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# UNIVERSAL GUIDANCE FOR APPLICATIONS INDIVIDUAL LICENCES AND OTHER AUTHORISATIONS 2022/23

## INTRODUCTION

Applicants should always refer to the published [CLC Exemptions Policy](#), the [CLC handbook](#), [HoLP and HoFA occupational experience](#); and then read this guidance BEFORE [requesting an individual application form](#).

You will be charged the application and suitability screening fees on submission of your application so please read this document in full before submission to ensure that you have met all eligibility criteria and have all the relevant verified documentation.

Application and suitability screening fees are non-refundable. Your application will be rejected if it is incomplete or the evidence provided does not demonstrate you have met the eligibility criteria.

This universal guidance is for individuals intending to submit an application for one of the following:

1. CLC Conveyancing Licence;
2. CLC Probate Licence;
3. CLC Conveyancing and Probate Licence;
4. Change the scope of a current CLC Licence (add Conveyancing or Probate to an existing licence)
5. Reinstating a [expired](#) or [suspended](#) licence;
6. Head of Legal Practice (HoLP); and
7. Head of Finance and Administration (HoFA)
8. CLC Registered Manager



The  
Specialist  
Property  
Law  
Regulator

## UNIVERSAL GUIDANCE FOR APPLICATIONS INDIVIDUAL LICENCES AND OTHER AUTHORISATIONS 2022/23

Applicants seeking to apply:

1. for a CLC licence, that are currently licensed by CILEX or the SRA, should complete and submit the entire application form.
2. to change the scope of a current CLC Licence, for example individuals seeking to add conveyancing or probate practising rights onto an existing valid and current licence, should complete and submit the entire application form.

**Individuals that are subject to an ongoing criminal investigation/action, regulatory disciplinary investigations, action or appeal processes with any enforcement or regulatory body** are not able to pursue a licensing application until the outcome of the adverse event is known. This extends to:

1. Solicitors, FCILEx lawyers, Legal Professionals or FCA regulated Financial Controllers:
  - a. with unspent suspensions/disqualifications; or
  - b. that have been removed from the Solicitors roll/CILEx or FCA register as a result of disciplinary findings and who have not yet had their licence reinstated.
2. Owners, Directors, Members, Partners, HoLP and HoFA of CLC regulated practices that have been formally notified that the practice is in continued non-compliance and or subject to disciplinary allegations, investigations or proceedings.



The  
Specialist  
Property  
Law  
Regulator

# UNIVERSAL GUIDANCE FOR APPLICATIONS INDIVIDUAL LICENCES AND OTHER AUTHORISATIONS 2022/23

## SECTION 1: Making the right application

### 1. CLC LICENCE

The CLC issues three types of licence, (i) Conveyancing, (ii) Probate and (iii) Conveyancing and Probate Licence. Applicants are required to satisfy the Council that they are a fit and proper person to be granted a licence in accordance with section 15(1) of the Administration of Justice Act 1985.

### 2. CLC LAWYERS SEEKING TO REINSTATE A SUSPENDED LICENCE AFTER A PERIOD OF DISQUALIFICATION:

The CLC's overriding principle when approving applications to reinstate a licence is that the applicant must intend to work in a supervised and not supervisory capacity for the licence duration. When you have been subject to regulatory action and/or a disciplinary sanction you may be asked to provide details of what action you have taken to improve your knowledge and de-risk your practise.

[FAQs reinstating a expired Licence](#)

[FAQs reinstating a suspended licence](#)

### 3. DUAL AND CROSS QUALIFYING PROFESSIONALS

The CLC encourages qualified lawyers with relevant specialist experience to consider converting to CLC regulation. You will enjoy the benefits of being Authorised Person in terms of the Legal Services Act 2007 and will be regulated by a specialist regulator with rule book tailored to conveyancing and probate practice. A full year individual CLC licence is £400 and your first individual licence fee will be calculated on a pro rata basis.

