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## EXPLANATORY NOTE

*(This note is not part of the Order)*

The Order makes minor and consequential amendments to primary and secondary legislation to reflect changes to the regulation of legal services introduced by the Legal Services Act 2007 (c. 29) (“the 2007 Act”).

Article 4 amends the Charities Act 1993 (c. 10) to substitute new terminology for the assessment of costs.

Articles 3 and 5 make amendments which reflect the registration of entities, as well as individuals, as patent attorneys and trade mark attorneys. Articles 8, 9 and 21 make amendments to instruments to reflect changes in terminology for the registration of patent attorneys and trade mark attorneys introduced by the 2007 Act. Article 24 revokes instruments whose enabling powers are wholly or partly repealed by the 2007 Act.

Article 22 amends definitions of “qualified lawyer” to remove the requirement for ILEX Fellows to be employed by solicitors’ practices. ILEX Fellows may now be managers and partners of legal practices regulated by the Law Society.

The remainder of the Order makes amendments which are consequential upon the commencement of Part 3 of the 2007 Act. Part 3 identifies the legal activities which will be subject to the regulatory regime introduced by the 2007 Act and sets out who may be authorised to carry out those activities. The amendments in this Order reflect this new framework of authorisation and remove out of date references (for example to section 119 of the Courts and Legal Services Act 1990 (c. 41)).

An impact assessment has not been prepared for this Order but a full regulatory impact assessment was prepared for the Legal Services Bill in November 2006, supplemented in 2007. Copies of these documents are annexed to the Explanatory Memorandum which is available alongside this instrument on the OPSI website.