

FA2 - Individual Approval Application Form

This is a form to make an application to the SRA by an applicant firm or authorised body for approval of the following:

- Managers
- Owners
- Managers of a corporate manager
- Compliance Officer for Legal Practice (COLP)
- Compliance Officer for Finance and Administration (COFA)
- Related Entity COLP
- Related Entity COFA

Please read accompanying guidance on the SRA website: www.sra.org.uk/solicitors/firm-based-authorisation.page.

This form is **not** for:

1. Managers who meet the deeming provisions pursuant to Rule 13.2 of the SRA Authorisation Rules 2011, or
2. COLPs or COFAs who meet the deeming provisions pursuant to Rule 13.3 of the SRA Authorisation Rules 2011.

If you need to notify the SRA of a new manager, COLP or COFA who meet the deeming provisions, see the SRA website for more information: www.sra.org.uk/solicitors/firm-based-authorisation.page.

This application form is an editable PDF which you must save on your computer before and after completion in order to capture your data. Please include in each file name the name of your firm and the title of the form. For example "smith-llp-applicant-firm.pdf".

This form is not compatible with Mac computers, and data will not be stored correctly. You must complete the form using a Windows based computer. In addition the PDF application must be created with Adobe PDF, alternative format will not be accepted.

Section 1 - Basic Application Details

1.1 Is the candidate applying for a role in: a new firm or an existing firm

1.2 Applicant Firm name:

Applicant Firm SRA number (if applicable):

1.3 Candidate is applying to be:

COLP

COFA

Manager

Owner

Manager of a corporate manager; Name of Corporate Manager:

1.4 If an owner:

What is the nature of the interest holding?

Please confirm the percentage held:

Will the candidate hold these shares as a nominee? YES NO

If YES, provide details:

Section 2 - Personal Details

2.1 Forename(s): Surname:

Title: Date of birth: SRA number:

2.2 National Insurance No:

2.3 Nationality:

2.4 Passport/Identity Card No: Passport Expiry Date:

2.5 Does the candidate have the right to work in the United Kingdom? YES NO

If **NO**, please explain:

2.6 Visa Number (if applicable): Visa Expiry Date:

2.7 Home Address:

Post Code:

Email Address:

Telephone number: Mobile number:

2.8 Main Office Address:

Postcode:

Telephone number: Mobile number:

Section 3 - Professional Status

3.1 Is the candidate a:

Solicitor of England and Wales

Lawyer of England and Wales, please state title:

Registered European Lawyer (REL) with the SRA

Registered Foreign Lawyer (RFL) with the SRA

European lawyer registered with the Bar Standards Board

Exempt European Lawyer (EEL)

Other lawyer, please specify:

Non Authorised Individual, please specify:

3.2 Is the candidate entitled to practise law in England and Wales:

YES

NO

3.3 If the manager or owner is an EEL, will the candidate be based entirely at an office outside of England and Wales:

YES

NO

3.4 Has the candidate ever been a member of any other professional and/ or regulatory body:

YES

NO

If **YES**, name of the professional and/ or regulatory body:

Registration/ membership number (if applicable):

Jurisdiction of qualification (if applicable):

Date of admission (if applicable):

3.5 If applicable, please provide a Certificate of Good Standing or equivalent written confirmation from the professional body/ regulator named above confirming that the candidate is:

- authorised by that regulator;
- entitled to practise (if relevant);
- not subject to any condition or other restriction

Attached with application form:

YES

3.6 Has the applicant ever been regulated by any other regulator?

YES

NO

If **YES**, please provide details of the regulator including any registration number:

Section 4 - Compliance Officer Information

This section should be completed for the COLP and/or COFA candidate.

If the roles are to be held by different individuals, separate forms need to be completed.

If your firm is nominating a COLP/COFA who is not currently regulated by the SRA, please ensure they register with mySRA and record their mySRA ID for use in this form.

If the candidate needs approval as a manager but otherwise meets the deeming criteria in Rule 13.3(b) to (f) of the SRA Authorisation Rules 2011, please continue to Section 5 - Employment.