The following qualified lawyers can apply to transfer to CLC regulation with no further training or occupational requirement:



The  
Specialist  
Property  
Law  
Regulator

## UNIVERSAL GUIDANCE FOR APPLICATIONS INDIVIDUAL LICENCES AND OTHER AUTHORISATIONS 2022/23

1. **FCILEx lawyers including those with CILEx practitioner rights in Conveyancing and or Probate and/or approved as COLP or HoLP, (with valid practising certificates free from conditions); that have completed appropriate conveyancing and probate electives.**
  
2. **Solicitors:** (with valid practising certificates free from conditions); **that have completed appropriate conveyancing and probate electives, and/or approved as COLP or HoLP.** Solicitors are required to provide an employer declaration of 1,200 hours of relevant practical experience completed within the last two years

### **All lawyers will need to provide information about their most recent year's CPD**

All qualified lawyers seeking to submit an application for a CLC licence must evidence (at the point of submitting an application) that they have met the [CLC's standard annual CPD requirements](#). This enables cross qualifying professionals and lawyers to:

- a. demonstrate their legal knowledge is up to date and comparable to CLC lawyers by providing evidence that they have maintained their technical legal knowledge as well as occupational experience relevant to the licence they intend to apply for; and
  
- b. provide a copy of their most recent training record detailing the types of activities that they have completed in order to keep their legal, occupational and professional skills up to date, such as, commercial CPD activities, employer led in-house training sessions and CLC webinars.

If you are unable to fulfil either the educational, work experience or CPD requirements please contact the CLC Licensing team by email at [licensing@clc-uk.org](mailto:licensing@clc-uk.org) and include in the subject heading: 'Dual/Cross qualifying applicant: CLC licence enquiry'.



**Important information.**

Individuals that are subject to ongoing criminal investigation/action, regulatory disciplinary investigations, action or appeal processes with any enforcement or regulatory body are not able to pursue a licensing application until the outcome of the adverse event is known. This extends to:

- a. Solicitors, FCILEx lawyers and/or FCA regulated Financial Controllers:
  - i. with unspent suspensions/disqualifications;
  - ii. that have been removed from the Solicitors roll/CILEx or FCA register as a result of disciplinary findings and who have not yet had their licence reinstated
- b. Owners, Directors, Members, Partners, HoLP and HoFA of CLC regulated practices that has been formally notified that the practice is in continued non-compliance and or subject to disciplinary allegations, investigations or proceedings and are unable to pursue any licensing applications.

**4. RECOGNITION OF REGISTERED MANAGERS APPOINTED AT CLC REGULATED PRACTICES**

A 'Registered Manager' is defined as an individual who has been appointed at a **CLC regulated practice** when the body is a:

- a. limited company, a director (shareholding and no-shareholding) registered at Companies House; or
- b. Limited Liability Partnership, an LLP member registered at Companies House; or
- c. a partnership, a person held out as a partner who may be an equity or salaried partner e.g. listed as a partner on the Practice's headed paper or website; or
- d. Sole Proprietor, who is by default a Sole Practitioner under CLC rules; or



The  
Specialist  
Property  
Law  
Regulator

## UNIVERSAL GUIDANCE FOR APPLICATIONS INDIVIDUAL LICENCES AND OTHER AUTHORISATIONS 2022/23

- e. Private or Corporate Investor (Beneficial Owners and their registered officers)

It is the responsibility of the CLC regulated practice to notify the CLC licensing team when it appoints individuals in any of the above positions of care and control. The practice should email [licensing@clc-uk.org](mailto:licensing@clc-uk.org) to make notification. The email should also contain the individuals contact details so that the appropriate be issued to them from the DocuSign platform.

In order for the CLC to recognise appointees as a Registered Manager, individuals are required to pay for and complete the CLC's suitability screening, including financial, sanctions, disciplinary and criminality checks necessary for the CLC to list their Registered Manager status on its CLC Public Register.

