

Level 7 Diploma in Paralegal Practice

Qualification Specification

This document covers the following Qualification:

TITLE	Qualification Reference Number	Operational Start Date	Last Review	Next Review
NALP Level 7 Diploma in Paralegal Practice	501/0614/4	01/07/2010	19/04/2022	19/04/2024

National Association of Licensed Paralegals

LG.02 Lincoln House

1-3 Brixton Road

London

SW9 6DE

020 7112 8034

www.nationalparalegals.co.uk

Level 7 Diploma in Paralegal Practice Qualification Specification

Contents

1. Introduction	3
2. Summary of the Qualifications Covered by this Specification	3
2.1. NALP Level 7 Diploma in Paralegal Practice.....	3
2.2. Rules of Combination and Credit Values	3
3. Objectives of the Qualifications	3
4. Entry Requirements	4
5. Recognition of Prior Learning (RPL)	4
6. Progression for Learners	4
7. Total Qualification Time.....	4
8. Learning Materials and Support	5
9. Assessment	6
9.1. Assessment Methodology.....	6
9.2. Assessment Criteria.....	6
9.3. Marking the Assessment	6
9.4. Reasonable Adjustments and Special Considerations	6
10. Internal Verification and Moderation	7
11. Award and Issuing of Results	7
12. Units for the Qualifications	8

1. Introduction

The National Association of Licensed Paralegals (NALP) is an Awarding Organisation recognised by the Office of Qualifications and Examinations (Ofqual) to offer regulated qualifications in England and Northern Ireland respectively. We specialise in providing qualifications for persons working in or looking to work as a Paralegal.

NALP is also a training provider for NALP qualifications and also a professional association for those in the Paralegal profession.

2. Summary of the Qualifications Covered by this Specification

2.1. NALP Level 7 Diploma in Paralegal Practice

Our Level 7 Diploma in Paralegal Practice is designed to bridge the gap between an academic degree and the practical, procedural knowledge and skills necessary to be able to function effectively as a Career Paralegal.

2.2. Rules of Combination and Credit Values

All units of this qualification are mandatory in order for Learners to achieve the qualification. No credit values have been assigned to this qualification or the underlying units following the removal of this requirement in June 2016 by Ofqual.

3. Objectives of the Qualifications

The Level 7 Diploma in Paralegal Practice is designed to give Learners a sound knowledge and understanding of both the English legal System and other substantive legal areas together with Procedural law. It is the benchmark qualification that will launch a Paralegal Career and from which Learners can specialise should they decide to develop their career further.

Please note that these qualifications are specifically written with English law at their base. These qualifications are therefore best suited to those who seek to practice in the UK or abroad where the system of law is based on the English Common Law.

Learners who successfully achieve NALP Level 7 Diploma in Paralegal Practice will gain a recognised and respected professional qualification which will aid progression in their paralegal career.

4. Entry Requirements

One of the following is required:

UK Graduates require either a qualifying Law Degree, such as LLB or BA LAW or have attained the Common Professional Exam (CPE) or the Graduate Diploma in Law (GDL) that has successfully been completed within the last 7 years. If a Learner has gained such a qualification more than 7 years ago, but has worked within the legal profession since that time, they should apply and their application will be considered on its own merit.

If you are a non UK law Graduate and have NOT studied the English Legal System as part of your Law Degree, you have the option of studying Part 1 of the Level 4 Diploma in Paralegal Studies: General Principles of Law before commencing this course.

Please Note: The NALP Level 7 Diploma in Paralegal Practice is only available in English. If your first language is not English then you must be able to provide evidence that your spoken and written command of the English Language is adequate for the qualification for which you have applied.

5. Recognition of Prior Learning (RPL)

NALP allows some exemptions for the Level 7 Diploma in Paralegal Practice up to a maximum of two units of study, for example where a Learner has successfully completed the Legal Practice Course (LPC). Applications for RPL will be assessed on a case by case basis. If a Learner wishes to apply for recognition of prior learning or experience, please email:

admin@nationalparalegals.co.uk.

6. Progression for Learners

The Level 7 Diploma in Paralegal Practice is the highest professional qualification available for paralegals and will aid career progression.

