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STATUTORY INSTRUMENTS

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**2014 No. 3238**

**LEGAL SERVICES, ENGLAND AND WALES**

The Legal Services Act 2007 (the Chartered Institute of Patent Attorneys and the Institute of Trade Mark Attorneys) (Modification of Functions) Order 2014

Made - - - - 8th December 2014

Coming into force in accordance with article 2

**THE LEGAL SERVICES ACT 2007 (THE CHARTERED INSTITUTE OF PATENT ATTORNEYS AND THE INSTITUTE OF TRADE MARK ATTORNEYS) (MODIFICATION OF FUNCTIONS) ORDER 2014**

PART 1

1. Citation and interpretation
2. Commencement

PART 2

CIPA

*CIPA acting as an approved regulator*

3. Interpretation
4. Management and control of CIPA-registered bodies
5. Appeals to the First-tier Tribunal and the High Court

*CIPA acting as a licensing authority*

6. Interpretation
7. Power to require payment of investigation costs
8. Power to issue a notice, warning or reprimand

*Powers to make further provision*

9. Powers to make further regulatory arrangements

PART 3

ITMA

*Status:* This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

*ITMA acting as an approved regulator*

10. Interpretation
11. Management and control of ITMA-registered bodies
12. Appeals to the First-tier Tribunal and the High Court

*ITMA acting as a licensing authority*

13. Interpretation
14. Power to require payment of investigation costs
15. Power to issue a notice, warning or reprimand

*Powers to make further provision*

16. Powers to make further regulatory arrangements
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SCHEDULES

SCHEDULE 1 — CIPA-registered bodies: Head of Legal Practice and Head of Finance and Administration

*Head of Legal Practice*

1. Paragraphs 2 and 3 apply to regulations made by CIPA...
2. (1) The regulations referred to in paragraph 1 must include...
3. The regulations referred to in paragraph 1 must make provision—...

*Head of Finance and Administration*

4. Paragraphs 5 and 6 apply to regulations made by CIPA...
5. (1) The regulations referred to in paragraph 4 must include...
6. The regulations referred to in paragraph 4 must make provision—...

SCHEDULE 2 — CIPA as an approved regulator: regulatory arrangements  
Part 1 — Disciplinary arrangements

*Disciplinary arrangements: financial penalties*

1. (1) In the circumstances specified in regulations made under sub-paragraph...
2. (1) If the whole or any part of a penalty...

*Disciplinary arrangements: disqualification*

3. (1) CIPA may, in accordance with regulations made under sub-paragraph...

*Disqualified employees*

4. CIPA may make regulations which provide that a CIPA-registered body...

*Power to require registered persons to provide information and documents*

5. (1) CIPA may make regulations which provide that CIPA may...
6. Where a registered person refuses or otherwise fails to comply...

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*Power to require payment of investigation costs*

7. (1) In this paragraph— “disciplinary measure”, in relation to a...

*Discipline: notice, warning or reprimand*

8. (1) CIPA may issue a notice, warning or reprimand in...  
Part 2 — Indemnification and Compensation Arrangements

*Power to make indemnification arrangements and compensation arrangements*

9. (1) CIPA may make indemnification arrangements and compensation arrangements in...

*Power to make indemnification and compensation arrangements for both registered persons and licensed bodies*

10. (1) The powers to make indemnification arrangements or compensation arrangements...

*Power to make joint indemnification and compensation arrangements with ITMA*

11. (1) If CIPA and ITMA are satisfied that it would...  
Part 3 — Powers of intervention

*Powers of intervention*

12. (1) Subject to the modifications set out in sub-paragraphs (2)...  
Part 4 — Treatment of money
13. CIPA must make regulations which make provision as to the...  
Part 5 — Interpretation
14. (1) In this Schedule— “patent attorney regulations” means regulations which...

SCHEDULE 3 — ITMA-registered bodies: Head of Legal Practice and Head of Finance and Administration

*Head of Legal Practice*

1. Paragraphs 2 and 3 apply to any regulations made by...
2. (1) The regulations referred to in paragraph 1 must include...
3. The regulations referred to in paragraph 1 must make provision—...

*Head of Finance and Administration*

4. Paragraphs 5 and 6 apply to any regulations made by...
5. (1) The regulations referred to in paragraph 4 must include...
6. The regulations referred to in paragraph 4 must make provision—...

SCHEDULE 4 — ITMA as an approved regulator: regulatory arrangements  
Part 1 — Disciplinary arrangements

*Disciplinary arrangements: financial penalties*

1. (1) In the circumstances specified in regulations made under sub-paragraph...
2. (1) If the whole or any part of a penalty...

*Status:* This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

*Disciplinary arrangements: disqualification*

3. (1) ITMA may, in accordance with regulations made under sub-paragraph...

*Disqualified employees*

4. ITMA must make regulations which provide that an ITMA-registered body...

*Power to require registered persons to provide information and documents*

5. (1) ITMA must make regulations which provide that ITMA may...  
6. If a registered person refuses or otherwise fails to comply...

*Power to require payment of investigation costs*

7. (1) In this paragraph— “disciplinary measure”, in relation to a...

*Discipline: notice, warning or reprimand*

8. (1) ITMA may issue a notice, warning or reprimand in...  
Part 2 — Indemnification and Compensation Arrangements

*Power to make indemnification arrangements and compensation arrangements*

9. (1) ITMA may make indemnification arrangements and compensation arrangements which...

*Power to make indemnification and compensation arrangements for both registered persons and licensed bodies*

10. (1) The powers to make indemnification arrangements or compensation arrangements...

*Power to make joint indemnification and compensation arrangements with CIPA*

11. (1) If ITMA and CIPA are satisfied that it would...  
Part 3 — Powers of intervention

*Powers of intervention*

12. (1) Subject to the modifications set out in sub-paragraphs (2)...  
Part 4 — Treatment of Money  
13. ITMA must make regulations which make provision as to the...  
Part 5 — Interpretation  
14. (1) In this Schedule— “registered person” means— an individual who...

Explanatory Note