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## SCHEDULES

### SCHEDULE 8

Section 53.

#### LICENSED CONVEYANCERS

#### PART I

#### ADDITIONAL POWERS OF COUNCIL FOR LICENSED CONVEYANCERS IN CONNECTION WITH SECTIONS 27, 28, AND 53

##### *General*

1 In this Schedule—

“the <sup>M1</sup>Act of 1985” means the Administration of Justice Act 1985;

“advocacy licence” means a licence issued under section 53 [<sup>F1</sup>by which the Council authorises the licensed conveyancer concerned to exercise a right of audience;]

“the Council” means the Council for Licensed Conveyancers;

“the Discipline and Appeals Committee” means the committee established under section 25 of the Act of 1985;

“litigation licence” means a licence issued under section 53 [<sup>F2</sup>by which the Council authorises the licensed conveyancer concerned to carry on activities which constitute the conduct of litigation;]

“probate licence” means a licence issued under section 53 [<sup>F3</sup>by which the Council authorises the licensed conveyancer concerned to carry on activities which constitute probate activities;] and

“relevant licence” means a licence under Part II of the Act of 1985 or an advocacy, litigation or probate licence.

[<sup>F4</sup>“reserved legal activity” has the same meaning as in the Legal Services Act 2007 (see section 12 of and Schedule 2 to that Act).]

#### Textual Amendments

- F1** Sch. 8 para. 1: words in definition of "advocacy licence" substituted (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), ss. 182, 211, [Sch. 17 para. 35\(2\)\(a\)](#) (with ss. 29, 192, 193); S.I. 2009/3250, [art. 2\(f\)\(iii\)](#) (with art. 9)
- F2** Sch. 8 para. 1: words in definition of "litigation licence" substituted (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), ss. 182, 211, [Sch. 17 para. 35\(2\)\(b\)](#) (with ss. 29, 192, 193); S.I. 2009/3250, [art. 2\(f\)\(iii\)](#) (with art. 9)
- F3** Sch. 8 para. 1; words in definition of "probate licence" substituted (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), ss. 182, 211, [Sch. 17 para. 35\(2\)\(c\)](#) (with ss. 29, 192, 193); S.I. 2009/3250, [art. 2\(f\)\(iii\)](#) (with art. 9)

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- F4** Sch. 8 para. 1: definition of "reserved legal activity" inserted (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), ss. 182, 211, [Sch. 17 para. 35\(2\)\(d\)](#) (with ss. 29, 192, 193); S.I. 2009/3250, [art. 2\(f\)\(iii\)](#) (with art. 9)

#### Commencement Information

- I1** Sch. 8 Pt. 1 para. 1 wholly in force at 7.12.2004; Sch. 8 Pt. 1 para. 1 in force at 1.4.1991 (except in so far as it relates to certain exemptions under section 55) see s. 124(3) and [S.I. 1991/608, art. 2, Sch.](#); Sch. 8 Pt. 1 para. 1 otherwise in force at 7.12.2004 by [S.I. 2004/2950, art. 2](#)

#### Marginal Citations

- M1** 1985 c. 61.

### *Qualification regulations and rules of conduct*

- 2 (1) For the purpose of exercising the powers conferred by section 53 the Council may make such qualification regulations and [<sup>F5</sup>conduct rules] as it considers appropriate in connection with the [<sup>F6</sup>carrying on of the reserved legal activities] in question.
- (2) In making any such regulations or rules the Council may, in particular, do anything which it has power to do in making rules under section 13 of the Act of 1985 (training rules).

