

Appendix 3

Process for the transfer of existing ACCA Probate firms to CILEx Regulation
<p>We believe that the following:</p> <ul style="list-style-type: none"> • sets out the most straightforward process for firms, • enables CRL to collect all of the required information in one go, • provides certainty to ACCA as to who is progressing applications with CRL, • provides a reasonable timescale for completion of all activities, • fits within LSB timescales for application, de-designation (assuming 31 December 2021) and PCF.
<p>Once CRL Application is approved:</p> <p>CILEx Regulation will:</p> <ul style="list-style-type: none"> • Add instructions to website for CILEX-ACCA Probate Entities and CILEx Practitioners (ACCA Probate) including timescales for completing actions and that ‘do nothing’ is not an option. • Add applications to the portal. • Add information for Consumers • Set deadline of 30 November 2021 for all applications.
<p>ACCA will contact all ACCA Probate firms to advise that they can seek either:</p> <ul style="list-style-type: none"> • Authorisation by CRL on a similar basis by 30 November • Authorisation by another Approved Regulator by 30 November • Cease carrying out Probate activities by 30 November • There is no ‘do nothing’ option.
<p>ACCA will provide the link to the CRL portal to ACCA Probate firms to make an application with the separate entity.</p>
<p>ACCA Firm going to the CRL portal does the following:</p> <ul style="list-style-type: none"> • completes a full application as an individual. • completes a full application as a firm. • evidence previous authorisations through the FLAC certificate and ALAI certificate. • makes all the required prior conduct declarations. <p><i>The details of these applications, which will be on the portal, are set out below. They show the information that the ACCA currently collect and any additional information that we will require.</i></p>
<p>CILEx Regulation has decided that in order to process the applications quickly, we will rely upon the prior conduct declaration for transfer only. We will not have sufficient time to complete DBS checks on all individuals on transfer, but these would have been completed by ACCA previously.</p>
<p>ACCA will need to communicate with their firms throughout the period to ensure that they are making a timely decision on what they do. The published date of 30 November allows some slippage, assuming a de-designation date of 31 December 2021.</p>
<p>Upon receipt of an application</p>
<p>Subject to the required details being supplied, CILEx Regulation will confirm:</p> <ul style="list-style-type: none"> • Authorisation as a CILEX-ACCA Probate Entity and CILEx Practitioner (ACCA Probate) to 31/12/2022 • Add the firm to the CILEx Firm Directory (including the link to the ACCA Accountancy firm) • Advise ACCA that the firm and individual(s) are authorised by CRL. <p><i>At this point CRL will not be able to charge a fee as it will need to submit its application to the LSB for the PCF for ACCA entities and individuals.</i></p>
<p>Period once applications open to 30 November 2021</p>
<p>CILEx Regulation update ACCA weekly on applications received to track firms & individuals.</p>
<p>CILEx Regulation and ACCA to communicate regularly on process of transfer of firms.</p>
<p>At 30 November 2021</p>
<p>CILEx Regulation to confirm to ACCA all firms who have applied and been authorised as CILEX-ACCA Probate Entities.</p>

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In January 2022
CILEX Regulation will: <ul style="list-style-type: none"> • Charge the PCF fee for probate • Require the individuals to complete a DBS check for CRL • The firm to complete its E&D return. • The firm to confirm that PII is at £500k.
CILEx Regulation will expect all firms to have updated websites, client care information and Transparency information by 31/3/2022.
Applications by brand new firms (not part of transfer process)
ACCA to update the ACCA website that all brand new applications to come to CILEx Regulation.

REQUIRED INFORMATION – FIRM	
<p>This table sets out the following:</p> <ul style="list-style-type: none"> • Information currently required by ACCA for new Firm Probate registration. • Information required by ACCA at annual renewal of registration. • Additional Information we will require when making an application 	
We will look to collect this information through an online application.	
Information requested for new registrations by ACCA	Annual Registration (C) Confirm any changes (R) Required information (N/R) Not required
REGISTRATION DETAILS	C
Contact partner/director	
ACCA membership number (if known/applicable)	
Name of new CILEX-ACCA Probate Entity	C
Composition of firm	C
Name of existing ACCA Accountancy firm	
Firm's ACCA reference number (if known/applicable)	
CONDITIONS FOR THE ISSUE OF A FIRM'S LEGAL ACTIVITIES CERTIFICATE	N/R
<ul style="list-style-type: none"> • Fit and proper persons • Professional indemnity insurance • Maintenance of competence • Continuity of practice • Notification to ACCA • Conduct in public practice • Monitoring • Disclosure of information and register of firms carrying on probate activities. • Complaints handling by firm • Diversity • Control of firm • Legal Services Board 	
Signature	
PROFESSIONAL INDEMNITY INSURANCE AND CONTINUITY OF PRACTICE DETAILS	R
Insurance company	R
Policy number	R

