

## Part 9 - Amendments and definitions

### 9A: Definitions

The following words and phrases have the meaning set out below:

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| 1  | academic component                                    | <p>means:</p> <p>(a) a UK degree, awarded at level 6 (or above) of the Framework for Higher Education Qualifications, by a recognised degree-awarding body and which contains the following subject content: Contract Law, Property Law, Tort, Criminal Law, Constitutional and Administrative Law, Equity and Trusts and the Law of the European Union; or</p> <p>(b) a UK degree, awarded at level 6 (or above) of the Framework for Higher Education Qualifications, by a recognised degree-awarding body together with a degree programme or degree conversion programme (i.e. Graduate Diploma in Law or equivalent) which includes the following subject content: Contract Law, Property Law, Tort, Criminal Law, Constitutional and Administrative Law, Equity and Trusts and the Law of the European Union.</p> |
| 2  | approved regulator                                    | means any body specified as an approved regulator in paragraph 1 of Schedule 4 of the LSA or designated as an approved regulator by an order under paragraph 17 of that Schedule.   |
| 3  | authorised education and training organisation (AETO) | an organisation which is authorised by us to provide a vocational training course and/or pupillage in accordance with the Authorisation Framework.  |
| 4  | Authorisation Framework                               | means the framework published by us setting permitted pathways and their mandatory training components for the qualification of barristers in order to meet the Professional Statement and the criteria for authorisation of AETOs. It also includes the prescribed Curriculum and Assessment Strategy and additional publications as detailed in the framework.  |
| 5  | authorised person                                     | has the meaning set out in section 18(1) of the LSA.  |
| 6  | Bar   | means the Bar of England and Wales.   |
| 7  | Bar Council   | means the General Council of the Bar as constituted from time to time or a committee thereof.   |
| 8  | Bar Course Aptitude Test (BCAT)                       | means the test of aptitude for critical thinking and reasoning required for admission to a vocational training course.  |
| 9  | Bar Professional Training Course (BPTC)               | <p>means a course which has been approved by us as providing vocational training of appropriate content and quality.</p> <p>From 1 September 2020, the BPTC will be replaced by new Bar Training Courses with no one fixed title across all providers.</p>  |
| 10 | Bar Qualification Rules                               | <p>means the Part 4 Regulations of the Bar Standards Board Handbook (rQ1 – rQ40).</p> <p>“Qualification Rules” should be construed accordingly.</p>   |
| 11 | Bar Standards Board (BSB)                             | means the board established to exercise and oversee the regulatory functions of the Bar Council.  |

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| 12 | Bar Standards Board Handbook / BSB Handbook | means the Handbook which sets out the standards that we require the persons we regulate to comply with in order for us to be able to meet our regulatory objectives.   |
| 13 | Bar Transfer Test (BTT)                     | <p>means an examination administered by us which:</p> <p>(a) is designed to assess whether a person has the professional knowledge (including knowledge of the rules of professional conduct) required in order to practise as a barrister in England and Wales; and</p> <p>(b) covers subjects not already covered by the education and training of the person concerned, the knowledge of which is essential for such practice.</p>              |
| 14 | barrister                                   | <p>has the meaning given in s. 207 of the LSA and includes</p> <p>(a) practising barristers;</p> <p>(b) pupils; and</p> <p>(c) unregistered barristers.</p>  |
| 15 | call  | means call to the Bar in accordance with the BSB Handbook.   |
| 16 | chambers                                    | means a place at or from which one or more self-employed barristers or BSB authorised bodies carry on their practices and also refers where the context so requires to all the barristers (excluding pupils) and BSB authorised bodies who for the time being carry on their practices at or from that place.  |
| 17 | Common Protocol                             | Means the Common Protocol on the Academic Component of training between the Bar Standards Board and the Solicitors Regulation Authority.   |
| 18 | Council of the Inns of Court (COIC)         | means the Council of the Inns of Court and its successors including any entity or part through which it exercises its functions.   |
| 19 | Curriculum and Assessment Strategy          | Means the strategy to ensure that prospective barristers meet the competences of the Professional Statement and that they are assessed in the most appropriate way during each training component.   |
| 20 | European lawyer                             | <p>means a person who is a national of a Member State and who is authorised in any Member State to pursue professional activities under any of the professional titles appearing in article 2(2) of the European Communities (Lawyer's Practice) Order 1999, but who is not any of the following:</p> <p>a) a solicitor or barrister of England and Wales or Northern Ireland; or</p> <p>b) a solicitor or advocate under the law of Scotland.</p> |
| 21 | foreign lawyer                              | is a person who is a member, and entitled to practice as such, of a legal profession regulated within a jurisdiction outside England and Wales and who is not an authorised person for the purposes of the LSA.  |
| 22 | foundations of legal knowledge              | Means the core legal subjects required for completion of the academic component: Contract Law, Property Law, Tort, Criminal Law, Constitutional and Administrative Law, Equity and Trusts and the Law of the European Union.   |
| 23 | full practising certificate                 | means, in accordance with Rule S63, a practising certificate which entitles a barrister to exercise a right of audience before every court in relation to all proceedings.   |
| 24 | Independent Decision-Making Body (IDB)      | means the body established by us to take decisions independently of our executive as provided for in the BSB Handbook.   |