Compliance Officer for Legal Practice (COLP)

4.1 COLP candidate is a:

Manager

Employee

Other

Please specify:

4.2 Has the candidate ever managed or supervised staff:

YES

NO

If **YES**: Please provide details:

4.3 Has the candidate ever owned or managed a business alone or with others:

YES

NO

If **YES**: Please provide details:

4.4 Has the candidate ever managed or supervised an office:

YES

NO

If **YES**: Please provide details:

4.5 What past experience does the candidate have that is considered is relevant to the role?

4.6 Please explain why the candidate is suitable to the role of COLP, including explaining how they have sufficient seniority and sufficient responsibility:

4.7 Please provide details of any relevant training courses that the candidate has attended

Compliance Officer for Finance and Administration (COFA)

4.8 COFA candidate is a:

Manager

Employee

Other

Please specify:

4.9 Please provide a summary of the candidate's experience and knowledge of managing finance, including:

Billing and recovering:

Computerisation:

Preparing budgets:

Controlling costs:

Financial and management information:

4.10 What experience does the candidate have with working with the SRA Accounts Rules?

4.11 Who will undertake the day-to-day accounting activities in the Applicant Firm?

4.12 Does the candidate have experience in signing off reconciliation statements? **YES**

NO

4.13 Please explain the process in the Applicant Firm for signing off reconciliation statements:

4.14 Please explain how the candidate will manage office and client accounts:

4.15 Please explain why the candidate is suitable to the role of COFA, including explaining how they have sufficient seniority and sufficient responsibility:

4.16 For firms who are not intending to hold client money, how will disbursements be paid?

4.17 For firms who are not intending to hold client money, how will compensation be dealt with and paid?

4.18 For firms who are not intending to hold client money, how will clients be invoiced and billed?

Related Entity COLP/COFA

This section is to be completed if the candidate is to be a COLP and/or a COFA for a related entity authorised body.

Rule 8.5 (h) and (i) Authorisation Rules relates to COLPs and COFAs respectively.

'Related authorised body' means an authorised body which has a manager or owner in common with another authorised body'.

A COLP or COFA who is applying to hold these positions in a number of related entities within a large group structure may make one application. This application needs to indicate all the entities for which the individual wishes to be approved.

The SRA retains the right to refuse approval in some or all of these entities.

4.19 Please list the related entities below:

Firm name	Firm SRA No.	Role COLP/COFA/BOTH

Section 5 - Employment History

Please provide details including length of time and the role type/title in respect of all forms of employment, including self employment, for the last five years:

Current or most recent employer

5.1 Name of candidate's employer:

SRA number of employer
(if applicable):

Position:

Address: Date employment started:

Date employment ended:

Postcode:

5.2 Did/does this employment involve the practice of law in England and Wales? YES NO

Previous employer

5.3 Name of candidate's employer:

SRA number of employer
(if applicable):

Position:

Address: Date employment started:

Date employment ended:

Postcode:

5.4 Did/does this employment involve the practice of law in England and Wales? YES NO

Please provide details of additional employers on a separate sheet.

Section 6 - Business Interests

6.1 Will the candidate own, actively participate in or be connected with a separate business:

That will engage in legal activities: YES NO

To which clients or aspects of their case will be referred, signposted or transferred: YES NO

Which are jointly advertised or promoted with authorised businesses (including sharing a website, offering joint services or bidding for work together): YES NO

If **YES** to any of the above, please provide details:

Name the separate business with any registration details for companies	Describe the relationship with the candidate	Give details of work undertaken by the separate business and if regulated, name regulator	Will the business remain separate or amalgamate with the applicant firm once candidate is authorised?

Section 7 - Suitability Test

All material information relating to the candidate's application must be disclosed. Failure to disclose material information will be treated as prima facie evidence of dishonest behaviour. The candidate must disclose any matters that have occurred in the UK and/or overseas.

