



Guidance for Legal Advisers on Compliance with the SHIP Rules

The Solicitor's Certificate

You will receive copies of all the literature provided to your client in relation to the home reversion plan. You are required to explain the terms and implications of the plan to your client and on having done so, sign the certificate. Home & Capital will not complete the transaction until we have received a signed and completed certificate confirming that you have drawn your client's attention to the risks of entering into an equity release transaction.

Guidance on Independence

Clients must use a legal adviser who is independent of Home & Capital's solicitor. Upon advising your client in relation to an equity release transaction, SHIP also requires you to follow the [Solicitor's Code of Conduct](#) when considering whether you are independent of Home & Capital or the adviser advising the client on the transaction.

Payment of Fees

Whilst you may make payments to an introducer for genuine marketing initiatives, it is subject to this guidance.

You may not make such a payment, or give other consideration, to a third party who refers clients to you, unless you can show that the payment is wholly unconnected with the referral of any specific client to you. You are therefore not permitted to pay referral fees on a case-by-case basis. Additionally payments may not be calculated or aggregated on the basis of the number of cases referred.

This also applies regardless of how any referral fee payment (or other consideration) is described if it is connected with the payment of fees on a case-by-case basis. For example, this would apply to the payment of administrative or marketing fees, payments described as "disbursements" which are not proper disbursements, and panel membership fees.

"Other consideration" might include, for example, the provision of services and secondment of staff to the introducer, or an agreement to purchase services or products from the introducer (where such provision or purchase is a condition of referrals on a case-by-case basis being made). For the avoidance of doubt, certain marketing payments which are not connected with payment on a case-by-case basis are permitted, subject to the regulatory obligations of the parties concerned.

If the customer chooses not to instruct their own legal adviser, Home & Capital may offer the names of at least two local law firms who have knowledge of equity release products. Home & Capital will ensure that no pressure or financial inducement is involved in directing customers to any particular law firm, either by us or the intermediaries recommending our products.

Receipt of Payments

Upon acting on behalf of the client, you may not receive payments or other consideration from the adviser, or Home & Capital if that payment is dependent on the completion of an equity release transaction.