7. Total Qualification Time

Guided Learning Hours (GLH) is defined by Ofqual as being “The activity of a Learner in being taught or instructed by – or otherwise participating in education or training under the Immediate Guidance or Supervision of – a lecturer, supervisor, tutor or other appropriate provider of education or training” and includes “the activity of being assessed if the assessment takes place under the Immediate Guidance or Supervision of a lecturer, supervisor, tutor or other appropriate provider of education or training”.

As the average Learner studying for the NALP Level 7 Diploma in Paralegal Practice will do so entirely via distance learning, there are no Guided Learning Hours which meet Ofqual’s

Level 7 Diploma in Paralegal Practice

Qualification Specification

definition. All of the hours an average Learner will spend gaining a NALP Level 7 Diploma in Paralegal Practice will be from other, non-guided areas, such as self-study; completion of assignments for assessment purposes; and coursework.

The following table gives an indication of the Total Qualification Time (TQT) for each of the units underpinning the NALP Level 7 Diploma in Paralegal Practice. The TQT represents the total time an average Learner might spend studying for each unit, including the time they are likely to spend on the assignments for each unit.

Unit	Title	GLH	SSA	TQT
1	Civil Litigation	18	53	71
2	Criminal Practice	10	41	51
3	Matrimonial and Civil Partnership	14	45	59
4	Conveyancing	22	58	80
5	Succession	12	42	54
6	Corporate and Business Structures	9	40	49
	Total Qualification Time:	85	279	364

Considering the above, the total hours of study required by an average Learner for the Level 7 qualification is anticipated to be 364, however, it is worth noting that this is based on a Learner taking approximately 4 minutes to read and digest each page of the learning materials provided for each unit, plus the addition of 5 hours for each assignment to be completed for assessment. Please note that timings have been rounded to the nearest full hour. Learners may find that the actual time it takes them to complete the qualification to be more or less than the quoted total hours.

It should also be noted that, whilst there is no official guided learning, tutorial support is usually available from the training provider. Learners should request details of what is available from their provider.

8. Learning Materials and Support

The NALP Level 7 Diploma in Paralegal Practice qualification is designed for Learners to study at their own pace on a distance-learning basis. Learners are provided with comprehensive course materials and assistance in interpreting materials either via email, phone or face to face. In addition, if they have any specific queries or concerns they are able to contact their training provider who will provide them with suitable support.

9. Assessment

9.1. Assessment Methodology

Assessment is continuous by assignment. Each unit is assessed by one written assignment for the learner to complete over a four- week period. Start dates for assignments will be set by the Centre in conjunction with the Learner's progress, or by the Learner themselves if they are doing the qualification by distance learning only.

9.2. Assessment Criteria

There are 6 units of study. Learners are required to successfully complete one written assignment per unit which are designed to assess the Learner's skills, knowledge and understanding of legal issues.

Assignments will be assessed as either Pass, Merit or Distinction:

Pass: (Descriptive): A Pass grade will be awarded if a Learner has basically but fully covered all criteria indicated. This will be reflected in a mark of between 45% and 64%.

Merit: (Explanatory): A Merit grade will be awarded if a Learner has shown a higher degree of aptitude, has demonstrated a thorough understanding of the topic and has presented his/her findings in a clear and accurate manner. This will be reflected in a mark of between 65% and 79%.

Distinction: (Showing implications): A Distinction will be awarded if the student has shown a mastery of the subject matter and has dealt with the questions in a professional manner. Attention will be given to spelling, grammar, layout and style and to the actual presentation of the assignment in addition to the content. This will be reflected in a mark of between 80% and 100%.

9.3. Marking the Assessment

All assessments are externally marked by NALP's independent examining team against a standard mark scheme. The examiners also carry out additional checks to ensure that the work submitted by the Learner is authentic and has been completed by that Learner.

If a Learner wishes to appeal against an assessment decision they should refer to our Appeals Policy which can be found at the bottom of our website at:

https://www.nationalparalegals.co.uk/nalp_policies_procedures

9.4. Reasonable Adjustments and Special Considerations

All requests for reasonable adjustments must be received at the time of enrolment due to the assignment based assessment. These will then be considered by the examination team prior to the assignments being assessed.

Requests for special considerations must be made at least 24 hours prior to the deadline for submission of assignments by the learner. If a special consideration request is considered to be well founded, a new deadline for submission of the assignment will be set for the learner.