If the candidate is only a manager and/or a lawyer owner and or the intended COLP or COFA in a recognised body or sole practitioner firm, they should not disclose any convictions or cautions that are spent under the Rehabilitation of Offenders Act 1974. They should not answer questions 7.3 (iii) and 7.4 (i) - (v).

If the candidate is an intended non lawyer owner in a Licensable Body and or the intended COLP or COFA in a Licensable Body they should answer all questions and disclose spent convictions and cautions but should not disclose protected cautions or convictions.

The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended) was amended in May 2013 to bring it in line with the European Convention on Human Rights. The main changes were the introduction of 'protected' cautions and convictions. As a result of the changes, questions we ask about convictions and cautions do not apply to protected cautions and convictions. Failure to disclose such convictions and cautions cannot be considered as prima facie evidence of dishonesty. The Disclosure and Barring Service (DBS) will filter any protected convictions and cautions, so they will not appear on standard disclosures.

7.1 THE CANDIDATE HAS READ AND UNDERSTOOD THE ABOVE STATEMENT YES

Criminal offences

Refer to Section 1 of the SRA Suitability Test 2011 within the SRA Handbook.

- 7.2 Has the candidate ever been convicted by a court of a criminal offence:
- i. for which they received a custodial or suspended sentence;
 - ii. involving dishonesty, fraud, perjury or bribery;
 - iii. specifically in relation to, or which they have been included on the Violent and Sex Offender Register;
 - iv. associated with obstructing the course of justice;
 - v. which demonstrated behaviour showing signs of discrimination towards others;
 - vi. associated with terrorism;
 - vii. which was racially aggravated;
 - viii. which was motivated by any of the 'protected' characteristics defined within the Equality Act 2010; and/or
 - ix. more than one criminal offence.

YES NO

If the candidate has answered 'YES' we will refuse their application unless there are exceptional circumstances.

7.3 Has the candidate ever:

- i. been convicted by a court of a criminal offence not falling in 7.2 above;
- ii. been included on the Violent and Sex Offender Register but in relation to the candidates inclusion on the Register, the candidate has not been convicted by a court of a criminal offence; and/or
- iii. accepted a caution for an offence involving dishonesty.

YES NO

If the candidate has answered 'YES' we are more likely than not to refuse the application.

7.4 Has the candidate ever:

- i. received a local warning from the police;
- ii. accepted a caution from the police for an offence not involving dishonesty;
- iii. received a Penalty Notice for Disorder (PND) from the police;
- iv. received a final warning or reprimand from the police (youths only); and/or
- v. received a referral order from the courts (youths only).

YES NO

If the candidate has answered 'YES' we may refuse their application.

7.5 Is the candidate currently facing any criminal charges?

YES NO

If the candidate answered 'YES' they must disclose the details of the charge(s). We will not determine their application until they can confirm that the charge(s) have either been dropped or the outcome of their case is known. Please attach all evidence to the completed application.

Evidence and rehabilitation

Refer to sections 7 and 8 of the SRA Suitability Test 2011 within the SRA Handbook. The detailed evidence requirements are specified after each section of the test.

If the candidate has answered 'YES' to questions 7.2 - 7.5 they must provide:

- A) a full statement of the event(s), setting out any exceptional circumstances;
- B) at least one independent report relating to the event(s) such as sentencing remarks;
- C) details of at least two independent professional people (of which one should preferably be from an employer or tutor) who know the candidate well, are familiar with the events being considered, and have given their consent to be contacted on behalf of the candidate for references;
- D) any evidence of rehabilitation;
- E) documentary evidence in support of their case and where possible an independent corroboration of their account of the event(s);
- F) if they were fined, evidence of payment of fine(s), reports can be obtained from the court.

The onus is on the candidate to provide any evidence the candidate considers necessary and/or appropriate. However, should we consider that the candidate has provided insufficient evidence, we reserve the right to carry out our own investigation and/or refuse the candidate's application if further evidence is not forthcoming.

Please attach all evidence to the completed application.

