



Small Firms Legal News Update

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11 January 2013

Cases

Tax

R. (on the application of Bampton Property Group Ltd) v King. 2012 WL 6151926

Court of Appeal (Civil Division) (CA (Civ Div)). Rix, L.J.; Kitchin, L.J.; Arden, L.J., 21 December 2012

The Revenue and Customs Commissioners had been under no duty to notify a taxpayer company of any errors discovered in applications for consortium relief under the Income and Corporation Taxes Act 1988 Pt X; to hold otherwise shifted without justification the responsibility for those errors from those who had caused the errors to the commissioners.

Appeal dismissed

Regulatory Developments

Employment

Graduate apprenticeships for the professions introduced

By Department for Business, Innovation and Skills, 28 December 2012

The Government has announced that graduate and post-graduate level apprenticeships are to be made available in subjects including law, accountancy and advanced engineering. BPP Law School is looking to develop a Legal Apprenticeship pathway which could be an alternative route to the legal profession and qualification as a solicitor.

[Read the full text here](#)

Companies referred: BPP Law School



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Personal Injury

Government to reconsider April 2013 RTA portal extension date

By Association of Personal Injury Lawyers, 21 December 2012

The implementation date of the extended road traffic accident (RTA) claims process is to be reconsidered by the Secretary of State for Justice. The Association of Personal Injury Lawyers is considering its position in terms of bringing proceedings on other related matters raised with the Secretary of State as part of the pre-judicial review process.

[Read the full text here](#)

News

Employment

Christian loses battle over Sunday work

Sunday Telegraph, 30 December 2012, 6

By David Barrett

In the first such ruling in over a decade, the High Court has ruled that Christians have no right to decline working on Sunday as it is not a "core component" of their beliefs. The case concerned Celestina Mba who was dismissed after refusing to work on Sundays at a care home.

Cases referred: *R. v Mba (Lewis)* [2012] EWCA Crim 2773 (CA (Crim Div))

Further Reading

Landlord and Tenant

Broken promises

P.I.P. 2012, 41(Dec), 25-27, By Mangala Murali

Advises practitioners acting for tenants or landlords of commercial premises and residential premises let on an assured shorthold tenancy on how to avoid the pitfalls associated with drafting and exercise of break clauses. Outlines the basics as regards break clauses including highlighting common links between them and other parts of the lease, the implications of break clauses for tenants and landlords, matters relevant to serving the break notice, and pre-conditions for exercising the break.