All requests for reasonable adjustments and special considerations will be considered in line with the NALP Reasonable Adjustments and Special Considerations Policy, a copy of which is available on the NALP website:

<https://www.nationalparalegals.co.uk/reasonable-adjustments-and-special-considerations-policy/>

10. Internal Verification and Moderation

As all assessments are marked externally by NALP's independent examining team (i.e. the Centres do not mark their Learners' papers), an Internal Verification and Moderation Policy covering all assessment results has been put into place. This aims to ensure that all assessments have been marked in line with the standard mark scheme, members of the examining team are fully trained and that sufficient standardisation of results is undertaken.

A copy of the Internal Verification and Moderation Policy is available on the NALP website at:

https://www.nationalparalegals.co.uk/nalp_policies_procedures

11. Award and Issuing of Results

Once a learner has successfully completed all units and assignments, the qualification Certificates and transcripts will be issued within three weeks of completion. If a Learner fails to successfully complete all assignments, unit certificates will be issued for the individual units they have successfully attained.

Replacement certificates can be provided by completing the relevant form and paying the fee of £25. The form is available from the website and you can pay the fee via the website also:

<https://www.nationalparalegals.co.uk/replacement-certificate-application-form>

12.Units for the Qualifications

Unit Number:	1	Unit Name:	Civil Litigation	
Aim of Unit:	The aim of this unit is to provide the Learner with the practical skills to be able to carefully examine and analyse the civil litigation procedure and to effectively apply this to a specific scenario from taking instructions from the client to advising them throughout the process and assisting them in trial and once matters have been concluded. The Learner should be able to apply the Civil Procedure Rules to all aspects of the procedure and identify certain areas of the procedure where the case may not follow the normal track and advise where to make applications to the court for early judgements or directions.			
Learning Outcomes		Assessment Criteria		
1. Understand and be able to apply the Pre-Action stage of civil litigation in England and Wales		1.1 Understand and explain the Overriding Objective of the Civil Procedure Rules, as contained in R1.1 to R1.4		
		1.2 Know the various private and public funding arrangements available and apply to a given scenario		
		1.3 Be able to outline the pre-action protocols for a given scenario		

	1.4 Explain the benefits of Alternative Dispute Resolution (ADR) and why it is important to encourage this throughout the process	
2. Know how to commence proceedings in accordance with the Civil Procedure Rules and the various routes the case may take throughout the process	2.1 Understand how to commence a claim under Part 7 and Part 8 of the Civil Procedure Rules	
	2.2 Explain how to start proceedings including the contents of the statements of case and how these will be served upon the Defendant	
	2.3 Discuss the options available to a Defendant as per the response pack including time limits and procedures	
	2.4 Identify when a Default Judgements is appropriate	
	2.5 Explain when a Summary Judgement could be applied for and the possible orders by the Court	
	2.6 Outline the allocation procedure	
	2.7 Explain the differences between the three Civil Litigation tracks, i.e. Small Claims Track, Fast Track and Multi-Track	

3. Have a thorough understanding of how to prepare for Trial including how evidence is dealt with and how the case should be managed	3.1 Analyse the process of Disclosure and Inspection and discuss the various exemptions	
	3.2 Understand how Experts are appointed and why a joint expert is preferred	
	3.3 Know when it is appropriate to make a Request for Further Information and the procedure for doing so	
	3.4 Understand when and how to make a Part 36 Offers and be able to advise a client as to the risks involved	
	3.5 Demonstrate and understanding of directions and case management	
4. Understand the procedure before, during and after the trial including the remedies available and the right to appeal	4.1 Explain the Pre-Trial Review and how to prepare Trial Bundles	
	4.2 Be able to advise a client upon the procedure at Trial	
	4.3 Identify the various remedies available in a civil litigation matter and apply to a given scenario	
	4.4 Compare the various routes of appeal	

