



Solicitors
Regulation
Authority

Firm Based Authorisation

Individual Approval guidance notes - FA2

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Contents

1. Introduction.....	3
Deeming provisions pursuant to Rule 13.2 and 13.3 of the SRA Authorisation Rules 2011	3
2. Getting Started.....	4
2.1 Pre-Application checks.....	4
2.2 How to use the form	4
mySRA	4
The form	5
Individual managers, owners and shareholders	5
3. The Form	5
Section 1 - Basic Application Details.....	5
Section 2 - Personal Details	5
Section 3 - Professional Status	5
Section 4 - Compliance Officer Information.....	5
Section 5 - Employment History	6
Section 6 - Business Interests	6
Section 7 - Suitability Test.....	6
Section 8 - Declaration.....	7
4. Where to send the form	7

1. Introduction

This form is to make an application for approval for the following:

- Individual managers;
 - Individual owners;
 - Individual managers of corporate manager;
 - Compliance Officer for Legal Practice (COLP);
 - Compliance Officer for Finance and Administration (COFA);
 - Related entity COLP;
 - Related entity COFA;
- who require specific approval.

The form should be completed by all applicant/authorised firms who intend to have the above mentioned persons within their firm. This will include applications for authorisation by:

- Licensable bodies (also known as alternative business structures, ABSs);
- Recognised bodies
- Recognised Sole Practices

Deeming provisions pursuant to Rule 13.2 and 13.3 of the SRA Authorisation Rules 2011

For managers and owners who meet the deeming provisions pursuant to [Rule 13.2 of the SRA Authorisation Rules 2011](#):

1. New firms - Complete section 2 of the Firm Authorisation Application Form (FA1) - Post and Role Holder details.
2. Existing authorised bodies - login to mySRA and update the record.

For compliance officers who meet the deeming provisions pursuant to [Rule 13.3 of the SRA Authorisation Rules 2011](#):

1. New firms - Complete section 2 of the Firm Authorisation Application Form (FA1) - Post and Role Holder details.
2. Existing authorised bodies - Complete the Notification of a Deemed Approved COLP or COFA Form FA6

For the deeming criteria of Rule 13.3 of the SRA Authorisation Rules 2011 to apply to non-solicitor lawyers, the individual must be approved as manager of the firm. That means for new and existing firm applications, the non-solicitor lawyer must still complete the FA2 form apart from Section 4.

2. Getting Started

2.1 Pre-Application checks

Please note:

For licensed bodies - a person who is disqualified from being a manager of a body licensed by the SRA or any other approved regulator cannot be a manager.

For all authorised bodies (or manager or employee of such a body) you must not:

1. employ or remunerate a person, or permit a person to be a manager or owner (or interest holder in respect of recognised bodies only) of the body if:
 - a) that person is subject to an order under Section 43 of the Solicitors Act 1974 (as amended) (control of solicitors' employees and consultants) without the SRA's written permission;
 - b) that person has been struck off or suspended from the Roll of Solicitors without the SRA's written permission;
 - c) his/her practising certificate has been suspended whilst he/she is an undischarged bankrupt;
 - d) there is a direction in force in respect of that person under Section 47(2)(g) of the Solicitors Act 1974 (as amended) (prohibition on restoration to the Roll) without the SRA's written permission;
 - e) person is disqualified from being an employee

Regulation 3.1 of the SRA Practising Regulations 2011

The above regulation applies to solicitors and lists a number of events, which are triggered automatically if any of the circumstances listed apply. It provides discretion to the SRA to impose conditions or refuse an application for a practising certificate.

Proposed solicitor managers or owners should review the SRA Practising Regulations 2011 and, if any of the events listed have occurred since their last application for a practising certificate then full details should be provided together with supporting documentation.

The SRA Practising Regulations 2011 can be accessed at - [SRA Practising Regulations 2011](#).

2.2 How to use the form

mySRA

If the individual is not regulated by the SRA or if they do not already have a mySRA account, the individual will need to register with mySRA before the application can be considered. However, you should encourage your candidate to check whether they already have a mySRA account before registering a new one. The CRM number

should be submitted with the application. More information can be found at - [add link]

The form

The form is an editable Portable Document Format File (PDF) and should be completed electronically.

Please answer all questions and complete all the relevant boxes. If a question is not applicable please state so.

If you are providing any additional information in separate sheets or documents, please provide a list of the enclosures and mark each document clearly with the section of the form to which it relates.

The declaration must be signed before submitting the form, this can be done electronically.

Please note: we will not process your application until we have a completed application.

Individual managers, owners and shareholders

We need details of all managers and owners of the applicant/authorised firm. This is not limited to the first tier of a corporate structure so please provide details of all managers and owners of body corporates which are managers or owners of the applicant/authorised firm.

3. The Form

Section 1 - Basic Application Details

Confirm details of the applicant/authorised firm and the details relating to the candidate.

Section 2 - Personal Details

Confirm the personal details and main office address of the candidate.

Section 3 - Professional Status

Confirm the professional and regulatory details of the candidate.

Section 4 - Compliance Officer Information

To be completed if the candidate is applying for the role of:

- COLP

- COFA
- Related Entity COLP/COFA

For the deeming criteria of Rule 13.3 of the SRA Authorisation Rules 2011 to apply to non-solicitor lawyers, the individual must be approved as manager of the firm. That means for new and existing firm applications, the non-solicitor lawyer must still complete the FA2 form apart from Section 4.

Section 5 - Employment History

In order to assess the candidate we need information on the work 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 previous 5 years.

Section 6 - Business Interests

Detail any additional business interests of the candidate.

Section 7 - Suitability Test

The SRA has a responsibility to ensure that persons who hold certain roles are fit and proper. The [SRA Suitability Test 2011](#) expresses the criteria the candidate has to satisfy.

All material information relating to the candidate's application needs to 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.

The SRA Suitability Test 2011 covers the following:

- criminal offences
- assessment offences
- financial behaviours
- regulatory history
- any other behaviour

Please note: with regard to disclosure of criminal offences.

Recognised Bodies and Recognised Sole Practices

If the candidate is

- a manager and/or a lawyer owner and/or
- the intended COLP or COFA

they should not disclose any convictions or cautions that are spent under the Rehabilitation of Offenders Act. They should not answer questions 7.3(iii) and 7.4 (i) - (v).

Licensable or Licensed Bodies

If the candidate is a non-lawyer owner they should answer all questions and must disclose all spent convictions and cautions save for protected convictions or cautions.

Section 8 - Declaration

Authorised individual manager: The firm's authorised individual manager must be an individual lawyer manager, who is authorised by the firm and its managers, to make declarations on its behalf. In a sole practitioner firm, the authorised individual manager must be the solicitor or REL sole practitioner.

We would usually expect the authorised individual manager to be the firm's designated 'Authorised Signatory' as registered against the organisation. However, where the firm does not have an Authorised Signatory, any lawyer manager in the firm who meets the requirements can complete the form, including the candidate themselves.

4. Where to send the form

The form is an editable PDF and should be completed electronically and submitted via email to authorisation@sra.org.uk.