciplinary and Appeals Rules. | |
| Rules. | bissipiniary and Appeals Halesi | |
| | | |
| 68. Where a Finding, Order or Decision is | 10668. Where a fFinding, o⊖rder or | |
| made against a Chartered Legal | dDecision is made against a CILEx Lawyer | |
| Executive Litigator and Advocate by a | Chartered Legal Executive Litigator and | |
| Disciplinary Tribunal or Panel that | Advocate by a Disciplinary Tribunal or | |
| Finding, Order or Decision will be | Panel that f#inding, o@rder or d@ecision | |
| referred to the Admissions and Licensing | will be referred to the Admissions and | |
| Committee. The Admissions and | Licensing Committee. The Admissions and | |
| Licensing Committee will decide whether | Licensing Committee will decide whether | |
| the Chartered Legal Executive Litigator | the CILEx Lawyer hartered Legal Executive | |
| and Advocate remains a fit and proper | Litigator and Advocate-remains a fit and | |
| person to hold a Litigation and Advocacy | proper suitable person to hold a Litigation | |
| Certificate. The Admissions and Licensing | and Advocacy Practice Certificate. The | |
| Committee must give reasons for its | Admissions and Licensing Committee must | |
| decision. | give reasons for its decision. | |
| decision. | give reasons for its decision. | |
| | 10769. Rule 10669 shall not apply where | |
| 69. Rule 69shall not apply where an | an OOrder is made excluding a Chartered | |
| Order is made excluding a Chartered | Legal Executive Litigator and Advocate | |
| Legal Executive Litigator and Advocate | CILEx Lawyer from membership of CILEx or | |
| from membership of CILEx. Rule 71 shall | membership of CILEx. In such as case, the | |
| apply in such a case. | CILEx Lawyer's Practice Certificate shall be | |
| apply in such a case. | invalid from the date the exclusion from | |
| | membership or registration takes effect. | |
| | Rule 71 shall apply in such a case. | |
| | Tale 71 Shan apply in Sach a case. | |
| 70. Where the Admissions and Licensing | 108 70 . Where the Admissions and | |
| Committee decides that the Chartered | Licensing Committee decides that the CILEX | |
| Legal Executive Litigator and Advocate is | Lawyer hartered Legal Executive Litigator | |
| no longer a fit and proper person to hold | and Advocate is no longer a fit and proper | |
| a Litigation and Advocacy Certificate, | suitable person to hold a Litigation and | |
| they must return their Certificate(s) to | Advocacy Practice Certificate, or their | |
| CILEx Regulation within 28 days of them | Practice Certificate is invalid in accordance | |
| being notified of the decision. Failure to | with rule 107 they must return their | |
| do so will constitute a disciplinary | Certificate(s) to CILEx Regulation within 28 | |
| offence. The Fellow may not exercise | days of them being notified of the decision. | |
| any litigation or advocacy rights granted | Failure to do so will constitute a | |
| to them under their Litigation and | disciplinary offence. The Fellow-CILEX | |
| Advocacy Certificate(s) after they have | Lawyer may not exercise any litigation or | |
| been notified of the decision. | advocacy practice rights granted to them | |
| Sear notified of the decision. | under their Litigation and Advocacy | |
| | ander then trugation and havocacy | |

| RtCLaRoAC Rules | New Rules | Comments |
|---|--|----------|
| | Practice Certificate(s) after they have been | |
| | notified of the decision. | |
| | | |
| 71. Notwithstanding the Admissions and | 10971. Notwithstanding the Admissions | |
| Licensing Committee Rules an appeal | and Licensing Committee Rules an appeal | |
| against a decision of the Admissions and | against a decision of the Admissions and | |
| Licensing Committee that a Chartered | Licensing Committee that a Chartered | |
| Legal Executive Litigator and Advocate is | Legal Executive Litigator CILEx Lawyer and | |
| no longer a fit and proper person to hold | Advocate is no longer a fit and proper | |
| a Litigation or Advocacy Certificate will | suitable person to hold a Litigation or | |
| be considered by a professional member | Advocacy Practice Certificate will be | |
| and two lay members drawn from the | considered by a professional member and | |
| panel of lay and professional members | two lay members drawn from the panel of | |
| appointed to serve on the CILEx | lay and professional members appointed to | |
| Regulation Appeals Panel. | serve on the CILEx Regulation Appeals | |
| | Panel. | |

For reference – the new generic Decision making rules.

DECISION MAKING

- 38. The Admissions and Licensing Committee established under the Admissions and Licensing Committee Rules shall be responsible for matters relating to these Rules.
- 39. In making any assessment or decision required by these Rules, the Admissions and Licensing Committee shall have regard to the relevant eligibility criteria, application guidelines, and the knowledge and competence requirements.
- 40. CILEx Regulation shall appoint external advisors to advise CILEx Regulation and the Admissions and Licensing Committee on matters relating to these Rules.
- 41. CILEx Regulation will consider an application for a Practice Rights Certificate to ensure it meets the relevant eligibility criteria, the application guidelines and the related knowledge and competence requirements.
- 42. The decision to approve an application for a Practice Rights Certificate may be made by an Officer of CILEx Regulation. In reaching their decision, the Officer will consider all the information provided by the applicant and may call for further information from any person or source it considers appropriate. Where the Officer has any doubt as to the suitability of the applicant they may request additional information from the applicant and/or refer the application to the Admissions and Licensing Committee for decision.
- 43. The portfolios which form part of the application may be sent to an external advisor for assessment. The external advisor will assess whether the portfolios meet the application guidelines and the relevant knowledge and competence requirements.
- 44. Where the external advisor finds that the portfolios are satisfactory, the CILEx Regulation Officer will decide whether the application may be approved. In reaching their decision, the Officer will consider all the information provided by the applicant and may call for further information from any person or source it considers appropriate.

Where the Officer has any doubt as to the suitability of the applicant they may request additional information from the applicant and/or refer the application to the Admissions and Licensing Committee for decision.

- 45. Where the external advisor decides that the portfolios do not meet the relevant knowledge and competence requirements they will give reasons for their decision. They shall indicate what action the applicant needs to take to provide a satisfactory portfolio. The Officer will inform the applicant of the decision. The applicant may withdraw their application, amend and re-submit their application or make further representation and ask that the full application be referred to the Admissions and Licensing Committee to consider.
- 46. The Admissions and Licensing Committee will decide whether or not an application referred to it should be approved. In reaching its decision, the Committee will consider all the information provided by the applicant, and may call the applicant for interview or call for further information from any person or source it considers appropriate.
- 47. The Admissions and Licensing Committee may:
- Approve the application;
- Decide that the applicant does not meet the criteria and indicate which of the criteria the applicant does not meet.
- 48. The Officer will notify an applicant of their decision or the decision of the Admissions and Licensing Committee.
- 49. Where the application has been approved, the notification shall include the Practice Rights Certificate.
- 50. Where the application is unsuccessful, the notification shall set out the reasons and any pre-conditions to the consideration of any subsequent application. Where an application is unsuccessful, the applicant may apply for reconsideration in accordance with the Admissions and Licensing Committee Rules.