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| 25 | Independent Decision-Making Panel  | means a Panel consisting of members of the IDB established to take decisions as provided in the BSB Handbook.  |
| 26 | Inn                                | means one of the four Inns of Court, namely, the Honourable Societies of Lincoln's Inn, Inner Temple, Middle Temple and Gray's Inn.<br><br>"Inns" should be construed accordingly.   |
| 27 | Inns' MOU                          | means the Memorandum of Understanding between the Bar Standards Board, the Council of the Inns of Court (COIC), and each of the four Inns in relation to the education and training of barristers.   |
| 28 | Joint Statement                    | means the statement issued in 1999 by the Law Society and the General Council of the Bar on the completion of the initial or academic stage of training by obtaining an undergraduate degree.  |
| 29 | Legal Services Act (LSA)           | means the Legal Services Act 2007.   |
| 30 | Legal Services Board (LSB)         | means the independent body established under the LSA to be the overarching regulator for the legal profession as a whole.  |
| 31 | Member State                       | means a state which is a member of the European Union.   |
| 32 | practice                           | means the activities, including business related activities, in that capacity, of:<br><br>a) a practising barrister;<br><br>b) a barrister exercising a right of audience in a Member State other than the United Kingdom pursuant to the Establishment Directive, or the European Communities (Lawyer's Practice) Regulations 2000;<br><br>c) a BSB entity;<br><br>d) a manager of a BSB entity; or<br><br>e) an employee of a BSB entity<br><br>"practise", "practising" and "practised" should be construed accordingly |
| 33 | practising certificate             | means a full practising certificate, a provisional practising certificate, a limited practising certificate, or a European lawyer's practising certificate or a temporary practising certificate issued by the Bar Council.  |
| 34 | Professional Statement             | means the Professional Statement for Barristers incorporating the Threshold Standard and Competences. This describes the knowledge, skills and attributes that a newly qualified barrister should have when issued with a Full Practising Certificate.   |
| 35 | provisional practising certificate | in accordance with Rule S64 a provisional practising certificate authorises a pupil in their practising period of pupillage to exercise a right of audience before every court in relation to all proceedings.   |
| 36 | pupil                              | means an individual who is undertaking either the non-practising period of pupillage or the practising period of pupillage, or a part thereof and who is registered with us as a pupil.  |
| 37 | pupil supervisor                   | an individual (usually a qualified barrister) who has been approved as a pupil supervisor by the AETO in which they are based, and in accordance with the BSB Handbook.  |
| 38 | pupillage or work-based component  | means a period of recognised work-based learning provided by an AETO in accordance with its authorisation by us.<br><br>"work-based learning" should be construed accordingly.   |

