

Law Society of Ireland

Appendix/Schedule Revision Document

1. Introduction

- (a) The Solicitors Acts 1954 to 2011 (Apprenticeship and Education) (Amendment) Regulations 2019 (S.I. No. 503 of 2019) provide for what is called an “**Appendix/Schedule Revision Document**” as part of amendments being provided to the Society’s principle education and training Regulations which are The Solicitors Acts 1954 to 1994 (Apprenticeship and Education) Regulations 2001(S.I. No. 546 of 2001).
- (b) This Appendix/Schedule Revision Document is described in the 2019 amending Regulations as a document published by the Society from time to time as provided for in Regulation 16A (as inserted by Regulation 6 of the 2019 amending Regulations) of the 2001 Regulations.
- (c) Regulation 16A (as so inserted) of the 2001 Regulations-
 - (i) relates, respectively, to the content of the Appendix to the 2001 Regulations and to the content of the Schedule to the 2001 Regulations (as amended by other amending regulations subsequent to 2001) and to the individual Regulations in the 2001 Regulations in which reference is made either to the Appendix or to the Schedule;
 - (ii) provides that the Society may revise and/or extend the content of the Appendix and/or the content of the Schedule as and from a date to be designated by and duly promulgated by the Society and to be set out in an Appendix/Schedule Revision Document; and
 - (iii) states that the intended purpose of providing for the publication by the Society from time to time of an Appendix/Schedule Revision Document revising and/or extending the content of the Appendix and/or the content of the Schedule is to facilitate, respectively, the more expeditious adaptation of-
 - I. the content of the course of education and training to be provided by the Society to trainee solicitors, and
 - II. the precedent set of forms providing for the relationship between trainee solicitor, training solicitor and the Society,-consequent on the on-going interaction between the Society and the Legal Services Regulation Authority pursuant to the Legal Services Regulation Act 2015 (No. 65 of 2015).
- (d) Regulation 16A (as so inserted) of the 2001 Regulations further states that the Society should use its best endeavours to ensure that any revisions or extensions made to the content of the Appendix/Schedule by means of an Appendix/Schedule Revision Document should not adversely affect any trainee solicitor who prior to 1 January 2020 had commenced the Professional Practice Course I.

(e) Finally, Regulation 16A (as so inserted) of the 2001 Regulations provides that any of the Regulations in the 2001 Regulations in which reference is made to the Appendix or to the Schedule should each be construed as a reference to the Appendix or to the Schedule as revised and/or extended by an Appendix/Schedule Revision Document.

2. Appendix/Schedule Revision Document

- (a) Following on from the Society’s extensive review of its education and training programmes carried out in consultation with outside consultants and the solicitors profession and the Legal Services Regulation Authority, substantive changes were proposed and ultimately approved by the Council of the Society, which, in turn gave rise to necessary changes to its Regulations as provided for in the 2019 amending Regulations which came into effect on 1 January 2020.
- (b) Because of some of the changes being brought about, as reflected in the 2019 amending Regulations, a number of minor changes both to the number and textual content of the Forms set out in the current Schedule to the 2001 Regulations are necessitated. There are currently a significant number of persons post-1 January 2020 awaiting some of these anticipated revised Forms before each can proceed to apply for consent to enter into a training contract, the entry into a training contract being one of the conditions precedent to admission to the PPC or the PPC Hybrid.
- (c) At this time, the Society’s Law School is engaged in a process of consultation with the solicitors profession seeking opinions and feedback on the syllabus design for the (fused) PPC / PPC Hybrid going forward from 2021. This consultation process is currently ongoing, after which final decisions will be made by the Society as to what should be included. Therefore, at this time, a revision of the content of the Appendix to the 2001 Regulations is premature.
- (d) However, it is deemed prudent to now proceed with changes to the number of, and the revisions to the content of, the Forms set out in the Schedule to the 2001 Regulations in order that they become effective from Monday, 30 March 2020.
- (e) This Appendix/Schedule Revision Document is intended to include, by way of substitution for the existing Forms in the Schedule to the 2001 Regulations, the following revised Forms:

<u>Form 1</u>	Application to enter into a training contract.
<u>Form 2A</u>	Certificate of proposed training solicitor.
<u>Form 2B</u>	Certificate of training officer.
<u>Form 3</u>	Training contract.

<u>Form 4A</u>	Statutory Declaration of training solicitor as to execution of training contract.
<u>Form 4B</u>	Statutory Declaration of training officer as to execution by training solicitor of training contract.
<u>Form 5</u>	Assignment of training contract.
<u>Form 6A</u>	Statutory Declaration of training solicitor as to trainee solicitor's period of in-office training.
<u>Form 6B</u>	Statutory Declaration of training officer as to trainee solicitor's period of in-office training.
<u>Form 7</u>	Statutory declaration of trainee solicitor as to his/her period of in-office training.

In addition, the Schedule to the 2001 Regulations will include the following annexes:

Annexe to Form 1,

Annexe to Form 2A, and

Annexe to Form 2B.

Each of these annexes should, respectively, be read by a proposed trainee solicitor/a proposed training solicitor/a training officer prior to the completion, respectively, of Form 1, Form 2A and Form 2B and be certified as having been so read by the person signing in each instance. What is summarised in each such annexe is the applicable statutory/regulatory provisions which should be understood by the person signing each such Form.

- (f) Form 1 and Form 2A and Form 2B will apply immediately in respect of a proposed trainee solicitor applying for consent to enter into a training contract with a proposed training solicitor, the Forms to be, respectively, signed, as appropriate, by a proposed trainee solicitor, by a proposed training solicitor or (in respect of a firm of solicitors with a designated training officer) by a training officer. Once the consent of the Society is obtained, the proposed

training solicitor and the proposed trainee solicitor may enter into a training contract, as parties thereto, as per regulatory Form 3, with the training solicitor concerned or the training officer, where applicable, completing the Statutory Declaration as set out in Form 4A or Form 4B.

- (g) For some time going forward, Form 5 would become relevant for use where the original training contract was entered into prior to 1 January 2020. Form 5 has been foreshortened by including the original training contract to be assigned as an annexed part of the assignment document itself, thus ensuring that the trainee solicitor concerned would remain bound to his/her new training solicitor under the same terms of the pre-January 2020 precedent Form 3 rather than the terms of the new post-1 January 2020 revised Form 3.
- (h) Form 6A, Form 6B and Form 7 will remain for some time applicable only to a trainee solicitor who commenced as a trainee solicitor prior to 1 January 2020, as well as to his/her training solicitor or training officer concerned.

Issued by the Society with the approval of the Society's Education Committee, with the revised Forms to comprise the Schedule to the 2001 Regulations to become effective from Monday 30 March 2020.