

## Application to register as an Authorised Legal Activities Individual ('ALAI') – Probate

This form should be completed if you wish to register as an Authorised Legal Activities Individual ('ALAI') for probate activities. Please note that your firm must also apply for a Firm's Legal Activities Certificate (FLAC). The application form for a firm is also available on our website at <http://www.accaglobal.com/practising> and then choosing the link 'Practitioner forms'. Please note that all the partners/directors and shareholders must be authorised for probate activities.

Please read carefully the guidance at <http://www.accaglobal.com/practising> and then click on the link 'Legal services' before completing this form. If you have any questions about this form please contact Authorisation (tel: +44 (0)141 534 4175, email: [authorisation@accaglobal.com](mailto:authorisation@accaglobal.com)). Please use BLOCK CAPITALS and black ink throughout and retain a photocopy of the completed form for future reference. Please allow up to 30 working days for your application to be assessed.

Return the form to [authorisation@accaglobal.com](mailto:authorisation@accaglobal.com) or to: Authorisation, ACCA, 110 Queen Street, Glasgow G1 3BX, United Kingdom. Please note that all ALAI registrations are issued on a calendar year basis and are valid until 31 December each year only.

### Data protection

We may use your personal data for the purposes of:

- administration of your application to register as an Authorised Legal Activities Individual
- responding to enquiries and investigating complaints
- complying with our regulatory obligations.

You can update your information by contact ACCA at any time. We may share information with our suppliers and our auditors. Please note that for individuals based outside the UK, your information will be held in ACCA's main information systems which are located in the EU and may be accessed by ACCA's local office in your country of residence.

For more information on how your information and rights are respected, please see our privacy notice (<http://www.accaglobal.com/privacy>), or contact [privacy@accaglobal.com](mailto:privacy@accaglobal.com)

### PERSONAL INFORMATION

Full name	Title
Membership number (if known/applicable)	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
Mailing address	
Town	County
Country	Postcode
Email	

Please provide an email address where we can contact you about your application. You can update your email address and consent level at any time through your myACCA account, available on our website [www.accaglobal.com](http://www.accaglobal.com)

## PRACTISING DETAILS

A Firm's name

B Firm's ACCA reference number (if known/applicable)

C I am a:  Partner/director  Non-partner/director (ie employee)

D i Head office address

Town

County

Country

Postcode

Tel

Fax

Email

Website

ii Address of your office (if different from D(i))

Town

County

Country

Postcode

Tel

Fax

Email

Website

If you wish to undertake probate work through any other firms, the firm's contact partner/director must complete a separate application form for each firm to apply for a Firm's Legal Activities Certificate. All the partners/directors and shareholders in the firm must be authorised for probate activities.

## PREVIOUS AUTHORISATIONS

Have you previously been granted/applied for probate authorisation from another body? Yes  No

\* You must tick 'Yes' if you (or any firm in which you were a partner/director) has made any form of application, including any application which was rejected or withdrawn, or which is still awaiting consideration.

If YES, please state

Name(s) of the body

Date of application

Was the application successful? Yes  No

If NO, please state the reasons on a separate sheet and attach it to this form.

## CONDITIONS FOR ALAI REGISTRATION

In signing this section of the form I confirm that I have read and understood the conditions for ALAI registration, and that:

### **A Fit and proper person**

none of the matters or events referred to in the Chartered Certified Accountants' Global Practising Regulation 2003 (GPR) 8 or regulation 8 of the Legal Activities Regulations 2018 applies to me or to any person referred to in GPR 8;

### **B Professional indemnity insurance**

(not applicable to an employee applying to hold ALAI registration to be responsible for probate work within a firm)

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

### **C Maintenance of competence**

I will comply with the continuing professional development obligations of GPR 10 and regulation 10 of the Legal Activities Regulations 2018;

### **D Continuity of practice**

(not applicable to an employee applying to hold ALAI registration to be responsible for probate work within a firm)

I have made arrangements complying with GPR 11 and regulation 11 of the Legal Activities Regulations 2018 for the continuity of my practice in the event of my death or incapacity with another firm and individual who is authorised for probate. Details of the continuity arrangements are provided in the appropriate part of the form;

### **E Notification**

I will 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 which may call into doubt the validity of my application, or the continuation of any certificate granted;

### **F Conduct of public practice**

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

### **G Monitoring, quality assurance and compliance**

I am aware of the requirement 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 and quality assurance programme efficiently;

### **H Disclosure of information**

I will comply with GPR 15 and regulation 17 of the Legal Activities Regulations 2018 and will supply to ACCA all necessary information to enable it to comply with its obligations as an approved regulator under the Legal Services Act 2007.

