

Practising Certificate Fees 2013/14

This note explains briefly what you have been asked to pay in the recent letter from the Bar Council (“the Letter”), how to do so, and what happens if you do not. If you have already paid, or have authorised your chambers to make payment and certify your CPD and insurance compliance, you can ignore the rest of this letter.

What you have been asked to pay

The total amount of the demand is explained in the leaflet accompanying the Letter entitled “Schedule of Practising Certificate Fees 2013/14 Policy and Guidance” (“the Leaflet”), which is to be found behind and stapled to another letter from the Treasurer of the Bar Council headed “2013/14 Budget and Practising Certificate Fee”.

The sum requested is made up of 4 components:

- (1) the core fee
- (2) a Bar Council pension levy
- (3) the LSB/LeO levy
- (4) the members’ services fee

If you wish to exercise rights of audience lawfully as a barrister after 1 May 2013, components (1) (2) and (3) are compulsory. They are effectively the price of issuing a practising certificate for the year 2013/14.

The amount of the core fee (1) and the regulators’ levy (3) varies depending on your year of call and whether or not you have taken silk. The amount of the pension levy (2) depends on your year of call. Unfortunately, the explanation given on page 4 of the Leaflet and in the table on that page are slightly inaccurate and understate the number of years call by one year and the pension levy by £3 in each example given. I have checked this with the relevant Director at the Bar Council and the amount due as stated in the letter sent to you and on your page on the barristerconnect website is correct: it is the Leaflet that is in error.

Component (4) is optional but you are requested to pay it if you can afford to do so. It goes to pay for certain categories of work that the Bar Council does (essentially services and support provided to members and certain kinds of representational work) that do not fall within categories under the Legal Services Act for which a compulsory fee can be levied. Payment of this fee entitles you to support services provided by the Bar Council’s committees, to attend training courses, and to the benefit of all those discounts negotiated by Member Services. These are available on the Xexec website (www.barcouncil.xexec.com). This has recently included the ability to insure any car for any drivers at a fixed fee of £990, the advantage of which will be obvious to those of you with teenage children who drive (or an Aston Martin in the garage).

How to pay

Last year, you should have established your own page on the barristerconnect website (www.barristerconnect.org.uk).

To log into your page, you need first the user number, which is the five digit number at the head of the Letter, and then the password that you registered last year. If you have forgotten the password, click on the "Forgotten password" box and follow instructions.

In case of difficulty, telephone 020 7242 0934 or e-mail records@barcouncil.org.uk.

Once you have logged in, click on the "Apply for practising certificate" box. Check that your registered details are correct and then click on the "Confirm details and apply" box.

On the next page, you have to confirm completion of CPD and submission of a CPD return for 2012 and that you have and will maintain insurance. Then check the box that makes the necessary declaration.

At this stage you have the option to submit those details and make payment, or just to submit the details. Take the latter option if your chambers administrator has been given authority to deal with payment on your behalf. Otherwise, proceed to pay online.

Payment is due before 1 April 2013.

Note: 31st March is Easter Sunday. You may not be at your desk on that day.

If you are of 5 years' call or more and will have earned less than £40,000 in the 12 months to 1 April 2013, you are entitled to pay a reduced core fee and pension levy. Consult the Leaflet for details.

What happens if you do not pay?

If you do not pay the compulsory element of the fee before 1 April 2013, you will have to pay a surcharge equal to 20% of the core fee in addition.

If you do not pay the compulsory element of the fee before 1 May 2013, you will not be included on the BSB Register of those authorised to practice. That means that if you exercise rights of audience (or do other reserved legal activities) after that date you will be committing a criminal offence under the Legal Services Act as well as misconduct under the Code.

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