



Undertakings 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 Undertakings 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.

You must ensure that:

- 1.** You comply fully with any ***undertaking*** given by you.
- 2.** All ***Managers*** are equally responsible for the performance of ***undertakings*** given in a body’s name and remain responsible for their performance even after they have left the body or it has been dissolved.
- 3.** You do not breach an ***undertaking***. Only the person entitled to the benefit of the ***undertaking*** or the Court may release you/the body from an ***undertaking***.

4. You do not avoid liability on an **undertaking** by asserting that to comply with it would be a breach of duty owed to the **Client**.
5. Where you have given an **undertaking** to redeem a mortgage or charge you redeem it immediately following completion of the transaction occasioning the redemption.
6. In an **undertaking** to pay money out of the proceeds of sale of a property it is not implied that the **undertaking** is intended to take effect only if you receive the proceeds of sale.

Should you require guidance on how to meet your responsibilities under this Code, please see the **CLC's [Undertakings Guidance](#)**.