5. Know how costs are dealt with and be able to identify the assessment process for a given scenario	5.1 Understand the difference between Detailed and summary assessment and apply to a scenario		
	5.2 Outline the procedure for assessment		
	5.3 Discuss Part 2 Legal Aid Sentencing and Punishment of Offenders Act 2012		
6. Be able to advise a client on the various enforcement options available post trial	6.1 Advise a client as to why to request an order to obtain information from judgement creditors		
	6.2 Discuss the various orders available for enforcement		
Unit Number:	2	Unit Name:	Criminal Practice
Aim of Unit:	The aim of this unit is to provide the Learner with the practical skills to be able to carefully examine and analyse the criminal litigation procedure and to effectively apply this to a given scenario from taking instructions from the client to advising them throughout the process and assisting them in trial and once matters have been concluded. The Learner should be able to apply the Criminal Procedure Rules to all aspects of the procedure including from the time of arrest and custody up to bail, the trial, sentencing and appeals.		
Learning Outcomes		Assessment Criteria	

1. Demonstrate a thorough understanding of the police powers to stop, search and detain and the accused's rights during custody and for bail. Outline the funding arrangements available	1.1 Explain the Police powers to Stop and search	
	1.2 Understand warrants for arrest, detention or imprisonment	
	1.3 Explain the bail and custody time limits	
	1.4 Discuss the Criminal Practice Direction III: Custody and Bail	
	1.5 Outline the rights of the police to conduct intimate searches, take fingerprints, etc.	
	1.6 Advise a client upon the various private and public funding arrangements available	
2. Understand how the Criminal Procedure Rules should be applied from the outset and how preliminary proceedings will commence and the allocation of the case for trial to the appropriate court.	2.1 Understand the overriding objective of the Criminal Procedure Rule	
	2.2 Know what forms will be served and what records will be retained by the court	
	2.3 Explain how the prosecution will commence in the Magistrates' Court	

	2.4 Understand how a case will be allocated and sent for trial	
	2.5 Explain the indictment	
3. Identify when disclosure takes place and what it must contain. Explain how evidence is dealt with including from witnesses and experts.	3.1 Understand the duty to disclose information	
	3.2 Understand how to set out a witness statement and when they may be used	
	3.3 Know when a witness summons may be issued and the procedure for the same	
	3.4 Discuss how expert evidence is dealt with	
	3.5 Explain and apply the Criminal Practice Directions IV on Disclosure and V on Evidence	
4. Understand the procedure at trial and the sentencing options depending upon the court and severity of the case	4.1 Understand the trial and sentence in a Magistrates' Court	
	4.2 Understand the trial and sentence in the Crown Court	
	4.3 Explain the role of the juror and how they are selected	

			4.4 Explain and apply the Criminal Practice Direction VI	
5. Know the accused's right to appeal and how costs will be dealt with			5.1 Discuss the right to appeal in the Crown Court	
			5.2 Identify when an appeal may be made to the High Court by case stated	
			5.3 Outline the general rules for the right to appear to the Court of Appeal	
			5.4 Outline when a case may be referred to the Supreme Court	
			5.5 Apply Criminal Practice Direction Part IX: Appeals to a given scenario	
			5.6 Explain Part 45 on Costs and the Criminal Practice Direction Part X	
Unit Number:	3	Unit Name:	Matrimonial and Civil Partnership Disputes	
Aim of Unit:	The aim of this unit is to provide the Learner with the practical skills to be able to carefully examine and analyse the procedure relation to family matters including marriage, annulment, divorce, civil partnership and orders affecting children. The Learner should be able to effectively apply this to a given scenario from taking instructions from the client to advising them throughout the process and assisting them with various procedures. The Learner should be			

	able to apply the Family Procedure Rules to all aspects of the procedure including from attempting reconciliation to commencing divorce proceedings and up to decree absolute and ensuring matters relating to children are concluded.	
Learning Outcomes	Assessment Criteria	
1. Understand valid void and voidable marriages and civil partnerships	1.1 Define the meaning of marriage and civil partnership	
	1.2 Understand when a marriage may be deemed void	
	1.3 Identify the circumstances where a marriage may be annulled and what makes it voidable	
	1.4 Explain the requirements for a valid civil partnership	
	1.5 Outline when a civil partnership can be annulled	
2. Understand non court dispute resolution and Family mediation	2.1 Understand the Overriding Objective of the Family Procedure Rules	
	2.2 Understand when Family Mediation Information and Assessment Meetings (MIAMS) may be appropriate and how these are conducted	

