



# The Training Regulations 1990

Education and Training Unit

## Contents

<u>PART I - INTRODUCTORY</u> .....	4
<u>Title and commencement</u> .....	4
<u>Interpretation and definitions</u> .....	4
<u>Marginal notes</u> .....	7
<u>Compliance with Regulations</u> .....	7
<u>PART II - ENROLMENT</u> .....	7
<u>Requirement to obtain certificates of enrolment</u> .....	7
<u>Application for enrolment</u> .....	7
<u>PART III - THE ACADEMIC STAGE OF TRAINING</u> .....	8
<u>Completion of the academic stage</u> .....	8
<u>Certificates of completion of the academic stage</u> .....	8
<u>Definitions for the purposes of Regulations 10 to 14</u> .....	9
<u>Eligibility to attempt a Common Professional Examination</u> .....	9
<u>Exemption from a part of a Common Professional Examinations</u> .....	10
<u>Attending a Common Professional Examination Course</u> .....	10
<u>PART IV - THE VOCATIONAL STAGE OF TRAINING</u> .....	11
<u>Completion of the vocational stage of training</u> .....	11
<u>Employment of trainee solicitors</u> .....	11
<u>Provision of training</u> .....	11
<u>Authorisation of training establishments</u> .....	11
<u>Review of decisions</u> .....	11
<u>Training principal</u> .....	12
<u>Offering training</u> .....	12
<u>Term of the training contract</u> .....	12
<u>Content of the training contract</u> .....	12
<u>Registration of a training contract</u> .....	13
<u>Absence during a training contract</u> .....	13
<u>Termination of a training contract</u> .....	13
<u>Monitoring</u> .....	13
<u>Conciliation procedure</u> .....	14
<u>Adequate training under a training contract</u> .....	14
<u>FILEX not required to service under a training contract</u> .....	14
<u>Justices' Clerks assistants not required to serve under a training contract</u> .....	15
<u>Professional skills course</u> .....	15
<u>PART V - MISBEHAVIOUR</u> .....	15
<u>Misbehaviour of a prospective solicitor</u> .....	15
<u>PART VI – CONTINUING PROFESSIONAL DEVELOPMENT</u> .....	16
<u>Application of Part VI</u> .....	16
<u>CPD requirement during the first three years of admission or registration with the Society pursuant to Directive 98/5/EC</u> .....	16
<u>CPD requirement during the first months after admission</u> .....	16
<u>CPD requirement during the first months after registration with the Society pursuant to EC Directive 98/5/EC</u> .....	17
<u>CPD requirement 1st November 2001 onwards</u> .....	17
<u>Transitional arrangement up to 31st October 2003</u> .....	17
<u>Requirements for solicitors who have been registered European lawyers</u> .....	17
<u>Obligation to keep record</u> .....	17
<u>CPD undertaken before admission</u> .....	17
<u>Suspension</u> .....	17

<u>Part-time</u> .....	17
<u>PART VII – GENERAL</u> .....	18
<u>Waiver of Regulations</u> .....	18
<u>Forms and fees</u> .....	18
<u>SCHEDULE -TRANSITIONAL PROVISIONS</u> .....	18

Made on the 12th day of July 1990 as amended on the 31st day of January 1991, the 9th day of July 1992, the 18th day of March 1993, the 10th day of June 1993, the 7th day of October 1993, the 27th day of January 1994, the 10th day of October 1994, the 10th day of November 1994, the 5th day of June 1997, the 21st day of October 1999 and the 23rd day of June 2000 and the 9th day of November 2000 by the Council of the Law Society under Sections 2 and 80 of the Solicitors Act 1974, with the approval of the Lord Chancellor and each of the designated judges.

## **PART I - INTRODUCTORY**

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### **Title and commencement**

1. (1) These Regulations may be cited as the Training Regulations 1990 and shall come into force on such date or dates as the Council may determine.  
  
(2) The Training Regulations 1989, save as provided in the Schedule, shall cease to have effect on such date or dates as the Council may determine.  
  
(3) The Post Admission Training Regulations 1991 shall cease to have effect on such date as the Council may determine, on which date Part VI of these Regulations shall come into force.

### **Interpretation and definitions**

2. (1) The Interpretation Act 1978 applies to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.  
  
(2) Words and phrases not expressly defined in these Regulations, unless the context otherwise requires, bear the same meaning as they bear in the Solicitors Act 1974.  
  
