

## News release

# Minor amendments to our Standards and Regulations

05 December 2023

We have made a number of minor changes to our Standards and Regulations following a [consultation](https://upgrade.sra.org.uk/sra/consultations/consultation-listing/standards-regulations-amendments/?s=c) [https://upgrade.sra.org.uk/sra/consultations/consultation-listing/standards-regulations-amendments/?s=c], earlier this year and approval from the Legal Services Board (LSB).

The changes address areas which either had unintended knock-on consequences or feedback from the profession suggested they needed changing to provide clarity. In some cases, the amendments formalise positions we had already clarified through guidance or waivers to specific rules granted to individual firms. The amendments focus on changes which remove or amend impractical or unduly time-consuming requirements, while still making sure the public are protected.

Full details of the changes and our reasons for making them can be found in our [response to the consultation](https://upgrade.sra.org.uk/globalassets/documents/sra/consultations/2023/consultation-responses--sra-standards-and-regulations-minor-amendments.pdf?version=4a006a) [https://upgrade.sra.org.uk/globalassets/documents/sra/consultations/2023/consultation-responses--sra-standards-and-regulations-minor-amendments.pdf?version=4a006a].

In summary, the changes are:

### **Pro-bono work provided outside of a firm or organisation**

Solicitors wishing to provide pro bono services outside a firm or organisation no longer need to notify us of their intention to practise as a freelancer. Where such services are reserved legal activities, the solicitor must still meet our requirement of having practised for a minimum of three years since admission or registration, and must also have adequate and appropriate insurance.

### **Administering oaths or statutory declarations outside of employment**

A solicitor wishing to carry out this activity outside of their employment will no longer be regarded as a freelancer provided that:

- These are the only reserved legal services they provide while practising in this way.
- They do not charge a fee for these services other than the statutory fee.

- They do not provide these services by way of business.

## **Cessation of owner approval**

We have amended the Authorisation of Firm Rules so that once we approve a person's designation as owner of an authorised body, that approval only ceases when they cease to be an interest holder, or a partner, as appropriate.

## **Deeming approval of solicitors with a practising certificate to be managers or owners of authorised bodies**

We have amended the Authorisation of Firms Rules to make clear that we will only deem approval of solicitors (and certain other authorised persons) to be managers or owners of authorised bodies where the solicitor holds a current practising certificate.

## **Solicitors carrying on reserved legal activities in a non-commercial body**

We have amended the code for individuals to reflect our original policy intention that solicitors carrying on reserved legal activities in a non-commercial body only need to make sure that the body has indemnity insurance where services are being provided to the public.

## **Glossary definition of solicitor**

We have tidied up the definition of 'solicitor' in our glossary by removing the reference to the SRA Indemnity Insurance Rules and the minimum terms and conditions as this is no longer relevant.

## **Accounts Rules changes**

In light of recent events, including Axiom and a general increase in the number and size of interventions, we have decided that it is necessary to review our consumer protection arrangements. This includes reviewing risks to client money and the effectiveness of our current arrangements for protecting against them. We have reflected carefully and do not feel that it is the right time to make minor changes to the Accounts Rules while we are reviewing these wider issues.

If we do not change our policy on our Accounts Rules following this review, we then plan to seek approval for these minor changes.