



# Administration of Justice Act 1985

## 1985 CHAPTER 61

### PART II

#### LICENSED CONVEYANCING

##### *Training and licensing of persons seeking to practise as licensed conveyancers*

#### **15 Issue of licences by Council.**

- (1) If, on an application for a licence under this Part made in accordance with section 14, the Council is satisfied—
  - (a) that the applicant has complied with such rules under section 13 (if any) as are applicable in his case; and
  - (b) that he has made adequate arrangements for the purpose of complying with any rules made under or for the purposes of section 21(1); and
  - (c) that he is a fit and proper person to practise as a licensed conveyancer or, in the case of an applicant in relation to whom section 16 has effect, that he is a fit and proper person to practise as such a conveyancer subject to his complying with any particular conditions that may be imposed under that section,the Council shall issue the applicant either with a licence free of conditions or with a licence subject to such conditions as aforesaid, as the case may require.
- (2) If the Council is for any reason not so satisfied it shall refuse the application, and shall notify the applicant of the refusal of the application and of the grounds on which it has been refused.
- (3) Where—
  - (a) an application for a licence has been made in accordance with section 14; and
  - (b) the Council has within [<sup>F1</sup>the period prescribed under subsection (3A)] neither issued a licence in pursuance of the application nor refused the application under subsection (2),

*Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1985, Section 15. (See end of Document for details)*

then, for the purposes of this Part, the application shall be deemed to have been so refused by the Council, and the applicant shall be deemed to have been notified of the refusal at the end of the said period.

[<sup>F2</sup>(3A) The Council must by rules prescribe the period that applies for the purposes of subsection (3)(b).]

(4) Subject to the provisions of this Part, the period for which a licence shall be in force under this Part shall be [<sup>F3</sup>such period, beginning with the date of issue of the licence, as may be specified in the licence.]

[<sup>F4</sup>(4A) The period specified in a licence under subsection (4) may be a fixed or indefinite period.]

(5) Where—

- (a) an application for a licence is made in accordance with section 14 by a person who, at the date of the application, already holds a licence under this Part; and
- (b) no new licence is issued to him in pursuance of the application before the time when his existing licence would, apart from this subsection, expire in accordance with subsection (4),

his existing licence shall not expire at that time but shall continue in force until a new licence is issued to him in pursuance of the application or, if the application is refused by the Council—

- (i) until the end of the period within which an appeal may be brought against the refusal under section 29(1)(a); or
- (ii) if such an appeal is brought, until the appeal is determined or abandoned.

(6) Where an applicant for a licence under this Part has held such a licence at any time within the period of twelve months ending with the date of his application, any licence granted to him in pursuance of the application shall, unless the Council directs otherwise, be deemed to have been issued on the day following the date when his previous licence expired in accordance with subsection (4) (or would have so expired but for subsection (5)) and accordingly to have been held by him as from that day.

(7) <sup>F5</sup>.....

(8) <sup>F5</sup>.....

**Textual Amendments**

- F1** Words in s. 15(3)(b) substituted (29.6.2015) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(6)(c), [Sch. 20 para. 2\(2\)](#); S.I. 2015/1402, art. 2(c) (with art. 3(1))
- F2** S. 15(3A) inserted (29.6.2015) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(6)(c), [Sch. 20 para. 2\(3\)](#); S.I. 2015/1402, art. 2(c) (with art. 3(1))
- F3** Words in s. 15(4) substituted (31.3.2009) by [Legal Services Act 2007 \(c. 29\)](#), ss. 182, 211, [Sch. 17 para. 4\(3\)](#) (with ss. 29, 192, 193); S.I. 2009/503, [art. 2\(c\)\(i\)](#)
- F4** S. 15(4A) inserted (13.7.2011) by [The Legal Services Act 2007 \(The Law Society and The Council for Licensed Conveyancers\) \(Modification of Functions\) Order 2011 \(S.I. 2011/1716\)](#), arts. 2(1), 7
- F5** S. 15(7)(8) repealed (31.3.2009) by [Legal Services Act 2007 \(c. 29\)](#), ss. 182, 210, 211, [Sch. 17 para. 4\(4\)](#), [Sch. 23](#) (with ss. 29, 192, 193); S.I. 2009/503, [art. 2\(c\)\(i\)\(f\)\(v\)\(aa\)](#)

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**Changes to legislation:** There are currently no known outstanding effects for the Administration of Justice Act 1985, Section 15. (See end of Document for details)

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**Modifications etc. (not altering text)**

- C1** S. 15(3)-(6) applied (with modifications) (1.4.1991 for certain purposes, otherwise 7.12.2004) by Courts and Legal Services Act 1990 (c. 41), ss. 53, 124, **Sch. 8 para. 4(3)** (with s. 59(1)); S.I. 1991/608, **art. 2**, Sch; S.I. 2004/2950, **art. 2(a)**

**Changes to legislation:**

There are currently no known outstanding effects for the Administration of Justice Act 1985, Section 15.