(3) In these Regulations -

“academic stage of training” means that stage of the training of an entrant to the solicitors’ profession which is completed by satisfying Regulation 7;

“the CPE Board” means the Common Professional Examination Board set up pursuant to resolutions passed by the Society and by the Council of the Inns of Court;

“Common Professional Examination Course” means a course, including assessments and examinations, approved by the CPE Board for the purposes of completing the academic stage of training;

“continuing professional development” means a course, lecture, seminar or other programme or method of study (whether requiring attendance or not) that is relevant to the needs and professional standards of solicitors and complies with guidance issued from time to time by the Society;

“Diploma in Law” means a diploma or second degree awarded by:-  
(i) a university in the United Kingdom or the Republic of Ireland;

- (ii) an institution in England or Wales empowered by the Privy Council to award degrees;
- (iii) a polytechnic or college authorised to award the degrees of the Council of National Academic Awards before its dissolution on 31st March 1993;
- (iv) the College of Law;
- (v) an overseas university or college approved by the Society; being of such standard as the Society determines and following a course of study which is acceptable to the Society and which includes:-
  - a) the study of the Foundations of Legal Knowledge; and
  - b) the passing of appropriate assessments set in those foundations;

“Exempting Law Degree” means a qualifying law degree incorporating a Legal Practice Course;

“FILEX” means a Fellow of the Institute of Legal Executives;

“Foundations of Legal Knowledge” means those foundations of law the study of which is prescribed by the Society and the Council of Legal Education for the purpose of completing the Academic Stage of Training by undertaking a Common Professional Examination Course and passing the assessments and examinations set during that course;

“Integrated Course” means a course of such standard as the Society determines and approves incorporating study of the Foundations of Legal Knowledge and a Legal Practice Course;

“Justices’ Clerk’s Assistant” bears the meaning contained in the Justices’ Clerks (Qualifications of Assistants) Rules 1979 (as amended);

“Legal Practice Course” means a course the satisfactory completion of which is recognised by the Society as satisfying in part the vocational stage of training;

“Professional Skills Course” means a course the satisfactory completion of which is recognised by the Society as satisfying in part the vocational stage of training;

“Qualified Lawyers Transfer Regulations” means the Qualified Lawyers Transfer Regulations made from time to time by the Council of the Society;

“qualifying employment” means employment, after attaining the age of 18 years, on legal duties under the supervision of a solicitor;

“qualifying law degree” means:-

- (i) a degree awarded by a university in the United Kingdom or the Republic of Ireland;

- (ii) a degree awarded by an institution in England or Wales empowered by the Privy Council to award degrees;
- (iii) a degree conferred by the Council for National Academic Awards before its dissolution on 31st March 1993; and
- (iv) a Licence in Law conferred by the former University College of Buckingham before the College was granted university status; being of such a standard as the Society determines following a course of study which is acceptable to the Society with regard to the provision of adequate learning resources and which includes:
  - (a) the study of the Foundations of Legal Knowledge; and
  - (b) the passing of appropriate assessments set in those foundations; or
- (v) such other degree or qualification as the Society considers the equivalent of the qualifications listed above;

“part-time study contract” means a written contract between a training establishment and a trainee solicitor who follows a CPE Course, Legal Practice Course, Integrated Course, or a course leading to a Qualifying Law Degree, Exempting Law Degree, or Diploma in Law on a part-time basis and references to “training contract” in these regulations shall include part-time study contract;

“registered European lawyer” means a lawyer registered with the Society pursuant to EC Directive 98/5/EC;

“Society” means the Law Society;

“trainee solicitor” means any person receiving training under a training contract;

“training contract” means a written contract between one or more training establishments and a trainee solicitor which complies with these Regulations;

“training establishment” means a body, firm, company or individual authorised by the Society to take a trainee solicitor;

“training principal” means any solicitor who:-

- (i) holds a current practising certificate;
  - (ii) has held immediately prior to a current practising certificate four consecutive practising certificates;
  - (iii) is nominated by a training establishment as such;
  - (iv) is a partner or has equivalent status;
  - (v) has undertaken such training as the Society may prescribe;
- For the purposes of (ii) above a solicitor who has been a registered European lawyer for a continuous period before his admission as a solicitor can use each complete year of registration as the equivalent of having held one practising certificate.

