







## 7. REFERENCES

- ✓ All applicants are required to submit two current character references.
- ✓ Students in qualifying conveyancing employment are required to submit a letter verifying employment.
- ✓ References must be sent to the CLC with your application form.

X Addresses of referees for the CLC to contact are not acceptable.

- ✓ CLC has a duty to ensure that applicants are fit and proper persons to be registered as students.
- ✓ The referees should not be related to you and should be of good standing, holding a position of responsibility and who have known you for at least two years.
- ✓ Please ensure the references are originals, current and signed.
- ✓ If employed in conveyancing, you are required to submit a letter from your current employer verifying employment and details of your conveyancing experience, confirming the period of employment and the nature of your duties.
- ✓ In cases of non conveyancing employment or self-employment, you are required to supply letters from business associates or former clients.
- ✓ In cases of unemployment, two character references will suffice.

PLEASE NOTE: on qualification, licences will be issued subject to the following:

**SECTION 16 (1) ADMINISTRATION OF JUSTICE ACT 1985 AS AMENDED**

16.(1) Subject to sub-section (4), this section has effect in any case where a person applies for a licence under this Part:

- a) for the first time;
- b) when each licence previously held by him under this Part has been subject to conditions under this section;
- c) when, on the first day of the period to which the licence would (if granted) relate, a period of twelve months or more will have elapsed since he held a licence in force under this Part;
- d) after the Discipline & Appeals Committee established under section 25 have made any order in his case under section 26;
- e) after he has been invited by the Council to give an explanation in respect of any matter relating to his conduct and has failed to give an explanation in respect of that matter which the Council regards as satisfactory, and has been notified in writing by the Council that he has so failed;
- f) while he is an undischarged bankrupt or while a receiving order in bankruptcy is in force against him;
- g) after having been adjudged bankrupt and having obtained his discharge or after having entered into a composition with his creditors or a deed of arrangement for the benefit of his creditors;
- h) while he is a person as to whom powers have been exercised under section 98 of the Mental Health Act 1983 (judge's powers in cases of emergency);
- i) after having been committed to prison in civil proceedings;
  - (ia) after having been convicted of an offence involving dishonesty or deception or a serious arrestable offence (as defined by section 116 of the Police and Criminal Evidence Act 1984); or
- j) after having had given against him any judgement which involves the payment of money, not being a judgement:-
  - (i) limited to the payment of costs; or
  - (ii) as to whose whole effect upon him he is entitled to indemnity or relief from some other person; or
  - (iii) evidence of whose satisfaction has been produced to the Council.

*If any of the above provisions of section 16(1) apply to you at this stage, you are required to give full details including a Criminal Records Bureau (CRB) disclosure.*

## GUIDELINES FOR APPROVAL OF APPLICATIONS TO BE REGISTERED AS STUDENTS OF THE COUNCIL FOR LICENSED CONVEYANCERS

### Introduction

1. The Council for Licensed Conveyancers has delegated to the Education Committee the power to determine applications to be registered as a student of the CLC. The purpose of these Guidelines is to provide guidance to applicants as to factors which the Education Committee will take into account when it is asked to determine whether an applicant should be registered as a student.

### Summary of CLC regulatory powers

The CLC has a general duty to

2. “to ensure that the standards of competence and professional conduct among persons who practise as licensed conveyancers are sufficient to secure adequate protection for consumers, and that the conveyancing services provided by such persons are provided both economically and efficiently” (s.12(2) Administration of Justice Act 1985 (AJA)).
3. When considering whether an applicant should be registered as a student the CLC must satisfy itself that the applicant “is a fit and proper person to be registered as a student” (rule 3.1(b) Training Rules 2004).
4. In relation to paragraph 3, the Council must satisfy itself that the applicant is a suitable person to be registered as a student and have confidence that at the completion of the applicant’s education, he will be a fit and proper person to be issued with a licence.
5. The factors which the Council takes into account in determining if an applicant is a “fit and proper person to practise as a licensed conveyancer” (as required by s.15(1) AJA) and hence to be issued with a licence, are outlined in the Annex.
6. The CLC powers will be exercised proportionately and take account of the specific circumstances of each case.

### Entitlement to appeal

7. An applicant who has not been accepted as a registered student may within 28 days of being notified of that decision apply in writing to the CLC for the application to be reconsidered (rule 3.4.1 Training Rules 2004).