(Where reference is made to the GPRs, members should note that they must also comply with the relevant Annex(es) to the GPRs.)

**SIGNATURE**

## ELIGIBILITY TO REGISTER AS AN AUTHORISED LEGAL ACTIVITIES INDIVIDUAL

Do you hold an ACCA practising certificate?

Yes  No

If No, you must submit an application for a practising certificate. Information about the eligibility requirements for a practising certificate and the required forms can be found on our website at [www.accaglobal.com/practising](http://www.accaglobal.com/practising)

Do you hold probate authorisation from another approved regulator?

Yes  No

If Yes, name of regulator

Date authorisation granted

I enclose confirmation of my probate authorisation from the above regulator

If No, have you completed a course and passed an assessment in probate work?

Yes  No

If Yes, please provide details of:

the title of the course attended

the provider of the course

the length of the course (if studied by webinar please state)

the content of the course (please provide on a separate sheet)

how the course was assessed

the provider of the assessment

I enclose a copy of my certificate confirming that I have passed the assessment.

I confirm that I will undertake an appropriate amount of CPD on probate matters.

## PROFESSIONAL INDEMNITY INSURANCE AND CONTINUITY OF PRACTICE DETAILS

### Professional indemnity insurance

I detail below the name of my firm's insurer and policy number/I enclose evidence that I have applied for a policy and undertake to provide details of my policy number to ACCA once it has been confirmed.\*

Insurance company

Policy number

\* Delete as applicable

### Continuity of practice

My firm has made arrangements for continuity of practice

in the partnership agreement or memorandum and articles of association

OR

with the following firm and individual authorised for probate activities

Name of firm

Approved regulator

Name of individual

Approved regulator

Address

Town

County

Country

Postcode

You must have a written agreement in place.

## FEE

There is no fee to register as an ALAI.

## CONFIRMATION

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 this 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](mailto:complaintassessment@accaglobal.com) or ACCA, The Adelphi, 1/11 John Adam Street, London WC2N 6AU.

Following this notification you may sign and submit this form.

I understand that when signing this declaration, I could become liable to disciplinary action for events which engage ACCA Bye-law 8, liability to disciplinary action, which occurred before or after I sign **(read Notes section below now)**.

I confirm I have now read the **Notes** section below and:

- I understand that if I fail to declare an event which may engage Bye-law 8, or if I provide any false or misleading statement in this form, I may face disciplinary action which may involve an allegation of dishonest conduct, and may also invalidate any decision reached in this application;
- I understand while I am a member of ACCA I will notify ACCA about any event which may engage Bye-law 8;
- I agree to comply with ACCA's Charter, Bye-laws, Regulations and Code of Ethics and Conduct;
- I have not been subject to any criminal conviction and/or caution;
- I have not been disciplined by any professional body and/or regulator;
- I have not been subject to any other matters which may engage Bye-law 8 that has not already been brought to the attention of ACCA's Assessment and Investigations Departments;
- I understand that I am required to disclose any unspent convictions and/or cautions that are not 'protected' as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013);
- I understand that any matters which I have disclosed to ACCA which engage Bye-law 8 will be taken into account when dealing with my application, but that the matters may not automatically stop the processing of my application;
- I confirm and declare I have included everything ACCA needs to know, and there is nothing else I should bring to ACCA's attention at the present time.

### Notes

ACCA Byelaw 8 sets out the details of the events which could lead to disciplinary action. These events include (but are not limited to) the following: Incompetence in carrying out work; breach of ACCA Byelaws or Regulations; disciplinary action against you by another professional body or regulator; bankruptcy or insolvency; failure to satisfy a judgement debt without reasonable excuse within two months; criminal conviction and/or caution; civil finding of acting fraudulently or dishonestly as a party or witness in civil proceedings; misconduct – this includes (but is not limited to) any act, or failure to act, that is likely to discredit you, relevant firm, ACCA or the accountancy profession.