“vocational stage of training” means that stage of the training of an entrant to the solicitors’ profession which is completed by:-

- (i) (a) satisfactory completion of a Legal Practice Course, or  
(b) obtaining an Exempting Law Degree, or  
(c) satisfactory completion of an Integrated Course, and
- (ii) subject to Regulations 30 and 31 serving under a training contract as prescribed in Part IV of these Regulations, and
- (iii) satisfactory completion of a Professional Skills Course and such other course or courses as the Society may from time to time prescribe.

### **Marginal notes**

3. The Marginal Notes do not form part of these Regulations.

### **Compliance with Regulations**

4. Subject to the Qualified Lawyers Transfer Regulations, an applicant for admission as a solicitor must have satisfactorily completed the academic and the vocational stages of training and otherwise have complied with these Regulations.

## **PART II - ENROLMENT**

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### **Requirement to obtain certificates of enrolment**

5. No person may:-
- (i) proceed beyond the first year of a course leading to an Exempting Law Degree; or
  - (ii) attend a Legal Practice Course; or
  - (iii) attend an Integrated Course; or
  - (iv) serve under a training contract;
- without holding a current Certificate of Enrolment.

### **Application for enrolment**

6. (1) The Society shall issue a Certificate of Enrolment only if it is satisfied
- (i) as to the applicant’s character and suitability to become a solicitor; and
  - (ii) that the applicant has a good knowledge of spoken and written English.
- (2) The Society may require the applicant to attend before a committee or panel appointed by the Society.
- (3) The Society may refuse to issue a Certificate of Enrolment and must notify an applicant in writing giving reasons for the decision.
- (4) If the Society refuses to issue a Certificate of Enrolment the applicant may:-
- (i) within one month of receiving notification from the Society of its decision ask for the application to be reviewed; and
  - (ii) within three months of receiving notification from the Society of its decision under paragraph (4) (i) apply to the Master of the Rolls who may:-

- (a) affirm the decision of the Society; or
- (b) direct the Society to issue a Certificate of Enrolment to the applicant.

(5) The applicant may make not more than three further applications for enrolment at intervals of not less than 12 months of the Society's refusal under paragraph (3).

- (6)
  - (i) A first Certificate of Enrolment is valid for a period not exceeding 24 months as specified in the Certificate.
  - (ii) Any other Certificate of Enrolment is valid for 12 months from the date of issue.
  - (iii) Notwithstanding (i) and (ii) a Certificate of Enrolment which is in force when the holder commences a training contract shall remain valid for the duration of that training contract.

(7) Unless otherwise expressed, any reference in these Regulations to a Certificate of Enrolment refers to a Certificate issued pursuant to this Regulation.

### **PART III - THE ACADEMIC STAGE OF TRAINING**

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#### **Completion of the academic stage**

7. (1) A person satisfies the academic stage of training by:-
- (i) graduating with an Exempting Law Degree; or
  - (ii) graduating with a qualifying law degree; or
  - (iii) passing a Common Professional Examination; or
  - (iv) gaining a Diploma in Law; or
  - (v) satisfactorily completing an Integrated Course.

(2) In exceptional circumstances, notified to and accepted as such by the Master of the Rolls, the Society may accept such other evidence of academic ability as it thinks fit as equivalent to satisfaction of the academic stage of training for the purposes of paragraph (1) in the case of a person who completes a course of study for one of the qualifications referred to in paragraph (1).

(3) Before proceeding to the vocational stage of training a person seeking to establish that the academic stage of training has been satisfied by virtue of paragraphs (1) (ii), (iii) or (iv) must obtain from the Society within the prescribed time limit a certificate to that effect.

(4) Before entering into a training contract a person seeking to establish that the academic stage of training has been satisfied by virtue of paragraphs (1) (i) or (v) must obtain from the Society within the prescribed time limit a certificate to that effect.

#### **Certificates of completion of the academic stage**

8. (1) A person within Regulation 7(1) must apply to the Society for a certificate and lodge such evidence as the Society may require.

(2) The Society will not grant a certificate on an application made later than seven years after the 1st October in the year in which the applicant obtained the degree or diploma, passed a Common Professional Examination, or satisfactorily completed an Integrated Course unless satisfied that:-

- (i) special reasons exist for granting the certificate; and
- (ii) the applicant has complied with such requirements as to courses of study, written tests or otherwise as the Society may have imposed as a condition of granting the certificate.