### Factors to be taken into account when determining an application

8. In assessing an application, the Education Committee must satisfy itself that the applicant seeking registration as a student:
  - has a level of integrity, honesty, trustworthiness and professionalism expected of such a student by the public and members of the profession
  - is willing to comply with legal and regulatory requirements
  - is able responsibly to manage financial affairs.

The Committee will also assess if registration as a student could:

- diminish the public’s confidence in the licensed conveyancers’ profession
- expose members of the public, profession or himself to harm.

### Information required in order to determine an application

9. The Education Committee will require the applicant to submit a duly completed application form and to declare any information which might affect his suitability to be a licensed conveyancer. Failure to do so may result in a delay to or refusal of the application. Such information includes:
  - any criminal conviction, but also including official cautions, reprimands, final warnings and Anti Social Behaviour Orders;
  - any instance of cheating in exams or plagiarism during a course of study;
  - any County Court judgements, declarations of bankruptcy (even if they have been satisfied) or evidence of inability to manage financial affairs;
  - any other incident in which the applicant’s character has been called into question.

The applicant will be asked to supply written confirmation of the relevant issues, and may be asked to appear before the Education Committee to explain the situation.

10. If such matters arise after the applicant has been registered as a student, the student must notify the CLC as soon as possible to enable the CLC to deal with the matter. Failure to do so may result in a delay to or refusal of the application to be issued with a licence.
11. The CLC treats as a serious matter any failure to disclose convictions and other issues at the time of the application to be registered as a student or subsequently, and the application to be issued with a licence to practise as a licensed conveyancer may be refused as a result.

## 8. YOU ARE REQUIRED TO ANSWER ALL QUESTIONS

	√YES	√NO
<b>(a) <u>DISCIPLINARY ACTION</u></b>		
(i) Have you or has any company of which you were at the material time a director been the subject of a disciplinary order by the Council for Licensed Conveyancers, the Solicitors Disciplinary Tribunal, the Law Society, the Bar Council, the Institute of Legal Executives or any other professional body or regulator?	<input type="checkbox"/>	<input type="checkbox"/>
(ii) Have you received notice or are you aware that any disciplinary proceedings are to be instituted against you or any company of which you were at the material time a director, by the above or any other professional body or regulator?	<input type="checkbox"/>	<input type="checkbox"/>
(iii) Are you aware of any circumstances which might give rise to disciplinary proceedings being instituted against you or any company of which you were at the material times a director, by the above or by any other professional body or regulator?	<input type="checkbox"/>	<input type="checkbox"/>
<b>(b) <u>SECTION 43 OF THE SOLICITORS ACT 1974</u></b>		
Have you ever been the subject of an order made under section 43 of the Solicitors Act 1974?	<input type="checkbox"/>	<input type="checkbox"/>
<b>(c) <u>COMPANY DETAILS</u></b>		
Has any company during any period when you were a director or an officer of that company been in breach of the Companies or the Insolvency Acts?	<input type="checkbox"/>	<input type="checkbox"/>
<b>(d) <u>INSOLVENCY</u></b>		
Has an application for a receiving order been made against you or has a company of which you are or were a director entered into compulsory or voluntary liquidation on grounds of insolvency or entered into an arrangement with creditors?	<input type="checkbox"/>	<input type="checkbox"/>
<b>(e) <u>OUTSTANDING COURT JUDGMENTS</u></b>		
Have you or has a company of which you are or were a director at the time, received any Court Judgments which are undischarged in whole or part?	<input type="checkbox"/>	<input type="checkbox"/>
<b>(f) <u>COURT ORDERS</u></b>		
Have you had a Court Order made against you or any company of which you were a director at the material time?	<input type="checkbox"/>	<input type="checkbox"/>
<b>(g) <u>BANKRUPTCY</u></b>		
Have you been made bankrupt or entered into an Individual Voluntary Arrangement?	<input type="checkbox"/>	<input type="checkbox"/>
<b>(h) <u>DISMISSALS OR CONVICTIONS</u></b>		
(i) Have you been dismissed from employment or convicted of any offence in a Court in the UK or elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>
(ii) Are you aware of any circumstances which might give rise to criminal proceedings being instituted against you?	<input type="checkbox"/>	<input type="checkbox"/>
<b>(i) <u>UNDISCHARGED FINANCIAL LIABILITIES</u></b>		
Do you have any undischarged financial liabilities? (this would include liabilities arising from disciplinary proceedings; defaults on loans/mortgages)	<input type="checkbox"/>	<input type="checkbox"/>
State the amount outstanding and why it is undischarged:-		
£ <input style="width: 150px; height: 40px;" type="text"/>		

*If your answer is **YES** to any of the above questions, please give details below with supporting evidence, to include a Criminal Records Bureau (CRB) disclosure, list and number the enclosures.  
YOUR APPLICATION WILL NOT BE CONSIDERED WITHOUT THIS INFORMATION*

9. DATA PROTECTION ACT

In accordance with the Data Protection Act 1998, your records are held on a computer database solely for the purpose of the CLC administration. Your details will not be passed to a third party unless specifically requested by yourself.