With the exception of 'e', the above appointees must, as a result of their care and control accountabilities in the business, be listed on the CLC Public Register as a Registered Manager. Applicants in category 'e' will be authorised as a Registered Manager but will not be listed on the CLC Public Register. The details will be held on the CLC's internal system.

### **5. LICENCE APPLICANTS SEEKING TO QUALIFY AS A CLC LAWYER WHILST LIVING OUTSIDE OF ENGLAND AND WALES.**

With agreement from an SQA/CLC approved training centre prospective CLC trainees can study and complete their Diplomas and assessments (assignments and examinations) whilst living outside of England and Wales. CLC trainees can also complete the 1200 hours Practical Training requirement whilst living outside of England and Wales when employed by business that is a body.



- a. licenced by a Regulator in England and Wales to provide conveyancing and or probate legal services in England and Wales; and
- b. registered with a primary trading address in England or Wales; and
- c. indemnified under a regulatory Professional Indemnity Insurance scheme approved by a regulator of legal services in England and Wales.

**Important notes.**

- d. Licence applicants will be asked to provide a letter (on headed paper or from an organisational email address) from their employer to verify the supervision arrangements.
- e. licence applicants living outside England and Wales will be required to complete criminality checks based in the jurisdiction of their residing country. These checks will incur additional fees charged by the screening agency, Giant Group, and are payable by the applicant and may take longer than UK based checks to complete.
- f. The validity of a CLC licence held whilst living outside of England and Wales is dependent on verified current employment by a body that meets points 1, 2 and 3 above.
- g. CLC lawyers are required under the Notifications Code to ensure the CLC has up to date employment contact details at all times

**6. CLC LICENCE HOLDERS SEEKING TO PROVIDE LEGAL SERVICES WHILST LIVING OUTSIDE OF ENGLAND AND WALES.**

CLC licence holders are permitted to provide legal services whilst living outside of England and Wales whilst they hold a current and valid licence when they are employed by a business that is a body.



The  
Specialist  
Property  
Law  
Regulator

# UNIVERSAL GUIDANCE FOR APPLICATIONS INDIVIDUAL LICENCES AND OTHER AUTHORISATIONS 2022/23

- a. licensed by a Legal Regulator in England and Wales to provide conveyancing and or probate legal services in England and Wales;
- b. registered with a primary trading address in England or Wales; and
- c. indemnified under a Professional Indemnity Insurance scheme approved by a regulator of legal services in England and Wales, such as the CLC, SRA, CILEx.

## **Important note:**

- a. The validity of a CLC licence held whilst living outside of England and Wales is dependent on verified current employment by a body that meets points 1, 2 and 3 above.
- b. CLC lawyers are required under the Notifications Code to ensure the CLC has up to date employment contact details at all times.
- c. Licences will be issued specifying 'under the supervision and employment of [employer name] regulatory ID:1234 ]

## SECTION 2. [Making sure you have the correct supporting documents](#)

### **BEFORE SUBMITTING AN APPLICATION**

**Proof of Identity:** All applicants must **provide one** copy proof of your personal identity **to the screening agency which** must be a copy of your current and valid Passport **(mandatory requirement) (\*Please note if you are applying for a CLC licence the licence will be issued in your legal name as it appears in your Passport)**

1. **Copy proofs of identity AND Educational certificates at Level 4 and Level 6** MUST each be certified by an independent regulated professional, such as a Licensed Conveyancer, Licensed Probate Practitioner, FCILEx, Chartered Accountant, Barrister, Notary or Solicitor. The correct way to certify each page of a document is demonstrated below.





