

# Schedule of amendments: Legal Services Regulations 2025

Provision	2023 Version (Extract)	2025 Draft Version (Extract)
1 – <b>General</b> (Introductory Commentary) Paragraph 1	<i>The Legal Services Act 2007 permits two methods by which a firm may undertake probate work.</i>	Minor drafting alteration: <i>The Legal Services Act 2007 (Act) permits two methods by which a firm may be accredited to undertake reserved legal activities.</i>
Two bullet points listed below para 1	<i>as an authorised firm in which case all of the principals (and shareholders in the case of a company) have to be individually authorised to undertake probate work....</i>	Provides a new definition, replacing 'probate work' with 'legal services work'. This replaces the existing term throughout the Regulations (See Table 2)
Paragraph 2	<i>Authorisation is by an approved regulator; licensing is by a licensing authority and ICAEW is both. Once a firm is authorised or licensed under these regulations it is an 'accredited probate firm'</i>	Provides a new definition, replacing 'accredited probate firm' with 'accredited legal services firm'. (See Table 2)
Paragraph 3	<i>In addition to the regulatory requirements for probate work, a number of important regulatory provisions are applied to estate administration when carried out by a firm conducting probate work. 'Authorised work' for the purposes of these regulations includes estate administration. As a licensing authority ICAEW has statutory powers to intervene...</i>	Deleted and content redrafted and split into paragraphs 3 and 5 for clarity. Subsequent paragraphs follow-on from this. Redrafted paragraph 3 now incorporates oaths, probate and estate administration as 'authorised legal services work: The work that can be authorised by accreditation under these regulations is limited to probate work, estate administration, and the administration of oaths...
Paragraph 4	<i>It is a requirement of the Act that in discharging its regulatory functions, ICAEW, as an approved regulator, must act in a way which is compatible with the regulatory objectives set out in section 1 of the Act, and ...</i>	Current text in para 4 moved to paragraph 5. New paragraph 4 contains a minor drafting revision: <i>Estate administration is an unreserved activity. However, for the purposes of these regulations, when a firm engages in this work, it also falls under the definition of "authorised legal services work".</i> (See Table 2)
Paragraph 5	<i>All individuals who are in charge of, or control the undertaking of, probate work in an accredited</i>	The existing text has been relocated to paragraph 9. Terms such as 'probate work' and 'probate firm' have been

	<i>probate firm must be individually authorised to do so under the Act.</i>	updated. This replaces existing terms throughout the Regulations. (See Table 2)
Paragraph 6	<i>ICAEW must be given full details of any non-authorised person who holds or is expected to hold a material interest (see Regulation 6.2) in a licensed firm or a firm which applies to be licensed, or of any change in the holding of such an interest...</i>	The existing text has been relocated to paragraph 10.
Paragraph 8	<i>There are different arrangements in Northern Ireland and Scotland (in the latter case probate is known as 'confirmation'). Thus, a firm cannot undertake probate (or confirmation) work in Northern Ireland and Scotland ...</i>	The existing text has been relocated to paragraph 6.
Penultimate Paragraph preceding bullet points.	Not present.	Insertion of text previously referenced in the introduction to Regulation 7: <i>The Act also requires authorised persons to comply with the Legal Ombudsman's Scheme Rules and to notify clients of their rights to make complaints relating to relevant legal services in accordance with these Scheme Rules.</i>
1.1	<i>These regulations were made originally by the ICAEW Professional Board pursuant to Clause 16 of the Supplemental Royal Charter of 1948 and Principal Bye-law 49. They came into force on 14 August 2014 and were amended by the ICAEW Regulatory Board on 23 February 2017 and, most recently, on 1 June 2023</i>	Minor drafting alteration to update terms and add new IRB approval date: <i>These regulations were made originally by the ICAEW Professional Standards Board ...and most recently, on 29 May 2025</i>
1.2	These regulations only apply to the grant of probate or letters of administration in England and Wales	These <i>regulations</i> only apply to <i>authorised legal services</i> work in England and Wales.
1.3	<i>These regulations apply to firms seeking accreditation and to probate firms authorised or licensed under these regulations...</i>	<i>These regulations apply to firms seeking accreditation and to accredited legal services firms authorised or licensed under these regulations. ...</i>

<b>Definitions &amp; Interpretation</b> (see also Table 2)	<i>Authorised Probate Work</i>	New definition: <i>Authorised legal services work</i> to include probate work, estate administration, and oaths.
Administration of Oaths	Not present.	<i>As defined in Schedule 2 paragraph 8 of the Act</i>
Client	Not present.	<i>A person for whom the accredited legal services firm acts, including prospective and former clients. Once a client makes a complaint, they are referred to as the complainant.</i>
Complainant	Not present.	<i>As defined in section 128 of the Act. This includes a client but is not restricted to a client and includes a beneficiary of an estate or trust where an accredited legal services firm provided services in their capacity as a personal representative or trustee</i>
Probate work	<i>The preparation of papers to apply for a grant of probate or letters of administration</i>	Existing text expanded to add clarity: <i>As defined in Schedule 2 paragraph 6 of the Act – this includes the preparation of papers to apply for a grant of probate or letters of administration and for the purposes of these regulations includes estate administration. Probate work is restricted by these regulations to non-contentious activities.</i>
Reserved Legal Activities	the exercise of a right of audience; the conduct of litigation; <ul style="list-style-type: none"> <li>• reserved instrument activities;</li> <li>• probate activities; notarial activities;</li> <li>• the administration of oaths; as defined in section 12(1) and Schedule 2 of the Act</li> </ul>	<i>For the purposes of these Regulations ICAEW legal services practitioners are authorised to provide the following reserved legal services:</i> <ul style="list-style-type: none"> <li>• <i>probate activities</i></li> <li>• <i>the administration of oaths; as defined in section 12(1) and Schedule 2 of the Act.</i></li> </ul>
<b>Regulation 7 Complaints Resolution</b> (Introductory Commentary)	<i>The following regulations detail how complaints should be dealt with. The Act requires that an accredited probate firm has procedures for dealing with complaints. Firms should take care to notify their existing clients of their right to make a complaint. This should be done at the first appropriate opportunity</i>	New introductory text emphasises the section's consumer focus: <i>The following regulations detail how an accredited legal services firm (firm) should approach and respond to complaints raised by a complainant. Their purpose is to give complainants confidence in the firm's complaints procedures. Complaints procedures should be accessible, and</i>