Assessment offences

Refer to Section 4 of the SRA Suitability Test 2011 within the SRA Handbook.

All material information relating to the candidate's application must be disclosed. Failure to disclose material information will be treated as prima facie evidence of dishonest behaviour. The candidate must disclose any matters that have occurred in the UK and/or overseas.

7.6 THE CANDIDATE HAS READ AND UNDERSTOOD THE ABOVE STATEMENT YES

7.7 Has the candidate ever committed and/or been adjudged by an education establishment to have committed a deliberate assessment offence which amounts to plagiarism or cheating to gain advantage for themselves or others?

YES NO

Evidence and Rehabilitation

If they have answered 'YES' to question 7.7 they must provide:

A) a full statement of the event(s), setting out:

- i) any exceptional circumstances,
- ii) the extent to which the candidate was aware of the rules and procedures governing the reference of material or the use of group work or collaborative material, and
- iii) the extent to which the candidate could reasonably have been expected to realise that the offence did not constitute legitimate academic practice.

B) at least one independent report relating to the event(s) from the university or course provider, such as minutes from meetings or hearings;

C) details of at least two independent professional people (of which one should preferably be from an employer or tutor) who know the candidate well, are familiar with the events being considered, and have given their consent to be contacted on behalf of the candidate for references;

D) documentary evidence in support of their case and where possible an independent corroboration of their account of the event(s).

The onus is on the candidate to provide any evidence the candidate considers necessary and/or appropriate. However, should we consider that the candidate has provided insufficient evidence, we reserve the right to carry out our own investigation and/or refuse the candidate's application if further evidence is not forthcoming.

Please attach all evidence to the completed application.

Financial behaviour

Refer to Section 5 of the SRA Suitability Test 2011 within the SRA Handbook.

All material information relating to the candidate's application must be disclosed. Failure to disclose material information will be treated as prima facie evidence of dishonest behaviour. The candidate must disclose any matters that have occurred in the UK and/or overseas.

7.8 THE CANDIDATE HAS READ AND UNDERSTOOD THE ABOVE STATEMENT YES

7.9 Has the candidate ever been declared bankrupt, entered into any individual voluntary arrangements (IVA) or had a County Court Judgment (CCJ) issued against them?

YES NO

If the candidate answered 'YES' it will raise a presumption that they cannot manage their finances properly and carefully, and we will refuse their application unless there are exceptional circumstances.

Evidence and rehabilitation

If the candidate has answered 'YES' to question 7.9 they must provide:

- A) a full statement of the event(s), setting out any exceptional circumstances;
- B) at least one independent report relating to the event(s), to include paperwork from the court relating to the hearing, with dates, court reference numbers and the outcome;
- C) details of at least two independent professional people (of which one should preferably be from an employer or tutor) who know the candidate well, are familiar with the events being considered, and have given their consent to be contacted on behalf of the candidate for references;
- D) a credit report, no more than one month old at the date of application, through Experian or Equifax;
- E) independent evidence of actions the candidate has taken to clear any debts, satisfy any judgments, and manage their finances.

The onus is on the candidate to provide any evidence they consider necessary and/or appropriate. However, should we consider that the candidate has provided insufficient evidence, we reserve the right to carry out our own investigation and/or refuse the candidate's application if further evidence is not forthcoming.

Please attach all evidence to your completed application.

Regulatory history

Refer to Section 6 of the SRA Suitability Test 2011 within the SRA Handbook.

All material information relating to the candidate's application must be disclosed. Failure to disclose material information will be treated as prima facie evidence of dishonest behaviour. The candidate must disclose any matters that have occurred in the UK and/or overseas.

7.10 THE CANDIDATE HAS READ AND UNDERSTOOD THE ABOVE STATEMENT YES

7.11 Has the candidate ever:

- i. been made the subject of a disciplinary finding, sanction or action by a regulatory body and/or any court or other body hearing appeals in relation to disciplinary or regulatory findings;
- ii. failed to disclose information to a regulatory body when required to do so, or provided false or misleading information;
- iii. breached the requirements of a regulatory body;
- iv. been refused registration by a regulatory body; and/or
- v. failed to comply with the requests of a regulatory body.