#### Textual Amendments

- F5** Words in Sch. 8 para. 2(1) substituted (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), ss. 182, 211, [Sch. 17 para. 35\(3\)\(a\)](#) (with ss. 29, 192, 193); S.I. 2009/3250, [art. 2\(f\)\(iii\)](#) (with art. 9)
- F6** Words in Sch. 8 para. 2(1) substituted (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), ss. 182, 211, [Sch. 17 para. 35\(3\)\(b\)](#) (with ss. 29, 192, 193); S.I. 2009/3250, [art. 2\(f\)\(iii\)](#) (with art. 9)

#### Commencement Information

- I2** Sch. 8 para. 2 wholly in force at 7.12.2004; Sch. 8 para. 2 in force at 1.4.1991 (except in so far as it relates to certain exemptions under section 55) see s. 124(3) and [S.I. 1991/608, art. 2, Sch.](#); Sch. 8 para. 2 otherwise in force at 7.12.2004 by [S.I. 2004/2950, art. 2](#)

### *Applications for licences*

- 3 (1) An application for an advocacy licence, litigation licence or probate licence shall be made to the Council in such manner, and shall be accompanied by such fee, as may be prescribed by rules made by the Council under this paragraph.
- (2) Any such rules—
- (a) may prescribe the forms to be used in connection with applications for any such licence; and
  - (b) may provide for applications of any description specified in the rules to be exempt from any of the requirements of the rules.
- (3) Rules made under section 14 of the Act of 1985 and this paragraph may make provision with respect to applications for composite licences.

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#### Commencement Information

- I3** Sch. 8 Pt. 1 para. 3 wholly in force at 7.12.2004; Sch. 8 Pt. 1 para. 3 in force at 1.4.1991 (except in so far as it relates to certain exemptions under section 55) see s. 124(3) and S.I. 1991/608, art. 2, Sch.; Sch. 8 Pt. 1 para. 3 otherwise in force at 7.12.2004 by S.I. 2004/2950, art. 2

#### Issue of licences

- 4 (1) If, on an application for an advocacy, litigation or probate licence, the Council is satisfied that—
- (a) the applicant has complied with such qualification regulations, [F7conduct rules] or other requirements as are applicable in his case in relation to the licence applied for;
  - (b) that he has made adequate arrangements for the purpose of complying with any provisions which are applicable in his case in relation to the licence applied for; and
  - (c) that he is a fit and proper person to [F8carry on the reserved legal activities] in question,
- the Council may issue the applicant either with a licence free of conditions or with a licence subject to such conditions as it sees fit to impose.
- (2) If the Council is for any reason not so satisfied, or for any other reason refuses the application, it shall notify the applicant of its refusal and of the grounds on which the application has been refused.
- (3) Subsections (3) to (6) of section 15 of the Act of 1985 (issue of licences under section 14 of that Act) shall apply, with the necessary modifications, with respect to any application under paragraph 3 and any licence in force under section 53 as they apply with respect to any application under section 14 of that Act and any licence under Part II of that Act.

#### Textual Amendments

- F7** Words in Sch. 8 para. 4(1)(a) substituted (1.1.2010) by Legal Services Act 2007 (c. 29), ss. 182, 211, Sch. 17 para. 35(4)(a) (with ss. 29, 192, 193); S.I. 2009/3250, art. 2(f)(iii) (with art. 9)
- F8** Words in Sch. 8 para. 4(1)(c) substituted (1.1.2010) by Legal Services Act 2007 (c. 29), ss. 182, 211, Sch. 17 para. 35(4)(b) (with ss. 29, 192, 193); S.I. 2009/3250, art. 2(f)(iii) (with art. 9)

#### Commencement Information

- I4** Sch. 8 Pt. 1 para. 4 wholly in force at 7.12.2004; Sch. 8 Pt. 1 para. 4 in force at 1.4.1991 (except in so far as it relates to certain exemptions under section 55) see s. 124(3) and S.I. 1991/608, art. 2, Sch.; Sch. 8 Pt. 1 para. 4 otherwise in force at 7.12.2004 by S.I. 2004/2950, art. 2

#### Conditional licences

- 5 (1) This paragraph has effect in any case where a person applies for an advocacy, litigation or probate licence—
- (a) for the first time;
  - (b) when a licence of the kind applied for which has previously been held by him has been subject to conditions;