Take the photocopied document and the original and ask the person to certify the copy by:

- writing '**Certified to be a true copy of the original seen by me**' on the document OR (where documents contain photographs) '**Certified to be a true copy and a good likeness of the original seen by me**'
- signing and dating it
- **printing their name** under the signature
- adding their occupation, licence number, address and telephone number

**Important Covid-19 update due to restrictions for personal contact the CLC documents can be Digital certified. For guidance on how to digitally certify a document is published [HERE](#).**

**2. Education and Qualifications for Licence Applications:** Applicants professional qualifications must meet the CLC threshold education and training requirements at Level 4 and Level 6. Please refer to the CLC website [CLC Trainee Lawyer](#) and ensure copies of certificates are certified. CLC educational exemptions are listed [HERE](#).

**3. Important Covid-19 update.** SQA candidates that have not been able to obtain their Diploma Certificates from SQA, or from their chosen Training Provider, will be asked to provide their consent for the CLC to verify remotely with SQA their Unique SQA Candidate Reference number to confirm their educational attainment. No certification is necessary. **Published guidance [HERE](#).**

**4. Statement of Practical Experience:** Those applicants to provide a certified Statement of Practical Experience relevant to the licence they are applying should familiarise themselves with the documents. [conveyancing](#) or [probate](#). FAQs [HERE](#)



The statement which confirms you have been in full or part-time, paid or voluntary employment in a regulated law firm assisting in the provision of conveyancing/probate services for at least 1200 chargeable hours; based on 25 supervised hours a week for 48 weeks, certified by an "Authorised Person" i.e. a licensed conveyancer, a solicitor or a FCILEx licensed (with the appropriate practising rights) to offer conveyancing and/or probate services directly to the public.

**Statements must be certified within the two-year period prior to the date of submission of your application.** \*please note the SoPE criteria or occupational experience may vary if you are seeking to reinstate a [lapsed, suspended or disqualified](#) or are a FCILEx lawyer or Solicitor applying for a CLC licence.

5. Where appropriate conveyancing or probate supervision **cannot** be provided by a direct employer, other appropriate supervision arrangements must be secured from another appropriately regulated business; and be agreed with the CLC **BEFORE** the period of practical experience begins and any conveyancing/probate services are provided to the public. Email [traineelawyer@clc-uk.org](mailto:traineelawyer@clc-uk.org)

### SECTION 3: Submitting an application

1. **Documentation check list:** Ensure all mandatory documentation is numbered, listed and submitted along with the main application form.
  - a. See here for [table of documents](#) required to upload with your application.
  - b. The CLC uses the online platform DocuSign to send and process individual applications. Individuals should request a digital application form through the CLC website. Once application requests have been processed by the CLC Licensing Team, DocuSign will email applicants from [dse@eumail.docusign.net](mailto:dse@eumail.docusign.net) with a unique link to access the digital application form and helpful instructions about how to complete it.



The  
Specialist  
Property  
Law  
Regulator

## UNIVERSAL GUIDANCE FOR APPLICATIONS INDIVIDUAL LICENCES AND OTHER AUTHORISATIONS 2022/23

- 2. Applicants will have 28 days** to complete and submit the digital application on either a smartphone, tablet or computer. Applicants should contact [licensing@clc-uk.org](mailto:licensing@clc-uk.org) if any assistance is required when completing the digital form. **After 28 days the link to the digital application will expire and the application will be closed.**
- 3.** The CLC will invoice for any associated application fees and suitability screening fees at this point, which must be paid before in order for your application to be reviewed.
- 4.** The CLC uses [Giant Group](#) to carry out suitability screening. Giant Group will contact you separately to ask you to upload ONE **certified** proof of photo ID and TWO proofs of residency. Giant Group will also ask you to complete an application form and consent form to activate the DBS checks, not completing this process will delay your application.
- 5.** If the application has been completed incorrectly or important information is missing, applicants will receive an email from DocuSign with instructions on what to do next.
- 6.** Individual applications associated to a practice application (ABS or Recognised Body) **MUST** be submitted at the same time as the practice application.