3. Understand procedure for a divorce	3.1 Explain the ground for divorce and analyse the facts that can be relied upon illustrating this with cited cases	
	3.2 Discuss how divorce proceedings will commence include the contents of the Petition and service of the same	
	3.3 Understand the procedure for applications in matrimonial and civil partnership proceedings in accordance with the Family Procedure Rules including the special procedure list, decree nisi and decree absolute	
	3.4 Understand Parts 5, 6 and 7 Family Procedures Rules	
4. Understand the protection available against Domestic Violence and the procedure for obtaining the same	4.1 Understand and explain the procedure available under the Family Law Act 1996 for the protection against domestic violence	
	4.2 Understand the procedure in accordance with Part 10 Family Procedure Rules	
	4.3 Differentiate between a Non-Molestation Order and an Occupation	

	Order and identify when these are appropriate	
5. Demonstrate a thorough understanding of the financial remedies available and the procedure for obtaining them	5.1 Understand when an application for a financial remedy can be made	
	5.2 Know when to start proceedings	
	5.3 Identify when an application can be made for an interim order	
	5.4 Analyse the procedure from filing the application to conclusion including the First Appointment, Financial Dispute Resolution appointment and hearing, etc.	
	5.5 Discuss the various orders available	
	5.6 Understand Part 9 Family Procedure Rules	
6. Understand the proceedings which can be brought relating to Children	6.1 Understand the proceedings relating to children including care and supervision and contact orders	

Unit Number:	4	Unit Name:	Conveyancing	
Aim of Unit:	The aim of this unit is to provide the Learner with the practical skills to be able to carefully examine and analyse the procedure relating to buying and selling a freehold or leasehold property. The Learner should be able to effectively apply this to a given scenario from taking instructions from the client to advising them throughout the process and assisting them with various procedures. The Learner should be able to apply the Law of Property Act 1925, Land Registration Act 1925 and Land Registration Act 2002 as well as other legislation to the scenarios.			
Learning Outcomes			Assessment Criteria	
1. Understand what information to obtain when taking instructions and why it is required. Know the importance of conducting anti money laundering checks.			1.1 Know what to contain in the Client care letter	
			1.2 Understand how to conduct appropriate AML checks and what evidence of Identity is acceptable	
			1.3 Understand the threat of cyber-crime and why Lawyer checker is recommended	
			1.4 Outline the procedure for dealing with gifted deposits	

	1.5 Apply the second home Stamp Duty Land Tax 3% levy to a given scenario	
	1.6 Understand that under the Law Society Conveyancing Protocol for this stage	
2. Understand the information that should be retrieved from the official copies to enable Contracts to be drafted and issued	2.1 Understand the format and contents of official copy entries	
	2.2 Know the different grades of Title	
	2.3 Understand estates and interests in land	
	2.4 Explain the Standard and special conditions and give examples	
	2.5 Understand the procedures under the Law Society Conveyancing Protocol for this stage	
3. Understand how to obtain searches and what the results will contain including enquiries that should be raised as a result of these and the title check.	3.1 Understand the requirements of a lender for searches in accordance with the Council of Mortgage Lenders handbook	
	3.2 Identify the various types of Searches and the contents of these	

	3.3 Understand the Law Society Conveyancing Protocol in relation to what enquiries are permitted under the scheme	
	3.4 Identify why it is important to word replies to enquiries carefully to avoid misrepresentation	
	3.5 Know the contents of a report to the client on a purchase	
4. Understand the process which should be followed when the transaction involves a mortgage al	4.1 Understand the concept of the Council of Mortgage Lenders Handbook	
	4.2 Know the procedure to be followed upon receipt of a mortgage offer	
	4.3 Understand the importance of the Mortgage Deed	
	4.4 Know when to report title matters and unusual aspects to the lender	
	4.5 Understand how to deal with a sale property which is in negative equity	
5. Be able to advise upon the different options available for Co-Ownership	5.1 Be able to advise upon the difference between Joint Tenants and Tenants in common	

and when to recommend that a Declaration of Trust is put in place	5.2 Understand and explain the contents of a Declaration of Trusts	
6. Identify the differences in procedures where a property is unregistered, leasehold, new build or a transfer of part	6.1 Explain the differences for unregistered land (i.e. epitome, searches, etc.)	
	6.2 Outline the additional work to be undertaken where the title is Leasehold including checking the lease, the Landlord's form LPE1, apportionments of service charge and ground rent, notices of assignment, etc.	
	6.3 Understand how freehold management companies operate and the enquires that should be raised where one exists	
	6.4 Understand the additional checks for newbuilds including the buildmark warranty, planning, building regulations, etc.	
	6.5 Know what easements should be included in a Transfer of Part	
	7.1 Evaluate the Law Society Formulas	