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- (c) when, on the first day of the period to which the licence applied for would (if granted) relate, a period of twelve months or more will have elapsed since he held a licence of that kind;
- [<sup>F9</sup>(d) after the Investigating Committee have made any order in his case under section 24A(1) of the Act of 1985 or the Discipline and Appeals Committee have made any order in his case under section 26(1) of that Act.]
- (2) This paragraph also has effect in any case where a person applies for such a licence and any of the circumstances mentioned in paragraphs (e) to (j) of section 16 of the Act of 1985 (conditional licences) apply in his case.
- (3) Sub-paragraphs (1) and (2) are subject to subsection (4) of section 16 of the Act of 1985, as applied by sub-paragraph (7) of this paragraph.
- (4) In any case where this paragraph has effect the Council may, on issuing an advocacy, litigation or probate licence to the applicant, issue it subject to such conditions as the Council thinks fit.
- (5) The Council's decision in any such case to impose any particular conditions under this paragraph may be made by reference to such criteria of general application as may have been determined by the Council.
- (6) Without prejudice to the generality of sub-paragraph (4), conditions may be imposed under that sub-paragraph—
- (a) for restricting the kinds of [<sup>F10</sup>activities that may be carried on] by the applicant by virtue of his having the advocacy, litigation or probate licence in question; or
  - (b) for requiring the applicant to take any specified steps that will, in the opinion of the Council, be conducive to his carrying on an efficient practice as a licensed conveyancer who [<sup>F11</sup>carries on the additional activities] authorised by that licence,
- and conditions may be imposed under that sub-paragraph (whether for the purposes mentioned in paragraph (b) or otherwise) as they may be under Part II of the Act of 1985.
- (7) Subsections (4) and (5) of section 16 of the Act of 1985 shall have effect, with the necessary modifications, with respect to an advocacy, litigation or probate licence as they have effect with respect to a licence issued under Part II of that Act.
- [<sup>F12</sup>(8) Where a person applies for an advocacy, litigation or probate licence at a time when this paragraph has effect in relation to that person by reason of the circumstances mentioned in section 16(1)(ea) of the Act of 1985, section 16A(2) of that Act has effect as it has effect in relation to an application for a licence under Part 2 of that Act.]

#### Textual Amendments

- F9** Sch. 8 para. 5(1)(d) substituted (31.3.2009) by [Legal Services Act 2007 \(c. 29\)](#), ss. 182, 211, [Sch. 17 para. 35\(5\)\(a\)](#) (with ss. 29, 192, 193); S.I. 2009/503, [art. 2\(c\)\(ii\)](#)
- F10** Words in Sch. 8 para. 5(6)(a) substituted (31.3.2009) by [Legal Services Act 2007 \(c. 29\)](#), ss. 182, 211, [Sch. 17 para. 35\(5\)\(b\)\(i\)](#) (with ss. 29, 192, 193); S.I. 2009/503, [art. 2\(c\)\(ii\)](#)
- F11** Words in Sch. 8 para. 5(6)(b) substituted (31.3.2009) by [Legal Services Act 2007 \(c. 29\)](#), ss. 182, 211, [Sch. 17 para. 35\(5\)\(b\)\(ii\)](#) (with ss. 29, 192, 193); S.I. 2009/503, [art. 2\(c\)\(ii\)](#)

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**F12** Sch. 8 para. 5(8) inserted (31.3.2009) by [Legal Services Act 2007 \(c. 29\)](#), ss. 182, 211, [Sch. 17 para. 35\(5\)\(c\)](#) (with ss. 29, 192, 193); S.I. 2009/503, [art. 2\(c\)\(ii\)](#)

#### Commencement Information

**I5** Sch. 8 Pt. 1 para. 5 wholly in force at 7.12.2004; Sch. 8 Pt. 1 para. 5 in force at 1.4.1991 (except in so far as it relates to certain exemptions under section 55) see s. 124(3) and [S.I. 1991/608](#), [art. 2](#), [Sch.](#); Sch. 8 Pt. 1 para. 5 otherwise in force at 7.12.2004 by [S.I. 2004/2950](#), [art. 2](#)

#### *Register of licensed conveyancers*

- 6
- (1) Where an advocacy, litigation or probate licence is in force with respect to a licensed conveyancer, the Council shall enter details of the licence in the appropriate place in the register of licensed conveyancers maintained by it under section 19 of the Act of 1985.
  - (2) The Council shall accordingly cause the appropriate entries to be made on the issue of any advocacy, litigation or probate licence and deletions on any such licence ceasing to be in force.
  - (3) Where any such licence is for the time being suspended, the Council shall cause that fact to be noted in the register against the name of the licensed conveyancer concerned.

