

# Common Professional Examination (CPE) Rules

## Joint Academic Stage Board (JASB)

Solicitors Regulation Authority  
Bar Standards Board

Version 3

### Enrolment

1. A student must be a **graduate** or have been granted a **Certificate of Academic Standing** from one of the professional bodies, before they can be admitted onto a CPE course.
  - (i) "Graduate" here means that an undergraduate degree has been conferred by an institution with degree awarding powers in the UK or the Republic of Ireland. "Undergraduate degree" does not include foundation degrees.
  - (ii) The rules, policies and procedures of the professional bodies apply in respect of Certificates of Academic Standing.<sup>1</sup>
  - (iii) A student who has not graduated or who has not obtained a Certificate of Academic standing, whichever is applicable, before the date of enrolment on the CPE, may not be admitted onto the CPE but must defer enrolment to the academic year following their graduation or receipt of a Certificate of Academic Standing.
2. A student must have a good command of the English language before being admitted onto the CPE. Where a student has been awarded a degree from a country in which English is the official first language, a sufficient level of competence in the English language may be presumed. For those students who obtained their degrees in countries where English is not the official first language, the institution must satisfy itself that the student is sufficiently competent in the English language before admitting the student onto the course.
3. Students should not normally be admitted to a CPE course more than **two weeks** after the formal commencement of the course, (including any element of directed self study which is calculated as part of the 36 weeks of the course). In the case of a part-time and distance learning course, the institution will need to calculate the equivalent period of two weeks, in terms of study time/contact hours, which must be specified in the institution's regulations;

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<sup>1</sup> The rules, policies and procedures of the professional bodies in respect of Certificates of Academic Standing are set out in the relevant publications of the professional bodies and are published on their websites. Please see [Guidance note 1](#) below. Certificates of Academic Standing are not the responsibility of the Joint Academic Stage Board.

For alternative formats, email [info.services@sra.org.uk](mailto:info.services@sra.org.uk) or telephone 0870 606 2555.

4. No student can be admitted onto a full-time CPE course more than **four weeks** after the formal commencement of course. In the case of a part-time and distance learning CPE course, the institution will need to calculate the equivalent period of four weeks, in terms of study time/contact hours, which must be specified in the institution's regulations.

### **Time periods for completion of the course**

5. The CPE is a one-year course and should normally be completed in **one year** when undertaken **full time**.
6. The **maximum** period for completion of the full-time course is normally **three years**, from the date of enrolment.
7. Students who undertake the CPE by **part-time** mode should normally complete the course within **two years**.
8. The **maximum** period for completion of the part-time course is normally **four years**, from the date of enrolment.
9. Where there are exceptional mitigating circumstances of a sufficiently serious nature, a student may be granted a maximum of **one additional year** in which to complete the CPE.
10. Circumstances of a sufficiently serious nature include the following:
  - (i) A serious health condition, including mental health, which has had a significant impact upon the student;
  - (ii) Pregnancy/childbirth;
  - (iii) A significant change in the financial circumstances of the student, which has had a substantial negative impact upon the student over a significant period of time;
  - (iv) A dependant of the student, for whom the student is the primary carer, developed a serious health condition, which prevented the student from attempting the assessments;
  - (v) The student is the primary carer for a sick dependant, whose condition deteriorated to an extent that the student was unable to attempt the assessments;
  - (vi) Engagement in a military conflict;
  - (vii) Death of a partner;
  - (viii) Death of a dependant for whom the student is the primary carer.

### **Procedure**

11. A formal written request for the extension should be made to the JASB by the institution, on behalf of the student, following a decision by the institution's examination board. The application should set out the exceptional mitigating circumstances relating to the student and should include an unequivocal statement of support from the University and a full transcript of the student's results. The application should be made at least **two months** in advance of the next resit opportunity, unless strong evidence is provided as to why the application could not be made within this period.