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| 39 | qualified European lawyer             | means a person who is a national of a Relevant State and who either:<br><br>(a) holds a diploma required in a Relevant State for the practice of a legal profession regulated by that State which diploma satisfies the requirements of Regulation 29(1)(a) of the European Qualification Regulations; or<br><br>(b) satisfies the requirements of Regulation 29(1)(b) of the European Qualification Regulations |
| 40 | qualified foreign lawyer              | means a person who is a member of a legal profession regulated in a jurisdiction outside England and Wales and entitled to practise as such.   |
| 41 | qualifying sessions                   | means short professional development events of an educational or collegiate nature arranged by or on behalf of an Inn.   |
| 42 | Registered European Lawyer (REL)      | means a European lawyer registered as such by the Bar Council and by an Inn in accordance with Section 3.D.  |
| 43 | solicitor                             | means a solicitor of the Supreme Court of England and Wales.   |
| 44 | Solicitors Regulation Authority (SRA) | Means the regulatory body for solicitors established to exercise and oversee the regulatory functions of the Law Society of England and Wales.   |
| 45 | Temporary Qualification Certificate   | means a certificate issued by the Bar Standards Board under Rule Q100 authorising a qualified foreign lawyer to be admitted to temporary membership of an Inn and called to the Bar for the purpose of appearing as counsel in a particular case or cases before a court or courts of England and Wales.   |
| 46 | UK                                    | means the United Kingdom.  |
| 47 | UK NARIC                              | UK NARIC (National Recognition Information Centre) is the National Agency responsible for providing information, advice and opinion on academic, vocational and professional qualifications and skills from all over the world.  |
| 48 | university                            | means an institution which makes available educational services under a name which includes the word “university” and in the case of an institution to which section 39(1) of the Higher Education Act 1998 applies which is authorised or has approval to include that word in that name as mentioned in that subsection.   |
| 49 | vocational component                  | means a vocational component training course provided by an AETO in accordance with the Authorisation Framework.   |

## 9B: Amendments

The Bar Qualification Manual was first published on 1 April 2019. An updated and reformatted version of the entire manual was published on 9 November 2020.

The table below will include details of amendments made to the Bar Qualification Manual after 9 November 2020 by section number/page title and by date.

| Date       | Section Number and Page Title           | Details of Amendments  |
|------------|---|--|
| 17/11/2020 | Part 3D - Centralised Assessments       | Amended link at paragraph 3 to 2020 version of standard setting technique document.          |
| 14/12/2020 | Part 7A - Types of transferring lawyers | Added links to new online application for transferring qualified lawyers via MyBar (para 5). |

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| 17/12/2020                 | Part 7A - Types of transferring lawyers                          | Added links to new online application guidelines and amended 'valid to' dates of existing MS Word application forms and guidelines (para 5).  |
| 04/01/2021                 | Part 7A - Types of transferring lawyers                          | Removed links to MS Word application forms and guidelines. These are no longer valid and have been replaced by a new online application process.  |
| 05/01/2021                 | Part 3D - Centralised assessments                                | Updated paragraphs 2, 4 and 29 re Bar Training exam dates.  |
| 12/01/2021                 | Part 3C - The Bar Course Aptitude Test (BCAT)                    | Updated paragraphs 3 and 4 re BCAT registration and last sitting dates.   |
| 21/01/2021                 | Part 3C - The Bar Course Aptitude Test (BCAT)                    | Added to paragraph 4 - "For candidates looking to enrol on the vocational component of Bar Training in September 2021 or later, the BCAT will reopen in approximately May 2021. (This website will be updated when the exact date is known.)"   |
| 23/02/2021                 | Part 3B - BPTC and Bar Training Syllabi                          | Updated links to correct syllabi documents at paragraph 2.  |
| 11/05/2021<br>/ 13/05/2021 | Part 7A - Types of transferring lawyers                          | Updated links to amended version of the online application guidelines (May 2021) at paragraph 5.  |
| 24/05/2021                 | Part 2B - Completing the academic component (law degrees)        | Amended paragraphs 13 and 14 to remove references to COVID-19 and updated links to the application form and guidelines.   |
| 24/05/2021                 | Part 2C - Completing the academic component (conversion courses) | Amended paragraphs 13 and 14 to remove references to COVID-19 and updated links to the application form and guidelines.   |
| 17/06/2021                 | Part 7A - Types of transferring lawyers                          | Amended guidance at paragraph 3 relating to the Bar Transfer Test.  |
| 17/06/2021                 | Part 7C - Transfer route (partial exemption)                     | Amended guidance at paragraph 4 relating to the Bar Transfer Test.  |
| 21/06/2021                 | Part 7B - Transfer route (full exemption)                        | Amended paragraph 5 (missing word 'see' added).   |
| 10/08/2021                 | Part 4A - Overview and Structure of Pupillage                    | Paras 1.1, 1.5 - amended website links. Para 2.5 - the normal duration of the non-practising period of pupillage is six months (changed from 'will continue to be'). Para 2.18 Content Box - amendment of 'new rules' to 'rules'.   |
| 10/08/2021                 | Part 4B - Pupil Supervisors                                      | Para 9 - amended website link.  |
| 10/08/2021                 | Part 4C - Fair recruitment and equality and diversity            | Introduction text - amended link to current Diversity at the Bar report. Para 7 - new Content Box added 'New for 2021'. Content box ('Training for those involved in recruitment') - updated link to Fair Recruitment Guide.  |
| 10/08/2021                 | Part 4J - Assessment of pupils and compulsory courses            | Para 1.33 - complete replacement of paragraph text. Para 3.2.b Content Box - amended of date of Negotiation Skills implementation to 1 September 2023. Paras 3.4 and 3.9 - amendment of Inns of Court College of Advocacy to 'The Inns of Court College of Advocacy'. Para 3.14 - amended 'is' to 'will be'. Para 3.17 - amended reference from Part 2 (C1) to Part 4D of the BQM. Amended Content Box after para 3.18 to become para 3.19. |
| 10/08/2021                 | Part 4K - Authorisation to Practise                              | Para 3.14 - amended references to 'courses' to 'courses and amendments' and reference from Part 2 (C5) to Part 4J of the BQM. Para 3.20 - you must email the Records Office (changed from 'please email').  |
| 10/08/2021                 | Part 4L - Exemptions and Waivers                                 | Para 4 - amended website links.   |
| 10/08/2021                 | Part 4M - Support and advice for pupils                          | Para 12 - amended website links.  |
| 11/08/2021                 | Part 4J - Assessment of pupils and compulsory courses            | Amendments to Future Requirements Content Box after para 3.2.b - New guidance added in relation to the Professional Ethics assessment in pupillage (six bullet points). Updating of table below this Content Box with details of the Professional Ethics assessment in pupillage. Negotiation Skills course now listed under new heading of 'Future changes'. Para 3.11 - 'six weeks' amended to 'three months'.                            |