YES NO

If the candidate answered 'YES' we will refuse their application unless there are exceptional circumstances.

7.12 Has the candidate ever been rebuked or reprimanded by or received a warning about their conduct from a regulatory body?

YES NO

If the candidate answered 'YES' we may refuse their application.

7.13 Is the candidate currently facing any disciplinary proceeding(s) or investigation(s)?

YES NO

If the candidate answered 'YES', they must disclose details of the matter(s). The application may be subject to an extended decision period under Rule 5 of the SRA Authorisation Rules 2011 while we consider any ongoing matter(s). We may be unable to approve an application where the ongoing matter(s) is/are not resolved within the decision period.

Evidence and rehabilitation

If the candidate has answered 'yes' to questions 7.11 - 7.13 you must provide:

- A) a full statement of the event(s), setting out any exceptional circumstances;
- B) at least one independent report relating to the event(s), to include documentation from the regulatory/professional body, minutes from hearings and meetings, confirmation of outcome(s), appeal details (if relevant) and any sanctions;
- C) details of any disciplinary proceeding(s) or investigation(s) they may be facing. Please be aware that we will not determine their application until they can confirm that the matter(s) has/have either been dropped or the outcome of your case is known;
- D) details of at least two independent professional people (of which one should preferably be from an employer or tutor) who know the candidate well, are familiar with the events being considered, and have given their consent to be contacted on behalf of the candidate for references ;
- E) independent evidence of actions the candidate has taken to satisfy any findings and/or sanctions.

The onus is on the candidate to provide any evidence they consider necessary and/or appropriate. However, should we consider that the candidate has provided insufficient evidence, we reserve the right to carry out our own investigation and/or refuse the candidate's application if further evidence is not forthcoming.

Please attach all evidence to your completed application.

Any other behaviour

Refer to Section 3 of the SRA Suitability Test 2011 within the SRA Handbook.

All material information relating to the candidate's application must be disclosed. Failure to disclose material information will be treated as prima facie evidence of dishonest behaviour. The candidate must disclose any matters that have occurred in the UK and/or overseas.

7.14 THE CANDIDATE HAS READ AND UNDERSTOOD THE ABOVE STATEMENT YES

7.15 Are there any other factors which may call into question the candidate's character and suitability?
YES NO

Unless there are exceptional circumstances we will refuse the candidate's application if they have:

- (i) been responsible for behaviour:
 - (a) which is dishonest;
 - (b) which is violent;
 - (c) where there is evidence of discrimination towards others;
- (ii) misused their position to obtain pecuniary advantage;
- (iii) misused their position of trust in relation to vulnerable people; and/or
- (iv) been responsible for other forms of behaviour which demonstrate that they cannot be relied upon to discharge their regulatory duties.

Evidence and rehabilitation

If the candidate has answered 'YES' to question 7.15 you must provide:

- A) a full statement of the event(s), setting out any exceptional circumstances;
- B) at least one independent report relating to the event(s);
- C) details of at least two independent professional people (of which one should preferably be from an employer or tutor) who know the candidate well, are familiar with the events being considered, and have given their consent to be contacted on behalf of the candidate for references.

The onus is on the candidate to provide any evidence they consider necessary and/or appropriate. However, should we consider that the candidate has provided insufficient evidence, we reserve the right to carry out our own investigation and/or refuse the candidate's application if further evidence is not forthcoming.

