



GUIDANCE NOTE 1 PRACTISING ADDRESS AND COMMUNICATIONS Issue 2

**Issued by the Council for Licensed Conveyancers on
30 March 2009.**

This Guidance Note came into force on 31 March 2009.

This Guidance Note supersedes Guidance Note 1 – Practising Address and Communications issued by the Council on 19 October 2005 which ceased to have effect on 31 March 2009.

Licensed Conveyancers, Managers and Recognised Bodies must at all times act in compliance with the Council's Rules in so far as they are applicable. In particular, Rule 3.2 of the Licensed Conveyancers' Conduct Rules 2009 provides:-

“A Licensed Conveyancer must:

- 3.2.1 comply with the Guidance Notes unless he has good reason for not doing so in the particular circumstances;**
- 3.2.2 ensure that the Recognised Body of which he is a Manager complies with the Guidance Notes unless it has good reason for not doing so in the particular circumstances.”**

Rule 3.5 of the Licensed Conveyancers' Conduct Rules 2009 states:-

“Control of a Recognised Body must be from a permanent fixed address in England or Wales.”

Rule 3.6 of the Licensed Conveyancers' Conduct Rules 2009 states:-

“All Communications must include:-

- 3.6.1 the principal address of the Recognised Body;***
- 3.6.2 the names of the Managers of a Recognised Body (identifying each Manager who is a Licensed Conveyancer); and***

3.6.3 the words “Regulated by the Council for Licensed Conveyancers”.

This Guidance Note adopts the definitions set out in the Licensed Conveyancers’ Conduct Rules 2009.

1. If it can be demonstrated that Control is maintained from a permanent fixed address in England or Wales, the Operations of the Recognised Body may be carried out elsewhere, provided the Council has been given prior written notification of the Recognised Body’s intention to do so.
 2. For these purposes

“Operations” includes administrative functions (such as data inputting) and work undertaken on specific client matters (such as generation of searches and response to telephone enquiries).
 3. In whatever manner a Recognised Body is controlled the Council must at all times be satisfied that:
 - there is compliance with all the Council’s Rules;
 - it is able to undertake effective monitoring. The Council must have immediate and unrestricted access within England and/or Wales to all information held on a Durable Medium relating to the Recognised Body whether originating within England and/or Wales or elsewhere (to include its records, papers, files and financial accounts). The Council may make it a condition of the grant of the licence to Licensed Conveyancers who wish to carry out some aspect of their business outside England and Wales that they undertake to pay the Council’s costs of carrying out monitoring inspections so as to offset any increased costs to the Council of those inspections;
 - on an intervention the Council must have immediate and unrestricted access within England and/or Wales to all information held on a Durable Medium relating to a Recognised Body whether originating within England and/or Wales or elsewhere (to include its records, papers, files and financial accounts).
 4. In addition to the provisions of Rule 3.6 all Communications must:-
 - include the full address of the branch office if Communications are issued from a branch office;
 - distinguish between Managers who are and who are not Licensed Conveyancers.
-