### SECTION 4: Standard checks

- 1. Criminal Records Checks and Disclosure and Barring Service Checks:** The CLC will carry out a Disclosure and Barring Service **(DBS) Standard Check** against:



- a. First qualifying licence, dual qualifying licences (adding probate or conveyancing to an existing licence), licence changes, reinstating an expired licence (when expired more than 2 years); or applying after a period of disqualification or suspension.

[FAQs reinstating a expired Licence](#)

[FAQs reinstating after a period of disqualification or suspended licence](#)

- b. Head of Legal Practice (HoLP) and Head of Finance and Administration (HoFA)

- c. Registered Managers of the CLC Practice or Beneficial Owners, Officers of a corporate investor (BOOMs) of a CLC Practice.

**2. Regulatory checks**, allegations, investigating and disciplinary action (pending through to findings).

**3. Employment references.** The CLC may seek to obtain references from past or most recent employers.

**4. Adverse disclosure and findings:** Please note all licence and authorisation application must disclose past adverse information as requested in the application form. When adverse events have been disclosed the standard application timescale does not apply. **Applicants that fail on more than three attempts to provide consent to the DBS to carry out their checks will have their application rejected.**

**5. Standard DBS check.** The CLC will carry out the below checks, including a Standard DBS check with the screening company, Giant Group. The CLC will invoice applicants for the screening checks which must be paid before applicants will be contacted by Giant Group to start their screening checks.



The  
Specialist  
Property  
Law  
Regulator

# UNIVERSAL GUIDANCE FOR APPLICATIONS INDIVIDUAL LICENCES AND OTHER AUTHORISATIONS 2022/23

DBS certificates are issued directly to the applicant by the authorising service and **the CLC will request a copy of the DBS Certificate when an adverse information has been resulted.** *Applicants should endeavour not to delay their applicant by providing this documents as quickly as possible.* The below checks are carried out as part of the CLC DBS checks:

- Spent and unspent convictions
- Cautions, reprimands and warnings received in England and Wales that are held on the Police National Computer
- Identity
- Adverse Financial
- Sanctions
- Directors
- FCA
- Standard DBS

## 6. Your responsibility to respond to Giant Group

Applicants will be required to provide a number of documents to enable the screening agency to carry out their investigation and to provide the report to the CLC.

You must provide copies of your certified ID and residency documents. If you are applying to become a CLC Lawyer, one of your ID documents must be a current and valid certified copy of a Passport (this is a mandatory requirement because CLC only issues licences in an individual's legal name as stated on their Passport). If you are not on the electoral roll Giant Group may request further documentation as proof of residency. Queries relating to the documents needed to complete the standard screening checks should be made directly to Giant Group.

**Important Note:** Applicants will receive requests for information directly from Giant Group. Applicants must respond to these requests otherwise the screening checks will timeout and the application will not progress. **Following three failed attempts you will then be required to submit and pay for an entirely new application.**



The  
Specialist  
Property  
Law  
Regulator

# UNIVERSAL GUIDANCE FOR APPLICATIONS INDIVIDUAL LICENCES AND OTHER AUTHORISATIONS 2022/23

Applicants will be reminded in an email from the CLC at the beginning of the application process that Giant Group may make these types of important requests and the importance of responding in a timely manner. The CLC does not provide any prompts or follow ups to Giant Groups requests. **Applicants that do not complete the Giant Group suitability screening checks will have their application closed.**

## SECTION 5. Processing applications

1. The time needed to process an application depends on the level of information submitted and whether any further investigation, or verification of that information is required beyond the CLC's standard checks. The CLC endeavours to process non-complex applications within 42 days.

**The 42 days starts when the Fit and Proper checks have been met. This can only be established AFTER all screening results have been received. This means that: -**

- The application has been checked as complete;
- The CLC Finance Team has confirmed receipt of the application fee and suitability screening fee payment; and
- The Giant Group application and consent form has been completed to carry out the suitability screening.