## Deferrals

12. A deferral of the assessments may be granted where the examination board is satisfied that there are sufficient mitigating circumstances to justify a deferral, which are supported by independent evidence from a relevant source.
13. However, a deferral may not be granted where, as a consequence, the student would not be able to satisfy paragraph 6 or 8 above, without the permission of the JASB.
14. Where an examination board wishes to grant a student a deferral of one or more of the assessments but as a consequence of the deferral the student would be unable to satisfy paragraph 6 or 8 above, a deferral may only be granted in accordance with paragraphs 9 to 11 above.
15. Students may only be permitted to intermit where the examination board is satisfied that there are sufficient mitigating circumstances to justify the deferral, which are supported by independent evidence from a relevant source, subject to paragraphs 6 to 11 above.
16. Institutions should provide for at least one in-course reassessment per annum for any failed or deferred assessments.
17. For students studying the CPE by part-time mode, providers may either stipulate that all first-year assessments must have been successfully completed before the student can be admitted onto the second year of the course or may grant students the option of progressing onto the second year of the course where they have failed one or more assessments in the first year.

## Transfers

18. Transfers are not normally permitted on the CPE. Students should normally complete the CPE at the institution where they originally enrolled on the course.
19. Students studying the CPE by part-time mode may normally only transfer to another CPE provider where the following criteria are satisfied:
  - (i) they have successfully completed all assessments on the first year of the course; and
  - (ii) there are genuine mitigating circumstances which justify the transfer; and they have obtained the permission of the JASB.
20. Students studying the CPE by part-time mode who are unsuccessful in completing the first year of the course may not transfer onto the full-time course. Such students are not prevented from starting the full-time course in accordance with paragraph 30 below.
21. Students studying the CPE by full-time mode may transfer onto the part-time mode where the following criteria are satisfied:

22. Either

- (i) they are transferring onto the part-time mode at the same institution at which they have been studying the CPE by full-time mode;

23. Or

- (i) there are genuine mitigating circumstances which justify the transfer; and
- (ii) they have obtained the permission of the JASB to transfer.

24. Mitigating circumstances justifying the transfer include the following:

- (i) a relocation to a different part of the country or overseas for domestic or occupational reasons;
- (ii) serious financial hardship, which necessitate the transfer;
- (iii) illness or a disability of a nature which necessitates the transfer;
- (iv) illness or disability of a dependant for whom the student is the primary carer, which necessitate the transfer;
- (v) a significant change in the student's circumstances, which is sufficiently beyond the control of the student, which necessitates the transfer.

### **Procedure**

25. The new (transferee) institution, which wishes to admit the student, must obtain the permission of the JASB before it may admit the student onto the CPE. The institution must provide the complete academic profile of the student including details of the assessments, which the transferring student has successfully completed and for which the new institution intends to give credit; and details of those subjects, which the student will be required to complete at the new institution in order to be awarded the CPE. In addition, the institution must provide details of the mitigating circumstances, which justify the student's transfer.

### **Number of attempts**

26. Students are permitted three attempts at any of the assessments on the CPE. Institutions may limit further the number of attempts at English Legal System only.

### **Pass mark**

27. The pass mark for each element of assessment is 40%.

### **Compensation of marginal fails**

28. Institutions may (but are not required to) compensate a maximum of one marginal fail in a coursework or an examination, where

- (i) the examination board has considered the marks of all of the elements of the assessments; and
- (ii) the student has obtained a minimum of 35% in one and only one element of an assessment; and
- (iii) the examination board is satisfied that there is strength elsewhere in the student's performance to justify compensation of the marginal fail.

29. CPE providers are permitted to compensate a marginal fail of one element of an assessment at the end of the first year of a part-time course in accordance with paragraph 28 above.
30. Where a student was previously admitted onto a CPE course but failed to complete the course, that student may only be admitted to a CPE course provided that the student:
- (i) has formally withdrawn from the course on which they were originally enrolled [ie surrendered any rights to “resits” at the first institution]; and
  - (ii) applies to enrol on the course in the normal way; and
  - (iii) receives no credit for any assessment passed on the first course; and
  - (iv) will be treated as a new student and assessed in the normal way [ie be entitled to three attempts at the final assessment]; and
  - (v) is required to attend in the same manner as other students on that course.