## SIGNATURE

### CHECKLIST

Before you send your application to ACCA please check you have:

- Signed the conditions on page 3
- Answered all the eligibility questions on page 4
- Enclosed the relevant eligibility information on page 4
- Provided continuity of practice details and professional indemnity insurance details on page 4
- Signed the confirmation on page 5

Please return this form to [authorisation@accaglobal.com](mailto:authorisation@accaglobal.com) or to:  
Authorisation, ACCA, 110 Queen Street, Glasgow G1 3BX, United Kingdom

## BYE-LAW 8 – LIABILITY TO DISCIPLINARY ACTION

- 8 a** A member, relevant firm or registered student shall, subject to bye-law 11, be liable to disciplinary action if:
- i** he or it, whether in the course of carrying out his or its professional duties or otherwise, has been guilty of misconduct;
  - ii** in connection with his or its professional duties, he or it has performed his or its work, or conducted himself or itself, or conducted his or its practice, erroneously, inadequately, inefficiently or incompetently;
  - iii** he or it has committed any breach of these bye-laws or of any regulations made under them in respect of which he or it is bound;
  - iv** in the case of a relevant firm, any person has in the course of the business of that firm committed any breach of these bye-laws or of any regulations made under them in respect of which that person is bound;
  - v** he is a specified person in relation to a relevant firm against which a disciplinary order has been made and which has become effective or which has been disciplined by another professional body;
  - vi** he or it has been disciplined by another professional body;
  - vii** he or it has made an assignment for the benefit of creditors, or has made an arrangement for the payment of a composition to creditors, or has had an interim order made by the court in respect of him, or is a specified person in relation to a relevant firm which has made such an assignment or composition or been wound up as an unregistered company, or entered into a voluntary arrangement, administration or liquidation, in each case where applicable under the Insolvency Act 1986, or other similar or analogous event has occurred in relation to him or it under applicable legislation;
  - viii** he or it has failed to satisfy a judgment debt without reasonable excuse for a period of two months (the burden resting on him or it to prove such a reasonable excuse on the balance of probabilities) whether or not the debt remains outstanding at the time of the bringing of the disciplinary proceedings hereunder;
  - ix** before a court of competent jurisdiction in the United Kingdom or elsewhere, he or it has pleaded guilty to, been found guilty of, or has accepted a caution in relation to, any offence discreditable to ACCA or to the accountancy profession; or
  - x** before a court of competent jurisdiction in the United Kingdom or elsewhere, in any civil proceedings in which he or it has been a party or witness, he or it has been found to have acted fraudulently or dishonestly.
- b** Each of the paragraphs in bye-law 8(a) shall be without prejudice to the generality of any of the other paragraphs therein.
- c** For the purposes of bye-law 8(a), misconduct includes (but is not confined to) any act or omission which brings, or is likely to bring, discredit to the individual or relevant firm or to ACCA or to the accountancy profession.
- d** For the purposes of bye-law 8(a), in considering the conduct alleged (which may consist of one or more acts or omissions), regard may be had to the following:
- i** whether an act or omission, which of itself may not amount to misconduct, has taken place on more than one occasion, such that together the acts or omissions may amount to misconduct;
  - ii** whether the acts or omissions have amounted to or involved dishonesty on the part of the individual or relevant firm in question;
  - iii** the nature, extent or degree of a breach of any code of practice, ethical or technical, adopted by the Council, and to any regulation affecting members, relevant firms or registered students laid down or approved by Council.
- e** For the purposes of bye-law 8(a)(ix), a copy of the certificate or memorandum of conviction or caution, and of any final judgment, ruling or determination given in the criminal proceedings, shall be conclusive proof of the conviction or caution, and of any facts and matters found, as the case may be.
- f** For the purposes of bye-law 8(a)(x):
- i** where the person in question was a party to the proceedings, a copy of a certified judgment of the civil proceedings shall be conclusive proof of the facts and matters found;
  - ii** where the person in question was a witness in the proceedings, a copy of a certified judgment of the civil proceedings shall be prima facie evidence of the facts and matters found.
- g** Subject to bye-law 8(f) above, any other finding of fact in any civil proceedings before a court of competent jurisdiction in the United Kingdom or elsewhere shall be admissible as prima facie evidence in any disciplinary proceedings.