STATUTORY INSTRUMENTS

2017 No. 27

LEGAL SERVICES, ENGLAND AND WALES

The Legal Services Act 2007 (Designation as a Licensing Authority) Order 2017

Made - - - -	*17th January 2017*
Laid before Parliament	*20th January 2017*
Coming into force - -	*17th February 2017*

The General Council of the Bar, being an approved regulator, has applied to the Legal Services Board ("the Board") under paragraph 1 of Schedule 10 to the Legal Services Act 2007(**a**) ("the Act") to become designated as a licensing authority in relation to the exercise of a right of audience, the conduct of litigation, reserved instrument activities, probate activities and the administration of oaths(**b**).

The Board has made a recommendation to the Lord Chancellor under paragraph 14 of Schedule 10 to the Act, having complied with the requirements of Part 1 of that Schedule, and having granted the General Council of the Bar's application.

The Lord Chancellor makes the following Order in exercise of the power conferred by paragraph 15(1)(a) of Schedule 10 to the Act.

Citation and commencement

1. This Order may be cited as the Legal Services Act 2007 (Designation as a Licensing Authority) Order 2017 and comes into force on 17th February 2017.

Designation as a licensing authority

2. The General Council of the Bar is designated as a licensing authority in relation to—

(a) the exercise of a right of audience;

(b) the conduct of litigation;

(c) reserved instrument activities;

(d) probate activities, and

(e) the administration of oaths(**c**).

(**a**) 2007 c. 29. There are amendments to the Act but none are relevant to this instrument.

(**b**) Part 1 of Schedule 4 to the Act designated the General Council of the Bar as an approved regulator in relation to the exercise of a right of audience, the conduct of litigation, reserved instrument activities, probate activities and the administration of oaths.

(**c**) The activities listed in article 2 are reserved legal activities within the meaning of section 12(1) of the Legal Services Act 2007. Paragraphs 3 to 6 and 8 of Schedule 2 to that Act make further provision as to what constitutes such activities.

Sir Oliver Heald QC
Minister of State
Ministry of Justice

17th January 2017

EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates the General Council of the Bar as a licensing authority under Part 5 (alternative business structures) of the Legal Services Act 2007 (c. 29) ("the Act") in relation to the exercise of a right of audience, the conduct of litigation, reserved instrument activities, probate activities and the administration of oaths. Part 5 of the Act makes provision about licensing authorities and their functions. The General Council of the Bar is already an approved regulator in relation to these reserved legal activities by virtue of Part 1 of Schedule 4 to the Act. Designation as a licensing authority will allow the General Council of the Bar to license alternative business structures, which are businesses wholly or partly owned or controlled by non-lawyers, to provide legal services, or a mixture of legal and other services, to the public.

An impact assessment has not been prepared for this instrument. A full impact assessment of the effect of the policy implemented by this instrument on the costs of business and the voluntary sector was produced with the Government's consultation on the Legal Services Bill and can be found at https://www.justice.gov.uk/downloads/legislation/bills-acts/lsa-2007/ria-legal-services.pdf or obtained from the Head of Legal Services Policy, EU and International Division, Judicial, Rights and International Directorate, Ministry of Justice, 102 Petty France, London SW1H 9AJ.

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