(3) Subject to paragraph (2), if the Society is satisfied that an applicant holds an Exempting Law Degree, a qualifying law degree, a Diploma in Law or has passed a Common Professional Examination, or satisfactorily completed an Integrated Course it must issue a certificate that the applicant has completed the academic stage of training.

(4) A certificate remains in force for seven years after the 1st October in the year in which the applicant obtained the degree or diploma or passed a Common Professional Examination or satisfactorily completed an Integrated Course or for two years from the date of the certificate, whichever is the later.

(5) If an application for a certificate in respect of a degree or diploma is refused, the Society may accept the applicant's degree or diploma as entitling the applicant to take a Common Professional Examination under Regulations 10 and 12.

#### **Definitions for the purposes of Regulations 10 to 14**

9. For the purposes of Regulations 10 to 13 "eligible student" means a student eligible to attend a Common Professional Examination Course in the categories (i) to (vii) contained in Regulation 10 (1) or Regulation 10 (2).

#### **Eligibility to attempt a Common Professional Examination**

10. (1) To be an eligible student a person must:-
- (i) hold a degree (other than an honorary degree) conferred by an institution in England or Wales empowered by the Privy Council to award degrees or by a university in the United Kingdom or the Republic of Ireland or by the Council for National Academic Awards before its dissolution on 31st March 1993 or a licence awarded by the University College of Buckingham before that college was granted university status; or
  - (ii) hold a degree (other than an honorary degree) conferred by a university outside the United Kingdom and the Republic of Ireland which the Society considers to be of a standard at least equivalent to that of a degree conferred by a university in the United Kingdom; or
  - (iii) be accepted by the Society for admission as a mature student; the applicant for such acceptance must:-
    - (a) have had considerable experience or shown exceptional ability in an academic, professional, business or administrative field;
    - (b) have attained the age of 25 years;

- (c) have attained such standard of general education as the Society may consider sufficient;
- (d) have satisfied the Society as to character and suitability to become a solicitor; and
- (e) have a good knowledge of written and spoken English; or

(iv) be a FILEX; or

(v) be a Member of the Institute of Legal Executives who has 3 years qualifying employment; or

(vi) have attained the age of 25 years and hold such qualification in Magisterial Law awarded after successful completion of a relevant course as shall from time to time be recognised by the Society; or

(vii) have attained such academic and vocational qualifications as the Society considers to be equivalent to a first degree under paragraph (i).

(2) In exceptional circumstances notified to and accepted as such by the Master of the Rolls the Society may accept such other evidence of academic eligibility as it thinks fit in the case of a person who completes a course of study for a degree at an institution referred to in paragraphs (i) and (ii).

#### **Exemption from a part of a Common Professional Examinations**

11. (1) A student may apply to the Society for an exemption from any of the Foundations of Legal Knowledge or the other area of legal study in a Common Professional Examination Course.

(2) The Society may grant exemption if it is satisfied that a student has passed any assessments and examinations in any of the Foundations of Legal Knowledge or other area of legal study approved by the Society as being substantially equivalent to any of the Foundations of Legal Knowledge or the one other area of legal study in a Common Professional Examination Course from which the student seeks exemption.

(3) If the Society is satisfied that a student is entitled to be granted exemption from any of the Foundations of Legal Knowledge or the one other area of legal study in a Common Professional Examination Course, it may issue a Certificate of Exemption stating any Foundation or Foundations of Legal Knowledge and the one other area of legal study which a student must pass in order to complete a Common Professional Examination Course.

#### **Attending a Common Professional Examination Course**

12. Only a person who has satisfied an institution approved by the CPE Board to offer a Common Professional Examination Course that his qualifications are within the categories (i) to (vii) contained in Regulation 10 (1) or in Regulation 10 (2) may attend the Common Professional Examination Course at the institution.

#### **Compliance with Regulations relating to a Common Professional Examination**

13. An eligible student attending a Common Professional Examination Course must comply with any rules or regulations approved by the CPE Board and for the time being in force of the institution providing the course.

