

Annex four: Draft registers, roll and information regulations

SRA Registers, Roll and Information Regulations

Part one of these regulations set out the nature and contents of the registers and the roll that the SRA is required to keep. They contain certain information about the individuals and firms that the SRA regulates and how we make this information available to the public.

Part two sets out the SRA's other information requirements, for example, about the information we require firms to publish on their websites.

PART 1: THE ROLL OR REGISTERS

1.1 The **SRA** shall keep in electronic form:

- (a) the roll;
- (b) a register of all solicitors who hold practising certificates;
- (c) the *register of European lawyers*;
- (d) the *register of foreign lawyers*; and
- (e) a register of *authorised bodies*.

The roll and registers in respect of individuals

2.1 The roll and registers in 1.1(b) to (c) shall contain the following information in respect of each individual included in the same:

- (a) *their* full name;
- (b) their authorisation number;
- (c) the date of their admission as a *solicitor* or commencement of their registration, as appropriate;
- (d) in respect of *solicitors* that hold a current practising certificate, the fact that they do so and the commencement date of the certificate;
- (e) in respect of *solicitors* whose practising certificate has expired, the expiry date;

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- (f) their main practising address;
- (g) the name of all organisations through which they practice, and whether the organisation is authorised by the **SRA**, by another **approved regulator** or is not authorised under the **LSA**;
- (h) if they are not practising, an address for correspondence;
- (i) details of:
 - (i) any conditions on their practising certificate or registration to which they are subject;
 - (ii) of any current suspension of their practising certificate or registration is suspended;
 - (iii) any other decision subject to publication under rule 9.2 of the SRA Regulatory and Disciplinary Procedure Rules;
 - (iv) any other order made by the **Tribunal**;
 - (v) the exercise by the SRA of any powers of **intervention** in relation to the **solicitor's** practice.

The register of authorised bodies

- 3.1 The register of **authorised bodies** under rule 1.1(e) shall contain the following information in respect of each body included within it:
- (a) the name under which the body is authorised;
 - (b) the body's authorisation number;
 - (c) the body's main practising address in the **UK**;
 - (d) all the body's other practising addresses including addresses of its **overseas practices**;
 - (e) any previous name under which the body has been authorised by the **SRA**;
 - (f) any other trading styles used by the body;
 - (g) the date from which the body's authorisation has effect;
 - (h) details of the **reserved legal activities** that the body is authorised to carry on;

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- (i) whether the body is a *recognised body*, a *recognised sole practice* or a *licensed body*;
- (j) details of:
 - (i) any current condition to which the body's authorisation is subject,
 - (ii) any suspension or revocation of the body's authorisation,
 - (iii) any other decision subject to publication under rule [9.2] of the SRA Regulatory and Disciplinary Procedure Rules,
 - (iv) any other order made by the *Tribunal*, and
 - (v) the exercise by the SRA of any powers of *intervention* in relation to the body.

3.2 For each *licensed body* the register of *authorised bodies* must contain:

- (a) the name of the individual who is designated as the body's *HOLP*, together with details of the *approved regulator* with whom that person is authorised;
- (b) the name of the individual who is designated as the body's *HOFA*; and
- (c) the body's registered office and registered number if it is an *LLP* or *company* and if it is a *charity*, its *charity* number.

General provisions

4.1 The *SRA* may include in the roll or registers such other *prescribed* information it considers conducive to help it meet the *regulatory objectives*.

4.2 The *SRA* shall keep and publish lists of:

- (a) orders made by the *Tribunal* and disciplinary or regulatory decisions made under the SRA Regulatory and Disciplinary Procedure Rules in respect of individuals who are not *solicitors*, *RELS* or *RFLs* (including former *solicitors*, *RELS* or *RFLs*); and
- (b) individuals whose practising certificate has expired or who have been struck off the roll, or whose registration has been revoked, together with details of any relevant decision.

Publication of information

- 5.1 The **SRA** shall publish all entries on the roll or registers, except for any address included under rule 2.1(h).
- 5.2 If the **SRA** considers that it would be in the public interest to do so, it may withhold from publication any or all of the information subject to publication under regulation 5.1.
- 5.3 The **SRA** may publish such further information or classes of information as it may consider in the public interest to do so.

PART 2: INFORMATION REQUIREMENTS

- 6.1 An **authorised body** must publish on its website in a way that is accessible:
 - (a) accurate and up to date details of the type of services offered by it and the cost of those services, in the circumstances, manner and form as may be **prescribed**;
 - (b) its **SRA** authorisation number and the **SRA's** digital kite mark;
 - (c) the fact it has indemnity insurance that complies with the **MTC's** (including the amount of the minimum level of cover), the contact details of the qualifying insurer or, if underwritten by more than one insurer, the designated lead insurer and its territorial coverage); and
 - (d) details of its complaints handling procedure established and maintained in accordance with paragraph 7.1(c) of the SRA Code of Conduct for Firms.
- 6.2 If an **authorised body** does not have a website it must make the information set out in 6.1 (save for sub-paragraph (b)) available on request.
- 6.3 An **authorised body's** letterhead and e-mails must show its **SRA** authorisation number and either:
 - (a) the words "authorised and regulated by the Solicitors Regulation Authority"; or
 - (b) the SRA's logo.
- 6.4 A **solicitor, REL** or **RFL** who is providing legal services to the public or a section of the public:

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- (a) through a firm or organisation that is not subject to the **SRA's** professional indemnity insurance **MTC's** must inform **clients** of this fact before engagement;
- (b) through a firm or organisation that is not subject to the SRA's Compensation Fund Rules, must before engagement, inform any **client** who is not eligible to apply for a grant of compensation, but would have been if the firm or organisation was subject to those rules, that they are not so eligible.

Supplemental notes

Made by the SRA Board on [date]

Made under sections 28, 79 and 80 of the Solicitors Act 1974, paragraphs 2 and 3 of Schedule 14 to the Courts and Legal Services Act 1990, sections 9 and 9A of the Administration of Justice Act 1985 and section 83 and Schedule 11 to the Legal Services Act 2007

Approved by the Legal Services Board under paragraph 19 of Schedule 4 to the Legal Services Act 2007, on [date]

Commencing on [date] 2018 and replacing the SRA Authorisation Rules 2011, SRA Practising Regulations 2011 and SRA Solicitors Keeping of the Roll Regulations