10. CHECK LIST OF ENCLOSURES SENT TO CLC

<b>FOR SECURITY PURPOSES, PLEASE ENSURE YOU TICK ALL BOXES FOR DOCUMENTS ENCLOSED AND SENT TO THE CLC</b> Your application will not be processed until all the relevant documentation is received		✓
<b>CHEQUE</b> £125	Registration fee £125 payable to CLC To ensure security – staple cheque to the front page NB: DO NOT REFUND REGISTRATION FEES	
<b>ORIGINAL</b> Reference	Current character reference <b>SIGNED</b> by the referee	
<b>ORIGINAL</b> Reference	Current character reference <b>SIGNED</b> by the referee	
<b>ORIGINAL</b> Employment reference	Verification of employment on headed notepaper and <b>SIGNED</b> by employer	
<b>PHOTOCOPY</b> Evidence of age	Birth Certificate or Passport or Driving Licence	
<b>PHOTOCOPY</b> Exam certificates	Examination Certificates (if under 25 years of age)	
<b>PHOTOCOPY</b> Marriage certificate	Marriage certificate (if applicable)	
<b>PHOTOCOPY</b> Professional status	Professional Membership (if applicable)	
<b>Please ensure the correct postage is placed on the envelope !</b>		

11. DECLARATION

I declare to the best of my knowledge that the information I have given in this application and the enclosed documents are correct

Signature	Date
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# NOTES

1. DATE OF REGISTRATION

You must be accepted and registered by the CLC as a student before registering with a College to study for the examinations. Examination applications **WILL NOT BE ACCEPTED** from those who have not registered with CLC.

2. REGISTRATION ADDRESS

The address you select by a tick will be the registration address to which ALL correspondence from the CLC will be sent. Any change of address should be notified to the CLC immediately to ensure correspondence from the CLC is despatched to the correct address.

3. EXEMPTIONS

A registered student with equivalent examination passes or practical experience in conveyancing may be entitled to exemptions by the CLC. An exemption form for completion will be supplied with your acceptance letter as a student. Exemptions will not be discussed or granted by telephone.

4. ANNUAL REGISTRATION & RE-REGISTRATION FEE

The CLC initial registration fee is £125 and thereafter £85 per year (on 1<sup>st</sup> September) unless notified of an increase. The CLC student year commences 1<sup>st</sup> September.  
**REGISTRATION FEE IS NOT REFUNDABLE UNLESS CLC DECLINES YOUR APPLICATION.**

5. ACCEPTANCE

Under normal circumstances, your application will be acknowledged within 4 weeks of receipt by the CLC. If an acknowledgement is NOT received within this period, it is likely your application has gone astray in the post or DX. Before telephoning the CLC, check with your bank whether the cheque has been cleared.

6. CHECKLIST

Please use the checklist to ensure you have completed this form correctly, sign and date the declaration and enclose all the relevant documents.  
**YOU SHOULD RETAIN A PHOTOCOPY OF THE FORM AND ENCLOSURES.**

7. WHERE TO SEND YOUR APPLICATION

Once completed, the application form, registration fee and enclosures should be sent to:  
The Director of Education & Licensing  
Council for Licensed Conveyancers  
16 Glebe Road Chelmsford CM1 1QG or DX 121925 Chelmsford 6

8. WHERE DID YOU HEAR ABOUT THE CLC?

Please indicate the source of your original enquiry:

Personal recommendation.....	<input type="checkbox"/>
Advertisement - specify journal.....	<input type="checkbox"/>
Mail shot.....	<input type="checkbox"/>
CLC Web site.....	<input type="checkbox"/>
Other - please specify.....	<input type="checkbox"/>

Council for Licensed Conveyancers  
16 Glebe Road  
Chelmsford CM1 1QG  
DX 121925 Chelmsford 6  
www.clc-uk.org  
email: clc@clc-uk.org