#### **PART IV - THE VOCATIONAL STAGE OF TRAINING**

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##### **Completion of the vocational stage of training**

14. (1) No person can be admitted as a solicitor unless the Society is satisfied that such a person has completed the vocational stage of training
- (2) A person, other than a person following an Exempting Law Degree, may not commence the vocational stage before satisfactorily completing the academic stage of training.
- (3) The vocational stage of training is completed by:-
- (i) (a) satisfactory completion of a Legal Practice Course, or
  - (b) satisfactory completion of an integrated Course, or
  - (c) obtaining an exempting law degree, followed by
  - (ii) serving under a training contract, during which
  - (iii) the Professional Skills Course and such other course or courses as the Society may from time to time prescribe must be undertaken and satisfactorily completed.
- (4) "Satisfactory completion" shall be construed in accordance with guidance issued from time to time by the Society

##### **Employment of trainee solicitors**

15. Only a training establishment may take a trainee solicitor.

##### **Provision of training**

16. Every training establishment must provide training in accordance with guidance issued from time to time by the Society.

##### **Authorisation of training establishments**

17. The Society may:-
- (i) declare any body, firm, company or individual a training establishment subject to any conditions and for such period as the Society considers appropriate;
  - (ii) vary or discharge any condition;
  - (iii) refuse to declare any body, firm, company or individual a training establishment;
  - (iv) declare that a training establishment ceases to be such.

##### **Review of decisions**

18. (1) If the Society:-
- (i) refuses to declare a body, firm, company or individual a training establishment;
  - (ii) declares a body, firm, company or individual a training establishment subject to conditions, or varies any condition;
- the body, firm, company or individual may apply for review of the decision within one month of receiving notification of it.

(2) Pending the hearing of an application for review under paragraph (1), any variation of a condition the subject of review stands suspended.

(3) If the Society declares that a training establishment ceases to be such, then, notwithstanding Regulation 15 the body, firm, company or individual may apply for review of the decision within one month of receiving notification of it and pending the hearing of an application for review may continue to provide training to any trainee solicitor who has entered into a training contract at the date of the decision of the Society but may not provide training to any other person.

(5) An application for review made under this Regulation shall be heard by such body or committee as the Society may determine, not being the body or committee which made the decision the subject of review.

### **Training principal**

19. (1) Every training establishment must appoint a training principal and must notify the Society of the name of such person and if a different person is appointed training principal.

(2) A training principal must undertake to the Society to comply with the Training Code issued from time to time by the Society.

### **Offering training**

20. Before a training establishment enters into a training contract with any person it must set out in a letter of offer to that person such information as to the terms and conditions to be included in the training contract as the Society may from time to time prescribe.

### **Term of the training contract**

21. (1) Subject to paragraphs (2), (3) and (4) the term of a training contract is two years.

(2) The Society may permit a person to serve under a training contract for a period not exceeding four years and to be employed part-time provided that:  
(i) the total period of service is no less than would be served by a person in full-time employment and receiving training under a two year training contract; and  
(ii) the Society is satisfied that adequate training can be given.

(3) Notwithstanding Regulation 14 a person who follows a course leading to completion of the academic stage of training or the legal practice course on a part-time study basis may enter into a training contract in accordance with guidance issued from time to time by the Society.

(4) A training principal may in accordance with guidance issued from time to time by the Society, determine that time worked prior to entering into a training contract is equivalent to a period of service under a training contract.

### **Content of the training contract**

22. A training contract must be in such form and contain such terms and conditions as the Society may from time to time prescribe.

### **Registration of a training contract**

23. (i) A training contract must be executed and registered in accordance with guidance issued from time to time by the Society.  
(ii) The Society may not register a training contract which provides for payment of a salary less than that prescribed from time to time by the Society. There may be allowed against such prescribed salary the cash value of any benefits in kind from time to time approved by the Society.

### **Absence during a training contract**

24. A trainee solicitor may reckon as good service under a training contract such periods of absence:  
(i) as the Society may allow; or  
(ii) as may be necessary for the trainee solicitor to attend a Professional Skills Course.

### **Termination of a training contract**

25. (1) If the Society is satisfied that any training contract ought to be terminated it may order its termination on such terms as it may determine.  
  
(2) A training contract may be terminated by mutual agreement of the parties.

### **Monitoring**

26. (1) The Society may monitor the training provided by a training establishment in accordance with guidance issued from time to time by the Society.  
  
(2) Monitoring may be undertaken through visits to the premises of training establishments.  
  
