

## SRA Amendment to Regulatory Arrangements (Overseas Rules) Rules 2014

Rules dated 13 October 2014 made by the Solicitors Regulation Authority Board.

Made under Part I, Part II, sections 79 and 80 of the Solicitors Act 1974 and sections 9 and 9A of the Administration of Justice Act 1985, section 89 of and Part 1 of Schedule 14 to the Courts and Legal Services Act 1990, with the approval of the Legal Services Board under paragraph 19 of Schedule 4 to the Legal Services Act 2007.

### Rule 1

The SRA Code of Conduct 2011 shall be amended as follows:

- (a) in paragraph 13A.2, replace “Subject to rule 13.A.1 above” with “However, if the following circumstances apply then you must comply with the provisions”. Delete “is” after “the Code” and insert “that are”. Delete the words “if you are” after “below”.

- (b) Add a new 13A.2 (d) as follows

"(d) a *regulated individual practising overseas* who is providing *reserved legal activities* to clients in England and Wales on an occasional basis, in accordance with rule 2(e)(i) of the *SRA Overseas Rules*."

### Rule 2

The SRA Overseas Rules 2013 shall be amended as follows:

- (a) in rule 2.1(a) delete the words “in full” after “they apply”;
- (b) delete 2.1(e) and replace with the following:

*“Reserved legal activities may only be conducted overseas from an authorised body. However, regulated individuals may conduct reserved legal activities overseas in the following circumstances:*

- (i) on an occasional basis from an *Overseas Practice* for clients in England and Wales provided that they comply with the *SRA Principles* and the provisions in Chapter 13A.3 to 13A.6 of the *SRA Code of Conduct* when conducting those *reserved legal activities*.
  - (ii) from an *Overseas Practice* under the *Overseas Principles* provided that this work is undertaken for clients based outside England and Wales.”
- (c) In rule 2.1(f) insert “Notwithstanding (e) above,” at the beginning of the

paragraph and insert “or a *REL*” after “if you are a solicitor”. Insert “and consistently” after “predominantly” and “to clients, or in relation to assets located” after “provision of legal services”. Delete “the SRA will apply the full *SRA Handbook*” and insert “the *SRA Principles* and Chapter 13A of the *SRA Code of Conduct* will apply” after “regardless of where you are established”.

### Rule 3

The SRA Handbook Glossary 2012 shall be amended as follows:

- (a) in the definition of "**established**", in paragraph (ii), delete “partners” and insert “*managers*” after “transfer or assignment, by”. Delete the word “normally” before “be treated as *practising overseas*”
- (b) in the definition of “**overseas practice**”, paragraph (i), delete the sentence “but which does not carry out *reserved legal activities* and whose *practice* does not predominantly comprise the provision of legal services to clients, or in relation to assets, located in England and Wales”.
- (c) in the definition of "**regulated individual**” put the words “overseas practice” into italics.

### Rule 4

These amendment rules shall come into force on 31 October 2014.