

Status: Point in time view as at 01/10/2018.

Changes to legislation: There are currently no known outstanding effects for the Legal Services Act 2007, Cross Heading: Money: prohibition on payment. (See end of Document for details)

SCHEDULES

SCHEDULE 14

LICENSING AUTHORITY'S POWERS OF INTERVENTION

Modifications etc. (not altering text)

- C1** Sch. 14 applied (with modifications) (9.12.2014) by [The Legal Services Act 2007 \(Chartered Institute of Legal Executives\) \(Modification of Functions\) Order 2014 \(S.I. 2014/3234\)](#), arts. 1(1), **5**
- C1** Sch. 14 applied (with modifications) (9.12.2014) by [The Legal Services Act 2007 \(the Chartered Institute of Patent Attorneys and the Institute of Trade Mark Attorneys\) \(Modification of Functions\) Order 2014 \(S.I. 2014/3238\)](#), art. 2(1), Sch. 2 para. 12, **Sch. 4 para. 12** (as amended (6.4.2017) by [The Deregulation Act 2015 and Small Business, Enterprise and Employment Act 2015 \(Consequential Amendments\) \(Savings\) Regulations 2017 \(S.I. 2017/540\)](#), reg. 1, **Sch. 2 para. 13** (with reg. 4))
- C1** Sch. 14 applied (with modifications) (9.12.2014) by [The Legal Services Act 2007 \(The Institute of Chartered Accountants in England and Wales\) \(Modification of Functions\) Order 2014 \(S.I. 2014/3236\)](#), **arts. 1(2), 3**
- C1** Sch. 14 applied (with modifications) (1.10.2018) by [The Legal Services Act 2007 \(General Council of the Bar\) \(Modification of Functions\) Order 2018 \(S.I. 2018/448\)](#), arts. 1, **4**

Money: prohibition on payment

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- (1) The licensing authority may apply to the High Court for an order under sub-paragraph (2), and the High Court may make the order if it thinks fit.
 - (2) The order is that a person holding money on behalf of the licensed body may not make any payment of the money, except with the leave of the court.
 - (3) An order under sub-paragraph (2) may take effect in relation to a person—
 - (a) whether or not the person is named in the order;
 - (b) however the money is held;
 - (c) whether the money was received before or after the order was made.
 - (4) But an order under sub-paragraph (2) does not take effect in relation to a person until the licensing authority—
 - (a) has given the person a copy of the order, and
 - (b) (in the case of a bank or other financial institution) has indicated the branches at which it believes money to which the order relates is held.
 - (5) A person is not to be treated as having disobeyed an order under sub-paragraph (2) by making a payment of money if the court is satisfied that the person—
 - (a) exercised due diligence to ascertain whether it was money to which the order related, and
 - (b) failed to ascertain that the order related to it.

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Commencement Information

II Sch. 14 para. 2 in force at 1.10.2011 by [S.I. 2011/2196](#), [art. 2\(1\)\(e\)](#)

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