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| 25/08/2021 | Part 2B -<br>Completing the academic<br>component (law degrees)                              | Updated link to criteria and guidelines at paragraph 8d.  |
| 25/08/2021 | Part 2C -<br>Completing the academic<br>component (conversion<br>courses)                    | Updated link to criteria and guidelines at paragraph 7d.  |
| 25/08/2021 | Part 2D -<br>Certificates of academic<br>standing  | Updated link to criteria and guidelines at paragraph 6.   |
| 25/08/2021 | Part 2E -<br>Exemptions from<br>individual foundation<br>subjects                            | Updated links to criteria and guidelines at paragraph 6.  |
| 25/08/2021 | Part<br>2E - Exemptions from<br>individual foundation<br>subjects                            | Updated link to criteria and guidelines at paragraph 5.   |
| 08/10/2021 | Part 4C – Fair recruitment<br>and equality and diversity                                     | Paragraph 13 – removal of 'Changes from 1 November 2020 content box. Replaced with updated guidance relating to the mandatory recruitment timetable for 2021/22.  |
| 21/10/2021 | Part 8A - Review<br>applications and<br>procedures   | Amended links to updated versions of the review guidelines documents in the table at paragraph 5.   |
| 26/10/2021 | Part 6C – Authorisation of<br>current pupillage training<br>organisations (PTOs) AS<br>AETOs | Amended paragraphs 11-13 and added additional paragraph 14 to address current PTOs with pupillages which will not complete until after 31 March 2022 that are not intending to seeking AETO status.   |
| 28/10/2021 | Part 4H - Responsibilities<br>of pupils  | Amended paragraph 2.9 (corrected link to Bar Council taxation guide).   |
| 02/11/2021 | Part 2D - Certificates of<br>academic standing   | Updated link at paragraph 6 to amended version of Certificate of Academic Standing application form.  |
| 15/11/2021 | Part 4E - Pupillage<br>Funding   | Updated minimum funding amounts at paragraph 3 for 2021 and 2022 based on the latest published Living Wage rates.   |
| 22/11/2021 | Part 8A - Review<br>applications and<br>procedures   | Updated description of IDB membership at paragraph 3. Updated links to amended versions of application form and criteria and guidelines documents in the table at paragraph 5 for decisions taken by the BSB and by the Inns of Court or Inns' Conduct Committee. |