(3) If:  
(i) A training establishment, solicitor or trainee solicitor is in default of any of the requirements of these Regulations; or  
(ii) The Society is not satisfied either:  
that a trainee solicitor is receiving or has received adequate training or  
that the training establishment can give the trainee solicitor adequate training the Society may exercise such of the following powers as it considers appropriate:  
(a) declare that a training establishment ceases to be such;  
(b) prohibit a training establishment from taking any or more than a specified number of trainee solicitors for such period as the Society may determine or until otherwise determined by the Society;  
(c) impose any other conditions upon the training establishment which it considers appropriate;  
(d) terminate the training contract on such terms as the Society may determine;  
(e) direct that all or any part of the period served by the trainee solicitor shall not be reckoned as good service under a training contract;

- (f) direct that a trainee solicitor shall serve such further period under a training contract or receive such further training for such further period and in such form as the Society shall require;
- (g) direct that a training principal undertake such training as the Society shall require;
- (h) take such other action as it may consider necessary or appropriate.

(4) Any training establishment or trainee solicitor who is aggrieved by any decision made under paragraph 3 may apply for review of it in accordance with Regulation 18.

### **Conciliation procedure**

27. (1) If a training establishment or a trainee solicitor is in dispute with regard to any matter arising from the trainee solicitor's service under a training contract, either party may refer the matter to the Society which shall endeavour to resolve the dispute.

(2) The Society may appoint any person to act as conciliator in respect of a dispute between a training establishment and a trainee solicitor.

(3) If the Society is unable to resolve a dispute between a training establishment and a trainee solicitor and it is satisfied that the training contract ought to be terminated it may order its termination on such terms as it may determine.

(4) Any training establishment or trainee solicitor who is aggrieved by any decision made under paragraph (3) may apply for review of it in accordance with Regulation 18.

### **Adequate training under a training contract**

28. (1) No person required to serve under a training contract can be admitted as a solicitor until the Society has certified that it is satisfied that such person has received adequate training in accordance with the terms of a training contract.

(2) A person seeking to establish that adequate training has been received must apply to the Society for a certificate to that effect and must submit such documentation as the Society may require.

(3) If the Society is satisfied that a person has received adequate training under a training contract it must issue a completion certificate.

(4) If the Society is not satisfied that a person has received adequate training it may refuse to issue a completion certificate until that person has satisfactorily completed such further training as the Society may direct.

### **FILEX not required to service under a training contract**

29. (1) Notwithstanding Regulation 14 a FILEX who has satisfied the Society of completion of the academic stage of training is not required to serve under a training contract if the applicant:-

- (i) has satisfactorily completed a Legal Practice Course or an Integrated Course and

- (ii) either
    - (a) before attending that course has been continuously engaged as a FILEX in the practice of the law since qualifying as a FILEX; or
    - (b) satisfies the Society that, although the requirements of subparagraph (a) are not met, the applicant has experience in the practice of the law since qualifying as a FILEX that is sufficiently recent to justify the applicant not being required to serve under a training contract; and
  - (iii) has satisfactorily completed a Professional Skills Course.
- (2) (i) A Member of the Institute of Legal Executives who has 3 years qualifying employment and who has satisfactorily completed all the Part II Examinations of the Institute of Legal Executives which give exemption from the Common Professional Examination may commence a Legal Practice Course on either a full-time or part-time basis.
- (ii) A Member of the Institute of Legal Executives who completes the Legal Practice Course under the provision of Regulation 30(2)(i) must serve a 2 year training contract.

**Justices' Clerks assistants not required to serve under a training contract**

30. Notwithstanding Regulation 14 a person who is employed as a Justices' Clerk's Assistant and who has satisfied the Society of completion of the academic stage of training is not required to serve under a training contract provided that the applicant:-

- (i) has satisfactorily completed a Legal Practice Course or an Integrated Course; and
- (ii) before attending that course has served at least five years out of the last ten years in the Magistrates' Courts Service as a Justices' Clerk's Assistant; and
- (iii) has satisfactorily completed a Professional Skills Course.

**Professional skills course**

31. (1) Subject to the Qualified Lawyers Transfer Regulations, no person can be admitted as a solicitor unless the Society is satisfied that such person has satisfactorily completed a Professional Skills Course.

(2) Only a person who has satisfactorily completed a Legal Practice Course or an Integrated Course may attend a Professional Skills Course.