Applicants will receive an email from the Licensing Team to say they have filtered in to the standard review process. [Applying for a Licence CLC Code](#)



2. Applicants will only be contacted by the CLC during this time (42 days) if the CLC believes that further investigation is needed to verify any supporting documentation or information provided by the applicant.
  
3. If we haven't received a response for information, or payments that should have been provided to the CLC in the timeline that we would expect, you should expect to receive one helpful email reminder. **Applicants not contacted during this time should presume their application is progressing satisfactorily.**
  
4. Applications subject to adverse findings (section 3.1 to 3.4), will receive a 42-day extension to the original 42 days required to process a standard application (total 84 days). Applicants will be emailed to notify them whether the 42 day adverse findings extension applies to them.
  
5. When applicants are refused based on adverse information known to the applicant (including external sources of information), the CLC reserve the right to refuse the application without providing grounds.

**Please note:** the CLC reserves the right in complex applications to further extend the 42 day adverse findings extension to complete all necessary investigations and may charge a fee of £80.00 per hour for this work. Applicants will be notified by email if this applies to them before the extension period expires and an indication of the timeline for the completion of additional activities.

6. All individual applications submitted as part of a practice application (to be licensed as a CLC Recognised Body or as an ABS) will be considered and processed with the practice application and may take longer.
  
7. Key personnel applications relating to existing CLC Practices. Individual Applications (HoLP/HoFA/Owner/Manager) related to an existing CLC regulated business as part of a pending ABS or Recognised Body conversion or change of



ownership. Should contact the licensing team to verify the specific requirements.

**Note. These application MUST be accompanied by a Change of Ownership Form submitted by the Practice.**

#### SECTION 6. Licensing decisions (Licences and Authorisations)

1. The CLC must be satisfied that licensed individuals are able and willing to act in a principled manner and deliver the CLC Code of Conduct's Outcomes by complying with its Overriding Principles: -

- Act with independence and integrity;
- Maintain high standards of work;
- Act in the best interests of Clients;
- Comply with your duty to the court;
- Deal with regulators and ombudsmen in an open and co-operative way; and
- Promote equality of access and service.

2. Applicants must satisfy the CLC they are a fit and proper person to practise as a CLC lawyer (see item 8.22 of the Licensed Body (ABS) Licensing Framework for an overview of the type of factors taken into account when applying the fit and proper test)

Our licensing judgements include (i) **minded to refuse**, (ii) **refusing to grant** and (iii) **approved**, i.e. granted.

3. The CLC may tell an applicant (licence and authorisation) that it is **minded to refuse** or is **refusing to grant** an individual licence where it is not satisfied that the individual

<https://www.clc-uk.org/wp-content/uploads/2019/09/180626-CLC-Lawyer-framework.pdf>





- a. When minded to refuse granting a licence, the CLC will notify the applicant of the grounds of its concerns and invite the applicant to make representations to address the concerns or to resubmit improved documentation within one month of the date of the notification.
- b. When refusing to grant a licence, the CLC will notify the applicant of the grounds on which the rejection was made and the applicants right for the determination to be reviewed.
- c. Entitlement to appeal, <https://www.clc-uk.org/wp-content/uploads/2019/09/180626-CLC-Lawyer-framework.pdf>

In any case where the decision has been made to issue a Licence subject to conditions, to refuse an application for a Licence or to refuse an application for the removal or amendment of a condition on a Licence, the CLC will notify the individual of the refusal of the application and of the grounds on which it has been refused. Under requirement 2, 4, 5 or 19, the applicant may within one month of publication of the CLC's determination appeal to the Adjudication Panel under section 29 of the 1985 Act. AND 22. If an application is deemed to have been refused as provided under requirement 17, the individual may within one month of the deemed refusal, appeal to the Adjudication Panel under section 29 of the 1985 Act.

- 7. When a CLC licence is approved**, i.e. granted, it will not be issued to the licensee until the Finance Team confirm to the Licensing Team receipt of payment for the appropriate licence fees.