### **Classification of awards and other matters**

31. A student **must** be awarded a **distinction** where
- i He/she has passed all elements of the assessments at the first attempt, without any subject being compensated, AND
  - ii He/she has obtained an overall average of at least 70%.
32. A student **may** be awarded a **distinction** where
- i He/she has passed all elements of the assessments at the first attempt, without any subject being compensated; AND
  - ii He/she has obtained an overall average of at least 70% in at least 50% of the subjects counting towards the final award; AND
  - iii He/she has obtained an overall average of at least 67%; AND
  - iv The examination board considers that it is not inappropriate to award a distinction.
33. A student must not otherwise be awarded a distinction.
34. A student **must** be awarded a **commendation** where
- i He/she has passed all assessment at the first attempt, without any subject being compensated, AND
  - ii He/she has obtained an overall average of at least 60% in the assessments
35. A student **may** be awarded a **commendation** where
- i He/she has passed all elements of the assessment at the first attempt, without any subject being compensated, AND
  - ii He/she has obtained an overall average of at least 58%, AND

- iii He/she has obtained an overall average of at least 60% in at least 50% of the subjects counting towards the final award, AND
- iv The examination board considers that it is not inappropriate to award a commendation.

36. A student must not otherwise be awarded a commendation.
37. A student must be awarded a **pass** where they have passed all assessments (at least 40% in each element of assessment), one element of which may have been compensated in accordance with the rules of the JASB. A student must not otherwise be awarded a pass.
38. A student who fails an assessment and on resitting the assessment achieves a pass can only be awarded a maximum of 40% for the resit assessment.
39. An aegrotat pass is not permitted on the CPE.
40. Institutions may **not** require that students failing more than one assessment should be required to repeat not only that assessment (and any other assessment, which the student has failed), but also any additional assessments, which the student has successfully managed to complete. In other words, institutions may only require students to resit those assessments, which they have failed.

## Guidance note 1

The following rules apply to students who do not possess a degree awarded by a higher education institution with degree awarding powers in the United Kingdom or Republic of Ireland.

### Bar Standards Board requirements

#### Non-standard UK degrees and degrees from outside the United Kingdom or Republic of Ireland

The Consolidated Regulations provide that an applicant not holding a qualifying law degree must complete the academic stage of training for the Bar by obtaining a degree in any discipline and by subsequently successfully completing a Common Professional Examination course. In both cases, the degree must be of a standard which the Bar Standards Board considers satisfactory—defined by the Consolidated Regulations as being a lower second class honours or above.

Applicants with non-standard UK degrees or overseas qualifications wishing to complete the academic stage of training for the Bar by undertaking the CPE/GDL must confirm with the Bar Standards Board that the qualifications held meet the Bar's minimum entry requirement. This confirmation must be received by applying for and obtaining a Certificate of Academic Standing from the Bar Standards Board **before** enrolment on the CPE/GDL or joining an Inn of Court as a student member.

Students holding a **UK medical or veterinary degree** where a class is not awarded must apply for and obtain a Certificate of Academic Standing from the Bar Standards Board **before** enrolment on the CPE/GDL or joining an Inn of Court as a student member.

#### Graduates of overseas institutions

The degree concerned must be considered by the Bar Standards Board to be equivalent to a UK honours degree of a second class lower division standard or above.

#### Mature students

This route is designed for those who do not have a degree. The term “mature” has no particular reference to a student's age, except that one of the requirements is ordinarily be at least 25 years old, as the range of experience or achievement expected would be unlikely to have been achieved by anyone younger. These applicants are considered by the Joint Regulations Committee (JRC); the requirements for them are set out in full in Schedule 2, Category II (d) of the Consolidated Regulations, and the committee interprets those requirements in line with the II (ii) honours degree level which graduates must achieve.

Successful applicants to the JRC will be required to pass the full CPE/GDL and, **before** commencement of this course or joining an Inn of Court as a student member, must obtain a Certificate of Academic Standing from the Bar Standards Board.

Further guidance on the above may be obtained from the Training Regulations Officer (JRC) at the Bar Standards Board.

## Solicitors Regulation Authority requirements

The rules below were made by Law Society, which has delegated its regulatory powers to the Solicitors Regulation Authority.

### Eligibility to attempt a Common Professional Examination

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 three 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).
  - Students who wish to qualify as a solicitor should obtain a Certificate of Academic Standing from the Solicitors Regulation Authority. Please email [cau@sra.org.uk](mailto:cau@sra.org.uk)
  - Students who wish to qualify as a barrister should obtain a Certificate of Academic Standing from the Bar Standards Board. Please email [SBehr@barstandardsboard.org.uk](mailto:SBehr@barstandardsboard.org.uk).

**NB** – A Certificate of Academic Standing issued by one professional body is not binding upon the other professional body.