



## Disclosure of Profits & Advantages Code

This Code must be read with the Code of Conduct. The Code of Conduct is the parent document of the CLC Handbook and Frameworks; it sits above all other Codes in our regulatory arrangements. The Code of Conduct prescribes six Ethical Principles of behaviour which are essential to delivering the specific Outcomes which sit beneath each of the Ethical Principles. All CLC regulated individuals and bodies are expected to comply with the Code of Conduct in the delivery of authorised reserved legal activities and permitted non-reserved legal activities.

The CLC also publishes several other topic specific Codes addressing important areas of practice, including this Disclosure of Profits and Advantages Code. Topic specific Codes underpin the Code of Conduct and support regulated individuals and bodies in delivering the Ethical Principles and Outcomes of behaviour defined in the Code of Conduct. Topic specific Codes apply to all regulated activities carried out by the individuals or bodies specified in that Code.

In this Code 'you' refers to individuals and bodies regulated by the **CLC**; You must ensure that you always comply with the Code of Conduct and topic specific Codes and must not permit anyone else to act or fail to act in such a way as to amount to a breach of this Code, the Code of Conduct, or the Ethical Principles.

Should circumstances arise in which there is an apparent conflict between a topic specific Code, the Code of Conduct, or any other regulatory requirement, you must ensure that you comply with the Code of Conduct. If in doubt, contact the CLC for advice.

~~all individuals and bodies regulated by the **CLC** must comply with this Code. You must not permit anyone else to act or fail to act in such a way as to amount to a breach of this Code.~~

### Outcomes Focused

The **Code of Conduct** requires you to deliver the following **Outcomes**:

- ~~Clients receive good quality independent information, representation and advice; (Outcome 1.1)~~
- ~~Clients receive an honest and lawful service; (Outcome 1.2)~~
- ~~Clients have the information they need to make informed decisions; (Outcome 3.3)~~
- ~~Clients are aware of any referral arrangements and that they are consistent with your responsibilities both to them and to the CLC. (Outcome 3.4)~~

You must ensure that transparent referral arrangements help you deliver these **Outcomes** and act in a principled way:

1. ~~Act with independence and integrity. (Overriding Principle 1)~~
2. ~~Maintain high standards of work. (Overriding Principle 2)~~
3. ~~Act in the best interests of Clients. (Overriding Principle 3)~~

1. Your clients are aware of any referral arrangements, and they are consistent with your responsibilities both to your clients and to the CLC.

4.2. You do not allow your independence or professional judgement to be compromised in any way, including by ensuring that you are transparent with your clients about any fee arrangements and that they do not compromise your independence, or call into question

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your professional judgement. ~~(CoC P1a)~~

~~5. You act honestly, professionally and decently. (CoC P1b)~~

~~6. You do not conduct yourself in a manner which may result in a breach of the law nor in any other manner which may bring the legal profession into disrepute. (CoC P1c)~~

~~7. You promote ethical practice and compliance with regulatory requirements. (CoC P2g)~~

~~8. You keep the interests of the Client paramount (except as required by the law or the CLC's regulatory arrangements). (CoC P3b)~~

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- ~~9.3. You only recommend a particular person, business or product when it is in the best interests of the **Client**. (CoC P3f)~~
- ~~10.4. You provide the **Client** with all relevant information relating to any fee arrangements or fee changes. (CoC P3j)~~
- ~~11.5. Where the entity represents parties with different interests in any transaction each party is at all times represented by different **Authorised Persons** conducting themselves in the matter as though they were members of different entities. (CoC P3n)~~
- 12.6. Where you enter into an arrangement, including any fee sharing agreement, with an introducer, the agreement is in writing.
- 13.7. You periodically review referral arrangements/fees to deliver the **Outcomes** ~~identified at~~ in the outset of this Code of Conduct.
- 14.8. You inform the **Client** in writing of the existence of the referral arrangement no later than when accepting instructions, or when introducing a **Client** to another person.
- 15.9. You advise the **Client** that they have a choice of provider.
- 16.10. You inform the **Client** of the nature of the arrangement (including any payment made), with whom it is made, and any impact (including any legal costs they are charged).