**Important information:**

If you are applying to become a CLC Lawyer (Licensed Conveyancer, Licensed Probate Practitioner) or making any changes to an existing CLC licence the



new licence will be issued in your legal name as it appears in your Passport.  
This applies to any newly issued licences.

**8. Updating you on the progress of your application.** The CLC does not provide interim updates on the progression of applications. You will only be contacted during the review process if we require further information. You should expect to hear from the Licensing Team as soon as a licensing decision has been made. If your CLC licence application is approved, we will email you with details of the total licensing fee and instructions how it should be paid.

**9. Deferring the issue of an approved (new and reinstatements) licence.** You must notify us at the point of submitting your licence application if you intend to defer the issue of your licence, as this will change the way we calculate the cost of your annual licence fee.

**10.** In the absence of a deferral notification the CLC calculates the annual licence fee from the 1st day of the calendar month in which your application is approved. This fee will be the pro-rata annual licence fee payment that we will automatically invoice to you. Once invoiced, this fee is not changeable and is non-refundable.

**11. The CLC does not refund any value of the pro-rata licence fee once invoiced as a result of late payment.** The CLC operates a no refund policy and will decline any request to have the original pro-rata fee re-calculated due to late or deferred payment.

**12. Your licence (new or reinstated) will not be backdated to the 1st day of the calendar month.** It will incept from the date that the licence is generated and issued to you.



**13.** When making a licence application (new and reinstated) it **MUST** be completed, i.e. you have paid the annual licence fee and have your licence issued to you, by 31 October in the current licensing year. *You may be required to pay for and complete fresh suitability screening checks.*

**14.** Applicants that have been approved and who experience payment difficulties or a change in their work circumstances, such as unemployment/maternity leave/unplanned leave (for example health related), seeking to delay the issue of their first qualifying licence should contact the licensing team as soon as possible so that they can advise them of the timescales that apply to them.

#### SECTION 7. Changes to your personal information

**1.** The CLC will always verify any requests it receives to amend the information it holds about licence applicants and licensees. This information might include change of name, address or employment. If you need to make any changes to the information we hold about you, please call the licensing team on 020 3859 0904 - who will then email you to verify and record any changes to your account details.

**2.** You must notify the CLC immediately of any changes to the information provided the Licensing Application. **Failure to do so will result in delaying the processing of your application, the rejection of your application, or result in a review of any decision already made by the CLC.**

#### SECTION 8. Application and annual fees

**1.** All licence applications are subject to a **non-refundable** administration and screening fee, and is payable after the application has been submitted. Payment must



The  
Specialist  
Property  
Law  
Regulator

# UNIVERSAL GUIDANCE FOR APPLICATIONS INDIVIDUAL LICENCES AND OTHER AUTHORISATIONS 2022/23

be made by debit or credit card. **Note: A credit or debit card held in ANY name can be used to make payment.** Published annual [FEES Table](#)

2. Adverse Findings Extensions. The CLC reserves the right to charge additional fees, up to 4 days (14 hours' charges at £80.00 ph.).
3. CLC Annual Licence fees are as follows: Individual licensing fees can only be paid by credit or debit card.

<b>CLC licence for</b> 1. conveyancing; OR probate;	<b>£400.00</b>
2. conveyancing and probate services	<b>£475.00</b>

## SECTION 9. Using your personal data

Your details will be held by the CLC in accordance with the General Data Protection Regulations (GDPR). For the purposes of GDPR, if you provide any information to us, we will be the data controller. For further information about how your information is used, how we maintain the security of your information, and your rights to access information we hold about you, please see our privacy policy which is kept under regular review. You can contact our Data Protection Officer via email at [privacy@clc-uk.org](mailto:privacy@clc-uk.org) or in writing to: **Council for Licensed Conveyancers, We Work, 131 Finsbury Pavement, London EC2A 1NT Main Line: 020 3859 0904**