

SRA BOARD
14 July 2020

CLASSIFICATION – PUBLIC



Practising Certificate Fee Determination [2020]

This determination is made by the Solicitors Regulation Authority under section 11 of the Solicitors Act 1974, paragraph 2(1)(b) of Schedule 14 to the Courts and Legal Services Act 1990, rule 1.1 of the SRA Application, Notice Review and Appeal Rules and regulation 7.7 of the SRA Authorisation of Individuals Regulations, with the approval of the Legal Services Board under section 51 of the Legal Services Act 2007.

Practising certificate fee

1. The fee to be paid for each practising certificate issued will be £278 unless paragraphs 2, 3 or 4 below apply.

Newly admitted solicitors and returning to practice

2. Subject to paragraph 3, any solicitor who applies for their first practising certificate during the practising certificate year commencing 1 November 2020 or any solicitor admitted prior to 1 November 2020 who has previously held a practising certificate and who returns to practice shall pay a fee in accordance with the following scale:
 - (a) Practising certificate issued 1 November 2020 to 31 December 2020 inclusive - £278
 - (b) Practising certificate issued 1 January 2021 to 31 March 2021 inclusive - £221
 - (c) Practising certificate issued 1 April 2021 to 30 June 2021 inclusive - £163
 - (d) Practising certificate issued 1 July 2021 to 31 October 2021 inclusive - £106

Paragraphs 2(b) to 2(d) do not apply if during the solicitor's last period without a certificate they undertook any duties which required a practising certificate.

Former registered European lawyers and former registered foreign lawyers

3. A solicitor who has, at any time during the practising certificate year commencing 1 November 2020, registered or re-registered as a registered European lawyer or registered foreign lawyer and who applies for their first practising certificate shall be subject to a practising certificate fee of £0.

Maternity or equivalent leave provisions

4. A solicitor who applies for a practising certificate during the practising certificate year 1 November 2020 to 31 October 2021 and who is on or has been on statutory maternity leave or a period of leave equivalent to statutory maternity leave within the previous practising year shall pay a fee in accordance with the following scale:
 - (a) Practising certificate issued 1 November 2020 to 31 December 2020 inclusive - £163
 - (b) Practising certificate issued 1 January 2021 to 31 March 2021 inclusive - £134
 - (c) Practising certificate issued 1 April 2021 to 30 June 2021 inclusive - £106
 - (d) Practising certificate issued 1 July 2021 to 31 October 2021 inclusive - £77

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This scale does not apply if the solicitor received a reduction for their practising certificate in the previous year for the same period of statutory maternity leave or period of leave equivalent to statutory maternity leave.

Application to registered European lawyers

5. The fee to be paid for initial registration or renewal of registration as a registered European lawyer shall, subject to paragraph 6 below, be governed in all respects by the provisions of paragraphs 1 to 4 in the same way as the fee for a solicitor's practising certificate, and for this purpose:
 - (a) references to a solicitor shall be interpreted as references to a registered European lawyer or to a European lawyer applying for registration, and references to practice as a solicitor shall be interpreted as references to the provision of legal services in the United Kingdom under, or in reliance upon, a European lawyer's professional title as such;
 - (b) references to practising certificates and the issuing of practising certificates, shall be interpreted as references to initial registration or renewal of registration in the register of European lawyers, and references to a first practising certificate shall be interpreted as references to a lawyer's first registration in the register of European lawyers;
 - (c) paragraph 3 shall apply to a European lawyer who has, at any time during the practising certificate year commencing 1 November 2020, registered or re-registered as a registered foreign lawyer and who applies for his or her first registration as a registered European lawyer.
6. Where a European lawyer or a registered European lawyer applies for initial registration or renewal of registration as a registered European lawyer and has notified the SRA that they do not intend to be either a registered foreign lawyer or a solicitor after IP completion day, the registration fee shall be £0. Should IP completion day be extended so that it is after 31 December 2020, the SRA may decide to charge such individuals a proportionate fee for the additional period of regulation as a registered European lawyer.

Application to registered foreign lawyers

7. The fee to be paid for initial registration or renewal of registration as a registered foreign lawyer shall, subject to paragraph 8 below, be governed in all respects by the provisions of paragraphs 1 to 4 in the same way as the fee for a solicitor's practising certificate, and for this purpose:
 - (a) references to a solicitor shall be interpreted as references to a registered foreign lawyer or to a lawyer applying for registration as a registered foreign lawyer, and references to practice as a solicitor shall be interpreted as references to the provision of legal services in England and Wales under, or in reliance upon, a foreign lawyer's professional title as such; and

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- (b) references to practising certificates and the issuing of practising certificates, shall be interpreted as references to initial registration or renewal of registration in the register of foreign lawyers, and reference to a first practising certificate shall be interpreted as reference to a lawyer's first registration in the register of foreign lawyers.
 - (c) paragraph 3 shall apply to a foreign lawyer who has, at any time during the practising certificate year commencing 1 November 2020, registered or re-registered as a registered European lawyer and who applies for his or her first registration as a registered foreign lawyer.
8. The fee for a registered foreign lawyer practising mainly from an office or offices outside England and Wales shall be £100.

Interpretation

9. In this determination:

IP completion day has the meaning given in Schedule 1 to the Interpretation Act 1978

Practising certificate means the certificate issued in accordance with sections 9 and 10 of the Solicitors Act 1974;

Practising certificate year means the period from 1 November to 31 October inclusive each year during which a practising certificate is operative;

Practising certificate fee means the sum to be paid by a solicitor for a practising certificate for the whole or part of a practising certificate year;

Practice as a solicitor means the provision of legal services under, or in reliance upon, the title "solicitor" whether as a principal, under a contract of employment or under a contract for the provision of services;

Registered European lawyer means a European lawyer registered with the SRA under regulation 17 of the European Communities (Lawyer's Practice) Regulations 2000;

Registered foreign lawyer means a lawyer registered with the SRA under section 89 of the Courts and Legal Services Act 1990;

All other terms are to be interpreted in accordance with the SRA Glossary.

10. The singular includes the plural and vice versa.

Commencement

11. This determination shall come into force on 1 November 2020.