		<i>complaints should be responded to fairly and promptly ....</i>
<b>7.1 a – g Establishing Complaints Procedures</b>	<i>An accredited probate firm must establish procedures to deal with complaints.</i>	Expanded to list specific elements (a–g), including who to contact, confirm complaints are free of charge, timelines, LeO rights.
Explanatory paragraph	Not present.	Incorporates and expands text from current 7.2: Emphasises staff awareness and includes clarity on how to handle complaints against the HOLP/Principals.
7.2	<i>(LeO escalation process) .... must ensure that all clients are notified in writing at the beginning of the engagement of the name of the individual to be contacted in the...</i>	LeO content moved into 7.1 and guidance emphasises procedure must be endorsed by HOLP/ Principal.
Explanatory Paragraph	Details of the complaint resolution procedure can be included within the terms of engagement	Adds a further sentence to existing content: <i>The principal or HOLP who is responsible for the firm’s complaints procedure must ensure that it is available in writing to all staff and that it is implemented consistently and reviewed periodically.</i>
Explanatory Paragraph re LeO	Current LeO contact details and timescales	Renumbered as 7.5 and updated with LeO time limit guidance.
<b>7.3 Accessible complaints procedure</b>	<i>If an accredited probate firm receives a complaint from a client or a former client, it must acknowledge the complaint within five business days</i>	Renumbered 7.6; adds obligation to provide complaints procedure multiple times.
7.4	<i>The accredited probate firm must begin immediately to investigate the complaint in a fair, prompt, constructive and honest manner</i>	Renumbered 7.7: <i>An accredited legal services firm must ensure that their complaints procedure is clear, prominent, and accessible</i>
7.5	<i>..must keep a full record of the way in which the complaint has been handled. This documentation must be kept in a separate complaint file.</i>	Renumbered as 7.12 and expanded. New 7.5 now covers informing clients of LeO time limits: <i>An accredited legal services firm must ensure that complainants are informed of their options....</i>

Explanatory Information	Not present. Previously referenced in explanatory guidance attached to 7.2	Contact details and timescales for LeO with further explanation about when they can be waved
7.6 a - e <b>Responding to Complaints</b>	<i>If following such an investigation the accredited probate firm is of the opinion that the complaint is justified...</i>	Remedies renumbered to 7.11. New 7.6 adds more detail on the response process.
7.7	<i>When the accredited probate firm notifies the client of its final response, which should be provided within 8 weeks.</i>	Expanded to explain standards: <i>The accredited legal services firm must investigate the complaint promptly and ensure the investigation is conducted competently, diligently, and impartially...</i>
Explanatory Paragraph	Not present.	New explanatory guidance on escalation process: conduct matters to be sent to ICAEW, and firm internal process must be exhausted before LeO.
7.8	<i>If the complaint is not resolved within eight weeks...</i>	Focus now on clear, timely communication; timelines moved to 7.5.
7.9	<i>..firm must cooperate with the Legal Ombudsman.</i>	Now addresses appropriate remedies if complaint is upheld.
7.10	<i>..firm must comply with any decision that the Legal Ombudsman may make and promptly comply.</i>	Re-numbered 7.11. Terminology updated.
7.11	<i>The accredited probate firm must provide ICAEW with such details of complaints as ICAEW may request</i>	Re-numbered 7.15. Includes updated terminology
7.12	Not present. Record keeping Previously referenced in 7.5	Re-numbered and expanded to cover complaint type and resolution: <i>The accredited legal services firm must maintain accurate records of complaints, including any correspondence, information on the type of complaint and resolution</i>
7.13 <b>Reflection and review</b>	Not present. Previously referenced in explanatory guidance.	Explicit requirement for periodic review: <i>The accredited legal services firm must review their complaints procedures periodically to ensure they are effective, implemented consistently and compliant with these regulations.</i>
7.14 a - b	Not present. Previously referenced in explanatory guidance.	<i>At the conclusion of the complaints process, the accredited legal services firm should reflect on how similar complaints can be avoided in future. This means implementing measures to: ...</i>

7.15	Previously numbered 7.11.	<i>The accredited legal services firm must provide ICAEW with such details of complaints as ICAEW may request... (Renumbered with minor terminology update.)</i>
7.16	Not present. (Detailed disciplinary arrangements are also provided in Part 12)	<i>A failure by an accredited legal services firm to comply with the requirements under Regulation 7, or to uphold any guidance....</i>

**Table 2: Key definition changes throughout the Regulations**

<b>2020 Defined Term</b>	<b>2025 Alteration</b>
Probate work	Legal Services work
Probate Practitioner	Legal Services Practitioner
Accredited Probate firm	Accredited Legal Services firm
Probate Affiliate	Legal Services Affiliate