7. Understand the meaning of Exchange and the procedures to be followed	7.2 Understand the Standard Conditions of Sale regarding the deposit and when it is appropriate for these to be varied	
8. Know what Pre-Completion procedures should be put into place following exchange	8.1 Know how to draft the Completion statements from the seller's solicitor to the buyer's solicitor	
	8.2 Know how to draft the Client Completion Statement on both a sale and purchase taking into account the client account ledger	
	8.3 Identify the appropriate pre-completion searches depending upon the type of transaction	
	8.4 Understand the importance of the Certificate of Title and when to issue this	
9. Understand the process on the day of Completion	9.1 Analyse the Completion day process including phone calls and letters that should be made	
	9.2 Explain the process that should be followed if completion is delayed	

Level 7 Diploma in Paralegal Practice Qualification Specification

10. Have a thorough understanding of the Post Completion procedures relating to mortgages, Stamp Duty Land Tax and registration			10.1 Explain how to discharge the mortgage and the various methods accepted by the Land Registry	
			10.2 Explain the application for registration for both a registered and unregistered title	
			10.3 Outline the procedure for submitting the appropriate SDLT form and the time limits applicable	
Unit Number:	5	Unit Name:	Succession	
Aim of Unit:	The aim of this unit is to provide the Learner with the practical skills to be able to critically evaluate the information relating to a complex case relating to the inheritance of property after death; critically assess, explain and justify the appropriate procedures and advice given to clients at each stage of such a case. The Learner should be able to apply the Wills Act 1837, the Administrations of Estates Act 1925 and other legislation to all aspects of the procedure.			

Learning Outcomes	Assessment Criteria	
1. Analyse the formalities for making a Will	1.1 Define the formal requirements necessary to make a valid will including capacity and intention under The Wills Act 1837	
	1.2 Describe the methods of altering Wills in accordance with S21 Wills Act 1837)	
	1.3 Outline when an Informal Will will be valid under s11 Wills Act 1837)	
	1.4 Discuss what is meant by a Contingent Will	
2. Evaluate the devises and legacies that a testator can bequeath and the circumstances where these may fail	2.1 Describe what is meant by Testamentary dispositions	
	2.2 Explain the various Devises and Legacies which can be made and apply these to a given scenario	
	2.3 Demonstrate a thorough knowledge of when a gift may fail including ademption, abatement and lapse and apply these to a given scenario	

	2.4 Describe the commorientes rules and apply to a scenario	
3. Demonstrate a thorough understanding of how a Will can be revoked	3.1 Evaluate the various revocation methods under ss18-20 Wills Act 1837 and apply to a given scenario	
	3.2 Discuss rectification of a Will	
4. Analyse the statutory rules of intestacy where a Deceased died without a valid Will	4.1 Outline the current Intestacy rules and apply to a scenario	
	4.2 Identify what happens on a partial intestacy	
5. Understand the role of the Personal Representatives	5.1 Outline the various types of Personal Representatives and when they are appropriate	
	5.2 Evaluate the powers of Personal Representatives	
	5.3 Analyse the duties of Personal Representatives	
6. Describe and evaluate the Procedure in Administering an Estate	6.1 Demonstrate an understanding of the different types of Grants of Representation	
	6.2 Demonstrate an understanding of when a Grant of Probate is applicable	

	6.3 Demonstrate an understanding of when a Letters of Administration will apply	
	6.4 Demonstrate an understanding of the various Special Limited Grants	
	6.5 Explain the necessity for a Gra	
	6.6 Demonstrate an understanding of the Pre-Grant procedure	
	6.7 Be able to explain in full the process for an application for the Grant and apply to a scenario	
	6.8 Be able to explain in full Demonstrate an understanding of the Post Grant Practice and apply this to a scenario	
7. Understand when Inheritance Tax is payable and the procedures for submitting the appropriate tax forms	7.1 Demonstrate an understanding of Form IHT202	
	7.2 Demonstrate an understanding of form IHT 200	
	7.3 Explain the procedure to be followed when Inheritance tax has to be paid or not paid	

