

**Authorisations Team**

**Policy on Application Fee Payments, Waivers and Refunds**

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| ***Contents*** | ***Brief Summary*** |
| 1. **General**
2. **Methods of payment**
3. **Fee Waivers**
* **Full (100%)**
* **Partial (50%)**
1. **Payment via instalment plans**
2. **Refunds**
3. **Exceptional circumstances**
 | This Policy sets out our approach to fee payment in respect of waiver and exemption applications dealt with by the Authorisations Team.Please consult this policy before contacting the team for further information.If you have questions which are not covered by this policy, contact the Authorisations Team via email (authorisations@barstandardboard.org.uk) or via telephone on 020 7611 1444. |

1. **General**
	1. Application fees are payable for most exemption and waiver applications processed by the Authorisations Team.
	2. Application fees cover the processing and assessment cost of an application. Fees are generally not refundable – please see paragraph 5.3 below for circumstances in which an application fee payment may be refundable.
	3. A full list of our applications and the associated fees is available on our [website](https://www.barstandardsboard.org.uk/training-qualification/barrister-training-waivers-and-exemptions.html).
2. **Methods of Payment**
	1. Our preferred method of payment is bank transfer (BACS). When paying by BACS, you must ensure that the BSB receives the full amount in Sterling: ie **you must pay all charges of your bank and agents charges, including those of the BSB.** This may include a handling charge levied by RBS if the issuing bank does not pay all bank charges.
	2. Our bank details for BACS payments are as follows:

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| Bank Name: | Royal Bank of Scotland |
| Branch Name: | Childs, Fleet Street |
| Sort Code: | 15-80-00 |
| Account No: | 62428522 |
| Account Name/Alias: | General Council of the Bar |
| Currency: | GBP |
| Bank Identifier Code (BIC): | RBOSGB2L |
| International Bank Account No (IBAN): | GB60RBOS15800062428522 |