7.16 Has the candidate ever been removed from the office of charity trustee for a charity by an Order of the Charities Act 1993? YES NO

If **YES**: Please provide details:

7.17 Has the candidate ever been removed or disqualified as a company director? YES NO

If **YES**: Please provide details:

7.18 Has the candidate ever been a manager of a body corporate which has been the subject of a winding up order, an administration order or any type of receivership, or has otherwise been wound-up or put into administration or has entered into a voluntary arrangement under the Insolvency Act 1986? YES NO

If **YES**: Please provide details:

7.19 Has the candidate ever committed an offence under the Companies Act 2006? YES NO

If **YES**: Please provide details:

7.20 Is the candidate aware of any matters which relate to the honesty and integrity of any person they are related to, affiliated with, or act together with which may influence the candidate's authorised role within the applicant? YES NO

If **YES**: Please provide details:

7.21 Does or will the candidate have any arrangements, relationships or connections with third parties that may allow another party to have any influence over the running of the firm? YES NO

If **YES**: Please provide details:

7.22 Is the candidate a manager or employee in any other business? YES NO

If **YES**: Please provide details

7.23 Does the candidate intend to continue with any other business(es) if this application for approval is successful? YES NO

If **YES**: Please provide details

7.24 Has the candidate been named in any complaints to their regulator or to an Ombudsman in the last 12 months? YES NO

If **YES**: Please provide details:

7.25 Has the candidate ever been disqualified in any capacity under Section 99 of the LSA or under the SRA Authorisation Rules? YES NO

If **YES**: Please provide details:

7.26 Has the candidate ever been disqualified from acting as a Head of Finance and Administration or Head of Legal Practice by the SRA or another approved regulator? YES NO

If **YES**: Please provide details:

Section 8 - Declaration

This section must be completed by an authorised individual who is a manager of the applicant firm. The authorised individual must be authorised by all managers in the applicant firm to make this declaration on behalf of the firm.

Knowingly or recklessly giving the information which is false or misleading or falling to inform the SRA of significant information may lead to:

- the application being rejected,
- the application for approval of an authorised role holder being rejected,
- authorisation being revoked,
- approval being withdrawn, and
- disciplinary action being taken by the SRA.

It should not be assumed that information is known to the SRA because it is in the public domain or has previously been disclosed to the SRA or another regulatory body. If there is any doubt about the relevance of information, it should be included in this application.

The submission of this portable document form constitutes a proper application and the act of submission is evidence of a binding signature.

For the purposes of the Data Protection Act 1998, any personal information provided in this application may be used by the SRA to discharge its statutory functions under the Legal Services Act 2007, the Solicitors Act 1974, the Administration of Justice Act 1985 and any other relevant legislation.

The SRA may make enquiries and seek further information considered necessary in determining this application. In performing these checks, personal information given in the application may be disclosed to registered Credit Reference Agencies who may keep a record of that information.

In making this application on behalf of the candidate:

- 8.1 I confirm that I have read and understood the guidance notes and the information in this application about the candidate is correct and complete to the best of my knowledge and belief.
- 8.2 I confirm that I have authority to make this application and the declarations on behalf of the applicant and all candidates named in this application.
- 8.3 I have obtained the necessary consents from the candidate for disclosure by the SRA to the applicant of the results of any checks of any information and any documents held in respect of any candidate.
- 8.4 I confirm that the SRA will be notified as soon as any information provided in this application changes.
- 8.5 I confirm that the applicant believes on the basis of due and diligent enquiry that each candidate is a fit and proper person
- COLP/COFA applications only:
- 8.6 The candidate consents to their nomination.

Authorised Individual Manager

Please provide details of the Authorised Individual Manager making this declaration

Surname: Forename(s):

Title: Date of birth: SRA number:

Role: Email address:

Signature: Date:

If completed electronically please tick to say you confirm the declaration.

Section 9 - Returning the form

Please return the form, supporting documents and list of enclosures by email to:

authorisation@sra.org.uk

Applicant checklist

To help us process your application quickly please check that:

- 9.1 The declaration has been signed and dated.
- 9.2 If applicable, a Certificate of Good Standing from the candidate's home jurisdiction is supplied. The certificate must be received by us within three months from the date of issue and must be accompanied by an official translation, if not in the English language. We will require the original certificate of attestation.
- 9.3 Written confirmation from the approved regulator relating to the candidate.
- 9.4 Any additional information has been labelled and securely attached to the email