8. Have a good understanding of the circumstances when Probate can become contentious	8.1 Identify the nature of contentious business for a given scenario	
	8.2 Explain the use of Caveats and apply to a given scenario	
	8.3 Demonstrate an understanding of the circumstances where a claim can be made against the estate under the Family Provision – Inheritance (Provision for Family and Dependants) Act 1975 and apply to a given scenario	

Unit Number:	6	Unit Name:	Corporate and Business Structure	
Aim of Unit:	The aim of this unit is to provide the Learner with the practical skills to be able to critically analyse and explain the nature and formulation of corporate and non corporate business structures including personnel and to also critically review, assess, justify and explain financial and tax implications of corporate and non-corporate business structures. The Learner should be able to apply the appropriate legislation throughout and in particular have a good knowledge and understanding of the Companies Act 2006.			
Learning Outcomes		Assessment Criteria		

1. Understand the various types of Business Structures available to organisations	1.1 Demonstrate an understanding of Sole traders	
	8.4 Demonstrate an understanding of Partnership	
	8.5 Demonstrate an understanding of a Limited liability partnership	
	8.6 Demonstrate an understanding of a Limited company	
2. Be able to evaluate and analyse how a company is incorporated and understand the 'veil of incorporation' and lifting the veil	2.1 Demonstrate an understanding of Incorporation as a Limited Company	
	2.2 Demonstrate an understanding of the meaning of Limited Liability	
	2.3 Demonstrate an understanding of the veil of incorporation and when it might be appropriate for it to be lifted	
3. Be able to describe Public and Private Companies and have a thorough understanding of the Incorporation Procedure and the Key Players involved	3.1 Describe and evaluate the types of Public and private companies in accordance with Part 1 and 20 of the Companies Act 2006	
	3.2 Describe and evaluate the process of forming a company in accordance with Parts 2, 3, 5, 6 of the Companies Act 2006	

	3.3 Describe and evaluate the Key players in a Company and their role and capacity in accordance with Parts 4, 10 and 12 of the Companies Act 2006	
4. Be able to analyse the various reasons and consequences of Liquidation of Companies	4.1 Demonstrate an understanding of the reasons for liquidation	
	4.2 Demonstrate an understanding of compulsory liquidation may apply	
	4.3 Demonstrate an understanding of voluntary liquidation can take place	
	4.4 Demonstrate an understanding of the main consequences of liquidation	
	4.5 Define the role of Receiverships	
	4.6 Demonstrate an understanding of Administration orders	
	4.7 Demonstrate an understanding voluntary arrangements	
5. Have a thorough understanding as to the Creation and Dissolution of Partnerships	5.1 Demonstrate an understanding of the reasons for choosing a Partnership	
	5.2 Outline the definition of a Partnership – s1 Partnership Act 1890	

	5.3 Explain how a Partnership can be created	
	5.4 Outline and discuss the contents of a Partnership Agreement	
	5.5 Evaluate the Partners' rights and liabilities	
	5.6 Discuss how a Partnership may be dissolved	
6. Critically analyse Companies versus Partnerships	6.1 Outline and analyse the advantages of Companies having a separate legal personality	
	6.2 Outline and analyse the advantages of Partnerships	
	6.3 Outline and analyse the advantages and disadvantages of forming companies versus partnerships	
7. Describe and evaluate Financial Aspects of Business	7.1 Explain the Taxation of sole traders and partnerships	
	7.2 Explain the taxation of companies	
	7.3 Demonstrate an understanding of Lending and Borrowing; describe and explain debentures (part 19), fixed	

	and floating charges, registration and remedies	
	7.4 Outline Parts 15 and 16 CA 2006 in terms of accounts and audits	
8. Demonstrate an understanding as to when Reconstructions, Mergers and Takeovers are applicable and the procedure for these	8.1 Demonstrate an understanding of Part 26 and 27 Companies Act 2006 reconstructions and mergers	
	8.2 Demonstrate an understanding of Takeovers – part 28 Companies Act 2006	
	8.3 Demonstrate an understanding of the methods and procedures including the role of the court	
	8.4 Demonstrate an understanding of when voluntary arrangements are appropriate	
	8.5 Demonstrate an understanding of the City Code on takeovers and mergers	