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## EXPLANATORY NOTE

*(This note is not part of the Order)*

The Lord Chancellor makes this Order having made two previous Orders, The Probate (Approved Bodies) Order 2008 (S.I. 2008/1865) and The Probate (Approved Bodies) Order 2009 (S.I. 2009/1588). The former designates the Council for Licensed Conveyancers (“CLC”) and the Institute of Chartered Accountants of Scotland (“ICAS”) and the latter the Association of Chartered Certified Accountants (“ACCA”) as approved bodies for the purposes of exempting their members from section 23 of the Solicitors Act 1974, so enabling their members to provide probate activities for a fee.

Consequently, this Order amends the Legal Services Act 2007 (“the Act”) so that ICAS and ACCA are recognised as approved regulators under the Act by including them in the table of approved regulators in paragraph 1 of Schedule 4 to the Act. This Order adds probate activities to the list of reserved legal activities in that table in respect of ICAS, ACCA and the CLC.

This Order makes transitional provision to allow a person (“P”), who carries out probate activities by virtue of employing a person (“E”) who has been granted an exemption to carry out probate activities by ICAS, ACCA and CLC, to be exempt from authorisation under the Act for a transitional period.

An impact assessment has not been prepared for this Order but a full regulatory impact assessment was prepared for the Legal Services Bill in November 2006, supplemented in 2007. Copies of these documents are annexed to the Explanatory Memorandum which is available alongside this instrument on the OPSI website.