#### Commencement Information

**I6** Sch. 8 Pt. 1 para. 6 wholly in force at 7.12.2004; Sch. 8 Pt. 1 para. 6 in force at 1.4.1991 (except in so far as it relates to certain exemptions under section 55) see s. 124(3) and [S.I. 1991/608](#), [art. 2](#), [Sch.](#); Sch. 8 Pt. 1 para. 6 otherwise in force at 7.12.2004 by [S.I. 2004/2950](#), [art. 2](#)

#### *Code of conduct*

7 **F13** .....

#### Textual Amendments

**F13** Sch. 8 para. 7 repealed (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), ss. 182, 210, 211, [Sch. 17 para. 35\(6\)](#), [Sch. 23](#) (with ss. 29, 192, 193); S.I. 2009/3250, [art. 2\(f\)\(iii\)\(i\)\(viii\)\(oo\)](#) (with art. 9)

#### *Effect of suspension or disqualification under Part II of the Act of 1985*

- 8
- Where a licence issued under Part II of the Act of 1985 ceases to be in force (whether because it is suspended or the licensed conveyancer concerned is disqualified from holding such a licence or for any other reason), any advocacy, litigation or probate licence in force with respect to that licensed conveyancer at the time shall cease to have effect to the same extent as the licence under Part II of the Act of 1985.

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#### Commencement Information

- I7** Sch. 8 Pt. 1 para. 8 wholly in force at 7.12.2004; Sch. 8 Pt. 1 para. 8 in force at 1.4.1991 (except in so far as it relates to certain exemptions under section 55) see s. 124(3) and S.I. 1991/608, art. 2, Sch.; Sch. 8 Pt. 1 para. 8 otherwise in force at 7.12.2004 by S.I. 2004/2950, art. 2

#### *Removal of disqualification from holding a licence*

- 9 (1) Where the Discipline and Appeals Committee have made any order directing that a licensed conveyancer shall be disqualified (either permanently or during a specified period) from holding an advocacy licence, a litigation licence or a probate licence, he shall not, while his disqualification continues in force, be issued with a licence of a kind to which the disqualification relates unless the Committee, on an application made to them in that behalf, direct otherwise.
- (2) An application under this paragraph shall not be made to the Committee—
- (a) within ten months of the date of the Committee’s order relating to the kind of licence in question; or
  - (b) within ten months of a previous such application by the licensed conveyancer concerned with respect to that kind of licence.
- [<sup>F14</sup>(3) In relation to proceedings on an application under sub-paragraph (1), the Discipline and Appeals Committee may make such order as they consider fit as to the payment of costs by—
- (a) the Council;
  - (b) the applicant.]

#### Textual Amendments

- F14** Sch. 8 para. 9(3) inserted (31.3.2009) by Legal Services Act 2007 (c. 29), ss. 182, 211, Sch. 17 para. 35(7) (with ss. 29, 192, 193); S.I. 2009/503, art. 2(c)(ii)

#### Commencement Information

- I8** Sch. 8 Pt. 1 para. 9 wholly in force at 7.12.2004; Sch. 8 Pt. 1 para. 9 in force at 1.4.1991 (except in so far as it relates to certain exemptions under section 55) see s. 124(3) and S.I. 1991/608, art. 2, Sch.; Sch. 8 Pt. 1 para. 9 otherwise in force at 7.12.2004 by S.I. 2004/2950, art. 2

#### *Revocation on grounds of error or fraud*

- 10 (1) Where the Discipline and Appeals Committee are satisfied that a relevant licence was issued to any person as a result of any error, or as a result of fraud on the part of that person, they may if they think fit by order revoke that licence and any other relevant licence issued to that person.
- (2) Where a person has had a relevant licence which was held by him revoked, he shall not be issued with any relevant licence except on the advice of the Committee given to the Council as the result of an application made by that person to the Committee.
- (3) On any such application the Committee may, if they think fit, direct that the applicant shall be disqualified from holding any relevant licence, or a relevant licence of a specified kind, until the expiry of such period as may be specified in the direction.

