

Status: Point in time view as at 20/07/2022.

Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1985, Paragraph 13. (See end of Document for details)

SCHEDULES

SCHEDULE 6

BODIES RECOGNISED UNDER S.32: SUPPLEMENTARY PROVISIONS

Intervention by Council

- 13 In connection with the application of Part II of Schedule 5 for the purposes of this Schedule, in that Part of that Schedule—
- (a) any reference to the licensed conveyancer or to his practice shall be construed as including a reference to the body ^{F1}. . . in relation to which the powers conferred by that Part of that Schedule are exercisable by virtue of paragraph 10, 11 or 12(1) of this Schedule or to its business (or former business) as a recognised body;
 - (b) any reference to paragraph 1 of that Schedule shall be construed as including a reference to paragraph 10 or 12(1) of this Schedule; ^{F2}. . .
 - (c) any reference to paragraph 3 of that Schedule shall be construed as including a reference to paragraph 11 of this Schedule.
 - [^{F3}(d) paragraph 6(2)(a) of that Schedule is to be construed as including a reference to sums of money held by or on behalf of the recognised body in connection with any trust of which a person who is or was manager or employee of that body is or was a trustee in his capacity as such a manager or employee;
 - (e) paragraph 9 of that Schedule is to be construed—
 - (i) as if sub-paragraph (1) included a reference to documents in the possession or under the control of the recognised body in connection with any trust of which a person who is or was a manager or employee of that body is or was a trustee in his capacity as such a manager or employee, and
 - (ii) as applying to a person who is or was a manager or employee of the recognised body and documents and property in his possession or under his control in connection with such a trust as it applies to a recognised body and documents and property in the possession or under the control of that body;
 - (f) paragraph 10A(1) of that Schedule is to be construed as including power for the Council to apply to the High Court for an order for the appointment of a new trustee to a trust in substitution for a person who is a trustee in his capacity as a manager or employee of the recognised body; and
 - (g) paragraph 12A of that Schedule is to be read as if the references to a former partner were references—
 - (i) in the case of a recognised body which is a partnership, to a former partner in the partnership, and
 - (ii) in any other case to a manager or former manager of the recognised body.]

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Textual Amendments

- F1** Word in Sch. 6 para. 13(a) repealed (31.3.2009) by Legal Services Act 2007 (c. 29), ss. 182, 210, 211, Sch. 17 para. 32(15)(a), **Sch. 23** (with ss. 29, 192, 193); S.I. 2009/503, **art. 2(c)(i)(f)(v)(ff)**
- F2** Word in Sch. 6 para. 13(b) repealed (31.3.2009) by Legal Services Act 2007 (c. 29), ss. 182, 210, 211, Sch. 17 para. 32(15)(b), **Sch. 23** (with ss. 29, 192, 193); S.I. 2009/503, **art. 2(c)(i)(f)(v)(ff)**
- F3** Sch. 6 para. 13(d)-(g) inserted (31.3.2009) by Legal Services Act 2007 (c. 29), ss. 182, 211, **Sch. 17 para. 32(15)(b)** (with ss. 29, 192, 193); S.I. 2009/503, **art. 2(c)(i)**

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