**PART V - MISBEHAVIOUR**

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**Misbehaviour of a prospective solicitor**

32. (1) "An unadmitted person" means a person who

- (i) holds a current Certificate of Enrolment; or
- (ii) has completed the vocational stage of training in accordance with Regulation 14 and does not hold a current Certificate of Enrolment but who has not been admitted as a solicitor.

(2) If the Society at any time is not satisfied as to the character and suitability of an unadmitted person to become a solicitor it may in relation to that person on such terms as the Society may determine:-

- (i) cancel enrolment;
- (ii) prohibit entry into a training contract;
- (iii) refuse to register a training contract;
- (iv) discharge a training contract;
- (v) prohibit attendance at a Legal Practice Course or an Integrated Course or at a course leading to an Exempting Law Degree;
- (vi) prohibit attendance at a Professional Skills Course;
- (vii) oppose admission as a solicitor.

(3) If the Society imposes a prohibition or other sanction under paragraph (2) the unadmitted person may:-

- (i) within one month of receiving notification from the Society of its decision, ask for the matter to be reviewed; and
- (ii) within three months of receiving notification from the Society of its decision on an application for review under paragraph (3)(i), apply to the Master of the Rolls who may:-
  - (a) affirm the decision of the Society; or
  - (b) make such other order as the Master of the Rolls thinks fit;
- (iii) make not more than three applications to the Society to remove the prohibition or other sanction at intervals of not less than 12 months of the Society's decision under paragraph (2);
- (iv) within three months of receiving notification from the Society of its decision on an application for the removal of a prohibition or sanction under paragraph (3)(iii), apply to the Master of the Rolls who may:-
  - (a) affirm the decision of the Society; or
  - (b) make such other order as the Master of the Rolls thinks fit.

## **PART VI – CONTINUING PROFESSIONAL DEVELOPMENT**

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### **Application of Part VI**

33. This Part shall apply to all solicitors and to all registered European lawyers.

### **CPD requirement during the first three years of admission or registration with the Society pursuant to Directive 98/5/EC**

34. A solicitor or registered European lawyer must in the first three years following admission or registration attend such continuing professional development courses as the Society may prescribe.

### **CPD requirement during the first months after admission**

35. A solicitor must undertake one hour of continuing professional development for each whole month in legal practice or employment between admission and the next 1st day of November.

**CPD requirement during the first months after registration with the Society pursuant to EC Directive 98/5/EC**

36. A registered European lawyer must undertake one hour of continuing professional development for each whole month in legal practice or employment between the date of initial registration and the next 1st day of November.

**CPD requirement 1st November 2001 onwards**

37. Solicitors and registered European lawyers shall undertake 16 hours of continuing professional development during each complete year in legal practice or employment in England and Wales commencing on 1st November 2001 and each subsequent 1st November.

**Transitional arrangement up to 31st October 2003**

38. A solicitor or registered European lawyer shall be deemed to have met the requirement for any year ending 31 October up to and including 31 October 2003 if they have undertaken 48 hours of continuing professional development during the three years immediately preceding that date.

**Requirements for solicitors who have been registered European lawyers**

39. (1) Where a registered European lawyer is admitted as a solicitor, the regulations 35, 37, 38, shall apply as if they were a solicitor admitted on the date of initial registration and regulations 36 and 41 shall not apply.

(2) Nothing in this part shall be taken as requiring a solicitor to meet the requirements of regulation 34 if they have previously been a registered European lawyer.

**Obligation to keep record**

40. A solicitor or registered European lawyer must keep a record of such continuing professional development undertaken to comply with these and produce the record to the Society on demand.

**CPD undertaken before admission**

41. A solicitor who has undertaken continuing professional development between the expiry of articles or a training contract and the day of admission shall be credited with the relevant number of hours for the purpose of Regulation 35 provided that at the time of undertaking the continuing professional development an application for admission in accordance with admission regulations current at that time had been lodged with the Society and a record kept in accordance with Regulation 40.

**Suspension**

42. If a solicitor or registered European lawyer does not work for any period in legal practice or employment in England and Wales the application of this Part is suspended for that period.

**Part-time**

43. If a solicitor or registered European lawyer works part-time in legal practice or employment, the requirements under this Part are reduced on the basis that in each year, one hour of continuing professional development must be undertaken for every two hours per week worked.

## **PART VII – GENERAL**

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### **Waiver of Regulations**

44. In any particular case the Society has power to waive in writing any of the provisions of these Regulations and to revoke such waiver.