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Continuity of practice information		R
OFFICE DETAILS		C
The principal office address of this firm is:		C
Email		C
Website		C
Incorporated firms only: is this the firm's registered office?		C
Will probate work be undertaken from this office?		
The branch offices of this firm are:		C
Email		C
Website		C
Will probate work be undertaken from this office?		
PREVIOUS AUTHORISATIONS		N/R
Have you previously been granted/applied for probate authorisation from another body?		
If YES please state: <ul style="list-style-type: none"> Name(s) of the body Date of application 		
Was the application successful? <ul style="list-style-type: none"> If NO please state the reasons 		
COMPOSITION OF FIRM		C
ACCA partner/directors <ul style="list-style-type: none"> Office Name ACCA membership no. 		C
Non-ACCA partners/directors <ul style="list-style-type: none"> Office Name Professional Qualification Date of Birth 		C
Non-partners/directors responsible for probate work <ul style="list-style-type: none"> Office Name Professional Qualification Date of Birth 		C
All Authorised Legal Activities Individuals (ALAI) must submit an individual application form. <ul style="list-style-type: none"> Enclosed _____ ALAI applications 		C
INCORPORATION DETAILS (to be completed by incorporated firms only)		C
Authorised share capital'		
Company registration number		
Date of latest annual return to Registrar of Companies		
Shareholders <ul style="list-style-type: none"> Name Address Number of shares held 		
FEE		R
CONFIRMATION		R
SIGNATURE		R

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ADDITIONAL REQUIREMENTS		N/R
DBS check		
ADDITIONAL NEW REQUIREMENTS FOR CILEX-ACCA PROBATE ENTITIES		R
Turnover split (£s) – Accountancy / Probate (including Estate Admin)		R
Fit & Proper person declaration		R
Current level of PII		R
Copy of existing FLAC		

REQUIRED INFORMATION – INDIVIDUAL		
<p>This table sets out the following:</p> <ul style="list-style-type: none"> • Information currently required by ACCA for a new Individual Probate authorisation. • There is no annual renewal required by ACCA for an individual for probate as this is dealt with through their GPR practising certificate. • Additional Information we will require when making an application 		
We will look to collect this information through an online application.		
Information currently required by ACCA for a new Individual Probate authorisation.		
PERSONAL INFORMATION		
Full name		
Membership number (if known/applicable)		
Mailing address		
Email		
PRACTISING DETAILS		
Firm's name		
Firm's ACCA reference number (if known/applicable)		
I am: <ul style="list-style-type: none"> • a partner/director or • a non-partner/director 		
Head office address		
Tel / Fax		
Email / Website		
Address of your office		
Tel / Fax		
Email / Website		
PREVIOUS AUTHORISATIONS		
Have you previously been granted/applied for probate authorisation from another body?		
If YES please state: <ul style="list-style-type: none"> • Name(s) of the body • Date of application • Was the application successful? 		
If NO please state the reasons		
CONDITIONS FOR ALAI REGISTRATION		
<ul style="list-style-type: none"> • Fit and proper person • Professional indemnity insurance • Maintenance of competence • Continuity of practice 		

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<ul style="list-style-type: none"> • Notification • Conduct of public practice • Monitoring, quality assurance and compliance • Disclosure of information 		
Signature		
ELIGIBILITY TO REGISTER AS AN AUTHORISED LEGAL ACTIVITIES INDIVIDUAL		
Do you hold an ACCA practicing certificate? YES/NO		
Do you hold probate authorisation from another approved regulator? YES/NO		
If YES <ul style="list-style-type: none"> • 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 the details of: <ul style="list-style-type: none"> • 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 • 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		
Insurance company		
Policy number		
Continuity of practice information		
FEE		
CONFIRMATION		
SIGNATURE		
ADDITIONAL REQUIREMENTS		
DBS check		
ADDITIONAL NEW REQUIREMENTS		
Fit & Proper person declaration		
Copy of ALAI issued by ACCA		