



AMENDMENT TO CILEX REGULATION ENFORCMENT RULES

Pursuant to LSB Exemption Direction 149, the CILEx Regulation Enforcement Rules are amended as follows:

After Rule 35 (Appeals Panel), insert -

Appeals Hearings

35A.

- (1) Appeal hearings are to be held remotely using a suitable online video conference platform.
- (2) The Appellant and/or CILEx Regulation may request at least 14 days before any hearing that it is held in person if they are of the opinion that it would be unfair to hold the hearing remotely. Any such request must:
 - (a) be made in writing; and
 - (b) addressed to the Appeals Panel at the offices of CILEx Regulation; and
 - (c) allow a response from the other party.
- (3) A party who wishes to respond to a request made under Rules 35A (2) must do so in writing within 7 days of receipt of the request unless the Appeals Panel directs otherwise. Any response should be addressed to the Appeals Panel at the offices of CILEx Regulation.
- (4) Where a request is made under Rule 35A (2) the Appeals Panel must decide whether the hearing is held remotely or in person after considering representations from both parties. Nothing in these Rules shall prevent the Appeals Panel from deciding that the hearing should be held in person on the grounds of fairness even if both parties agree it should be held remotely.
- (5) Nothing in these Rules require any hearing to be held outside the United Kingdom.
- (6) Rule 35A shall take effect from 01 February 2022 and shall remain in force until 28 February 2023.
- (7) These provisions apply to all appeals heard by the Appeals Panel, including appeals made under:
 - (i) Rule 20;
 - (ii) Rule 32;
 - (iii) Rule 26 of the Licensing Rules;
 - (iv) Rule 5, 7 and 8 of the Admissions and Licensing Committee Rules; and
 - (v) Rule 9 of the Authorisation Rules. Rule 9(4) of the Authorisation Rules is amended accordingly.

Explanatory Note

This is a temporary alteration to CILEx Regulation's Enforcement Rules to allow appeal hearings to place remotely, by default, unless the Appeals Panel directs otherwise on the grounds of fairness.

It is being introduced by CILEx Regulation in response to the ongoing coronavirus pandemic.

The alteration falls within Exemption Direction 149 issued by the Legal Services Board under the Legal Services Act 2007, which enables CILEx Regulation to make temporary changes to our rules in response to the Coronavirus pandemic, without a full consultation or formal rule change application.

Rule 35A should be read in conjunction with the Enforcement Rules.

Guidance on how we conduct remote hearings is available on [our website](#).