

Conditions for the renewal of a firm's legal activities certificate – probate – 2020

If you have been subject to matters within the terms of bye-law 8 and ACCA's Assessment and Investigations Departments are aware of this, you may sign and submit the renewal form. If you are concerned that you may be subject to matters under bye-law 8 of which ACCA's Assessment and Investigations Departments are not already aware, please notify ACCA in writing to complaintassessment@accaglobal.com or ACCA, The Adelphi, 1/11 John Adam Street, London WC2N 6AU. Following this notification you may sign and submit the renewal form.

In signing the 2020 firm's legal activities certificate renewal form I confirm that my firm will abide by the provisions of the Chartered Certified Accountants' Global Practising Regulations (GPRs) 2003 (and/or any subsequent regulations replacing or amending, in full or part, these regulations) and that in particular:

A Fit and proper persons

none of the matters or events referred to in the Chartered Certified Accountants' Global Practising Regulation (GPR) 8 or regulation 8 of the Legal Activities Regulations 2018 applies to my firm or to any person referred to in GPR 8;

B Professional indemnity insurance

my firm holds professional indemnity insurance as required by regulation 9 of the Legal Activities Regulations 2018 and, following the expiry of my firm's current policy, my firm will renew it on terms complying with that regulation. Details of the name of the insurer and the policy number are provided in the appropriate part of the form;

C Maintenance of competence

all persons responsible for probate work undertaken by my firm are aware of GPR 10 and regulation 10 of the Legal Activities Regulations 2018 and I will ensure that they maintain an appropriate level of competence through continuing professional development;

D Continuity of practice

my firm has made arrangements complying with GPR 11 and regulation 11 of the Legal Activities Regulations 2018 for the continuity of the practice in the event of the firm's dissolution, winding-up or liquidation, either in the partnership agreement or memorandum and articles of association, or by entering into a written agreement with another firm that is authorised to carry on probate activities. Details of the continuity arrangements are provided in the appropriate part of the form;

E Notification

my firm agrees to comply with GPR 12 and regulation 12 of the Legal Activities Regulations 2018 and to notify in writing to ACCA all matters specified in that regulation and will provide such notification at least 28 days in advance of the relevant event. I undertake to notify ACCA immediately in the event of any information previously supplied to it in support of my application ceasing to be true, accurate or complete, or in the event of any change in circumstances, or any event that may call into doubt the validity of my application, or the continuation of any certificate granted;

F Conduct of practice

my firm will comply with GPR 13, regulation 13 of the Legal Activities Regulations 2018, ACCA's Code of Ethics and Conduct and all technical and ethical standards/guidelines applicable;

G Monitoring

my firm is aware of the requirements of GPR 14 and regulation 14 of the Legal Activities Regulations 2018 and will supply all such information as is necessary to enable ACCA to complete its monitoring programme efficiently;

H Disclosure of information and register of firms carrying on probate activities

my firm will comply with regulation 17 of the Legal Activities Regulations 2018 and will supply to ACCA all necessary information to enable ACCA to comply with its obligations as an approved regulator under the Legal Services Act 2007;

I Complaints handling by firms

my firm is aware of the requirements of regulation 15 of the Legal Activities Regulations 2018 and will establish and maintain internal processes for handling complaints about probate work, cooperate with the Legal Ombudsman and comply with its decisions;

J Diversity

my firm agrees to collect, collate and publish data on the diversity of its workforce in accordance with guidance published by the Legal Services Board and will supply such information to ACCA on a periodic basis;

K Complaints handling by firms

my firm is controlled by authorised persons within the meaning of regulation 7 of the Legal Activities Regulations 2018 by virtue of the fact that all of the partners or all of the directors and shareholders of the firm are authorised persons, or all of the members and designated members of a LLP, are authorised persons, or if the firm's affairs are managed by a board of directors, committee of other management body, all of that body are authorised persons;

L Legal Services Board

my firm agrees to be bound by the procedures, rules and guidance, as may be issued from time to time by the Legal Services Board in the exercise of its statutory functions.

(Where reference is made to the GPRs, applicants should note that they must also comply with the Legal Activities Regulations 2018 which form part of the UK Annex to the GPRs).

M Anti-money laundering

my firm will comply with the requirements of relevant anti-money laundering legislation and regulation, including specifically that:

- my practice has a nominated officer to take responsibility for compliance
- there are procedures in place to gather and retain evidence of the identification of all clients
- principals and staff in my practice receive appropriate training
- ongoing compliance monitoring is carried out
- suspicions of money laundering are reported as required by law.

(Where reference is made to the GPRs, applicants applying to renew a firm's legal activities certificate should note that they must also comply with the UK Annex to the GPRs).

This document is an integral part of the 2020 renewal form. A false or misleading statement on any part of the renewal form may constitute grounds for disciplinary action being taken against you and/or your firm.