* 1. Applicants making payment via BACS are responsible for ensuring that the correct bank details are used, and the correct amount is transferred.
	2. International banking charges: You must pay any international banking charges in addition to the prescribed fee (your bank should be able to advise you on this). We will not process applications where less than the prescribed fee is received. Please see information regarding international refunds in the Refunds section of these guidelines.
	3. If you are unable to pay by BACS, you may make payment by credit/debit card. Once you have received an email acknowledgement that your application has been logged, please call the Authorisations Team on 020 7611 1444 to make a card payment.
	4. If you are making payment via telephone, please ensure that you are using your own credit/debit card.
	5. Please note that **we do not** accept cheques in payment of application fees.
	6. **You must submit your application before you pay the prescribed fee.** If you choose to make an advance fee payment and do not submit the related application form and supporting evidence within two years of the date of your payment, any funds transferred to us will be written off by our Finance Department. In these circumstances, funds will be subject to our accounting reconciliation process and will not be recoverable by you for future applications or available for either a full or partial refund.
1. **Fee Waivers**
	1. The Overriding Objective: The overriding objective when considering any application for a fee waiver is to *ensure fairness*.
	2. Ensuring fairness, includes, so far as is practicable:
2. recognising that the general rule is that those seeking a waiver from any rule or requirement should pay the relevant fee and that the granting of a fee waiver is an exceptional course which needs to be justified; and
3. considering the circumstances in which the need to make an application for which a waiver of the fee is sought has arisen, and the extent to which the applicant is responsible for these circumstances; and
4. considering all the circumstances of the applicant, for example, where the applicant supplies evidence of receipt of a UK means-tested benefit (eg Universal Credit, Housing Benefit, Income based Jobseekers Allowance), or an equivalent benefit received overseas. Please note that receipt of Child Benefit is not included.
	1. Applicants are expected to provide a minimum of three months of recent bank statements in support of their application. These should be from the three months immediately prior to the month of submission of the application.
	2. Fee waivers may be granted on a full or partial basis.
	3. Full Fee Waiver:
5. An applicant will usually be approved for a full fee waiver where they can demonstrate that they are experiencing financial hardship, are in receipt of a UK means-tested benefit (or an equivalent benefit received overseas) and do not have any other form of income.
6. If approved, 100% of the relevant application fee will be waived.
	1. Partial Fee Waiver
7. An applicant will usually be approved for a partial fee waiver where they can demonstrate that they are of low income.
8. In determining low income, the BSB has regard to the Living Wage Foundation’s hourly rate recommendations. To be approved, the applicant must demonstrate that their yearly salary does not exceed the minimum living wage as is specified by the minimum pupillage award (please see Part 4E of [The Bar Qualification Manual](https://www.barstandardsboard.org.uk/training-qualification/bar-qualification-manual-new.html?part=E139B591-FFA0-441F-9651D9E88430A159&q=)).
9. If approved, 50% of the relevant application fee will be waived. Please note that assessment and outcome of the substantive application will not follow until the reduced application fee is paid. Please see paragraph 2 above for Methods of Payment and please see paragraphs 5.2-5.3 for details of when a refund will and will not be issued.
	1. Applications for a fee waiver must be supported by evidence, including any particular evidence that we may reasonably require. An applicant must ensure that all supporting evidence is sent with the application, and any failure to do so may result in delays in dealing with the application, or in cases of refusal to provide such evidence, we reserve the right to reject such applications. In every case, we may request further information or documentation be supplied in support of an application, but applicants should note that it is the primary responsibility of the applicant to provide all relevant information and supporting evidence rather than the task of the BSB to ask for it.
	2. Review of a fee waiver decision: An applicant who is unhappy with the decision on their application for a fee waiver may request a review of the decision. There is no fee payable to request a review of a decision on a fee waiver application.
10. **Instalments Plans**
	1. The Authorisations Team no longer offers payment by instalment plans for application fees. If an applicant is unable to afford the cost of an application, they should refer to the information regarding fee waivers, as set out in paragraphs 3.1-3.8.
11. **Refunds**
	1. Please see the following information on how refunds are issued:
		1. The Authorisations Team process the paperwork for refunds. If you have overpaid the application fee, we will contact you directly to arrange a refund to your nominated bank account. Alternatively, if you think you are entitled to a refund (in line with paragraph 5.3 below) you may contact the team directly.
		2. The Authorisations Team is not obliged to refund fees paid in advance of an application, where no application form is submitted.
		3. We require the following details from you in order to process a refund:
* Applicant name
* Applicant’s home address (if it is outside of the UK)
* Bank name
* Bank account holder name
* Sort code
* Account number
	+ 1. When submitting a request for a refund you must provide us with the bank details used to make the original payment. You should ensure that the bank details and payment reference match exactly otherwise the automated payment system will reject the payment.
		2. You should allow 15 working days for us to process your refund request.
		3. International refunds: Please be advised that we do not cover the cost of international banking and we will recover the cost of any international banking charges from your refund. If the international banking charges are expected or likely to exceed the refundable amount, a refund will not be processed.
	1. Refunds will not be issued in the following circumstances:
1. Where a decision for an application has been issued.
2. Where assessment of the application has commenced.
3. Where the applicant pays the application fee but does not submit the application form within 2 years of payment.
	1. Refunds may be issued in the following circumstances:
4. Full refund: Where assessment of the application has not yet commenced, and the applicant informs us in a timely manner that they do not wish to continue with the application.
5. Full refund: Where the applicant receives a successful fee waiver decision and has already paid the application fee.
6. Partial refund: Where the applicant has overpaid their application fee (please note restrictions on this rule specified in paragraph 5.1)
7. **Exceptional Circumstances (where application fees may not be payable)**
	1. When dealing with the following specific applications, we will also have regard to the following criteria when considering the overriding objective:
8. In the case of applications for Retrospective Registration of Pupillage/work-based learning, we will usually waive the application fee where the applicant supplies confirmation that the pupillage registration was in fact sent to the BSB (by post or email) prior to commencement of a period of pupillage/work-based learning
9. We will usually waive the application fee for any type of application where the applicant provides evidence that the need for the application arose as the result of an administrative or similar error on the part of the Bar Standards Board.
10. In the case of applications for waivers or extensions of time in relation to CPD requirements, we will usually waive the application fee where the waiver or extension of time sought is equivalent to the length of a break in practice on the basis of serious illness, bereavement, maternity/paternity leave or caring responsibilities for a dependent.

All applications must be accompanied by

* Evidence of the circumstances leading to the break in practice (eg medical evidence); and
* Confirmation from the applicant’s Head of Chambers or employer (or in the case of an application by a Head of Chambers or a sole practitioner, some other independent confirmation) of the break in practice.
1. In the case of applications for extensions of time in relation to CPD requirements, the fact that an applicant has completed his/her requirements very shortly after the deadline will not, in itself, justify a waiver from the application fee.