### **Forms and fees**

45. (1) Any application made or notice given to the Society must be in the prescribed form and accompanied by the prescribed fee.

(2) When at the time of the making of an application or giving of a notice no form has been prescribed by the Society the application or notice must be in writing, signed by the applicant or the person giving it and give such information as is necessary to enable the Society to deal with the application or to comply with the Regulation under which the notice is given.

(3) Whether or not the application is made or notice given on a prescribed form the Society may require the applicant or the person giving notice to furnish such further information as it considers necessary.

(4) The Society may require any application to be supported by such evidence as it considers necessary and it may require facts relevant to any application to be deposed to by statutory declaration and may require the attendance of the applicant for interview.

## **SCHEDULE -TRANSITIONAL PROVISIONS**

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1. In this Schedule -

the “Solicitors First Examination” means the examination referred to in Regulation 20 of the Training Regulations 1989;

“the last Solicitors First Examination” means the Solicitors First Examination to be held in Summer 1994;

“Final Examination” means the examination referred to in Part IV of the Training Regulations 1989;

“the last Final Examination” means the Final Examination to be held in Summer 1994;

“articles of training” means articles entered into pursuant to the Training Regulations 1987 or the Training Regulations 1989.

2. (i) No person may attempt the Solicitors First Examination for the first time after 1st August 1993.

(ii) A person who has passed the Solicitors First Examination at or before the last Solicitors First Examination is deemed to have completed the academic stage of

training.

(iii) If a person has attempted but not passed the Solicitors First Examination at or before the last Solicitors First Examination:-

(a) and has entered into articles, those articles shall be discharged with effect from 1st October 1994;

(b) that person must complete the academic and vocational stages of training in accordance with these Regulations.

3. (i) No person may attempt the Final Examination for the first time after 1st August 1993.

(ii) A person who has passed the Final Examination at or before the last Final Examination is deemed to have satisfactorily completed a Legal Practice Course.

(iii) A person who after the last Final Examination has passed all the required papers apart from the Accounts paper in circumstances which would have entitled him to resit that paper under Regulation 37(3) of the Training Regulations 1989, is deemed to have satisfactorily completed a Legal Practice Course.

4. Subject to paragraph 3(iii), a person who has attempted but not passed the Final Examination at or before the last Final Examination:-

(i) and has not entered into articles is subject to these Regulations as if that person had completed the academic stage of training on 1st August 1994;

(ii) and has entered into articles must:-

(a) complete a Legal Practice Course before or after serving the remainder of the articles; and

(b) complete a Professional Skills Course after completing a Legal Practice Course and before admission as a solicitor.

5. (i) A person who served the requisite term of articles under the Training Regulations 1987 or the Training Regulations 1989 and received adequate training thereunder is deemed to have completed service under a training contract, but will be required to complete a Professional Skills Course in accordance with these Regulations.

(ii) Articles of training entered into under the Training Regulations 1987 or the Training Regulations 1989 shall continue to be governed by those Regulations save as modified by this Schedule.

6. Nothing shall prevent any person to whom any of the provisions of this Schedule apply from electing to complete training under these Regulations rather than the Training Regulations 1989 as preserved by this Schedule.

7. Where a person has been deemed to have satisfactorily completed a Legal Practice Course under paragraphs 3(ii) or (iii) the Society may grant exemption from such parts of a Professional Skills Course as the Society may determine.

8. (1) Regulations 15-20, 22-29, 31 and 32 shall come into effect on 1st July 1994.

- (2) Until 1st July 1994 the vocational stage of training will be completed as required by Regulation 14 except students will be required to serve under a deed of articles and not a training contract.
- (3) Regulations 21 and 30 will apply from the commencement of these Regulations except that the requirement to serve under a training contract will be satisfied by service under a deed of articles. This provision will apply until 30th June 1994.
- (4) Regulations 39-42 and 44-59 of the Training Regulations 1989 are preserved by this Schedule for the purposes of this paragraph, until 30th June 1996.
9. For the avoidance of doubt, a person who commenced training under the Training Regulations 1989 or any predecessor Regulations, to whom none of the provisions in this Schedule apply, must complete the academic and vocational stages of training in accordance with these Regulations.
10. The provisions in this Schedule shall cease to have effect on 31st December 1999. Thereafter, a person who has not completed training in accordance with the provisions in this Schedule must complete the academic and vocational stages of training in accordance with these Regulations.