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- (4) Paragraph 9 shall apply in relation to a direction under sub-paragraph (3) as it applies in relation to any direction of a kind mentioned in sub-paragraph (1) of that paragraph.
- [<sup>F15</sup>(5) In relation to proceedings for the revocation of a licence under sub-paragraph (1), the Discipline and Appeals Committee may make such order as they consider fit as to the payment of costs by—
- (a) the Council;
  - (b) the licensed conveyancer to whose licence the proceedings relate.
- (6) In relation to proceedings on an application under sub-paragraph (2), the Discipline and Appeals Committee may make such order as they consider fit as to the payment of costs by—
- (a) the Council;
  - (b) the applicant.]

#### Textual Amendments

**F15** Sch. 8 para. 10(5)(6) inserted (31.3.2009) by Legal Services Act 2007 (c. 29), ss. 182, 211, Sch. 17 para. 35(8) (with ss. 29, 192, 193); S.I. 2009/503, art. 2(c)(ii)

#### Commencement Information

**I9** Sch. 8 Pt. 1 para. 10 wholly in force at 7.12.2004; Sch. 8 Pt. 1 para. 10 in force at 1.4.1991 (except in so far as it relates to certain exemptions under section 55) see s. 124(3) and S.I. 1991/608, art. 2, Sch.; Sch. 8 Pt. 1 para. 10 otherwise in force at 7.12.2004 by S.I. 2004/2950, art. 2

### Recognised bodies

11 <sup>F16</sup> .....

#### Textual Amendments

**F16** Sch. 8 para. 11 repealed (31.3.2009) by Legal Services Act 2007 (c. 29), ss. 182, 210, 211, Sch. 17 para. 35(9), Sch. 23 (with ss. 29, 192, 193); S.I. 2009/503, art. 2(c)(ii)(f)(i)(vi)(cc)

## PART II

### AMENDMENTS OF PROVISIONS RELATING TO POWERS OF COUNCIL ETC.

#### Delegation of powers etc.

- 12 (1) [<sup>F17</sup>The] Council may arrange for any of its functions (other than those of making rules, schemes or standing orders under Part II of the Act of 1985) to be discharged—
- (a) by a committee of the Council; or
  - [<sup>F18</sup>(b) by a sub-committee of such a committee; or
  - (c) by an individual (whether or not a member of the Council's staff).]
- [<sup>F19</sup>(1A) Where by virtue of sub-paragraph (1) any function may be discharged by a committee, the committee may arrange for the discharge of that function by—

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- (a) a sub-committee of that committee; or
  - (b) an individual, whether or not a member of the Council's staff.
- (1B) Sub-paragraph (1A) is subject to any contrary direction given by the Council.
- (1C) Arrangements made under sub-paragraph (1) or (1A) in respect of a function may provide that the function is to be exercised in accordance with the arrangements only (and not by the delegating body).
- (1D) For this purpose “the delegating body” means—
- (a) in the case of arrangements under sub-paragraph (1), the Council, and
  - (b) in the case of arrangements under sub-paragraph (1A), the committee.]
- (2) The Council may make rules providing for functions conferred by Part II of the Act of 1985 on any committee established under that Part to be discharged by a committee established under this paragraph.
- [<sup>F20</sup>(3) Any power conferred by sub-paragraph (1), (1A) or (2) may be exercised so as to impose restrictions or conditions on the body or individual by whom the function is to be discharged.]
- (4) The Council may make rules providing for any of its committees (including one established under Part II of the Act of 1985) to refer any matter of a kind specified in the rules, in such circumstances as may be so specified, to any other such committee, or to the Council.
- (5) Where any matter is referred under sub-paragraph (4) to a committee of the Council or to the Council, that committee or (as the case may be) the Council shall have the same power to deal with it as the committee referring it.
- [<sup>F21</sup>(6) A committee or sub-committee established under this paragraph may include or consist of individuals other than—
- (a) members of the Council;
  - (b) licensed conveyancers.
- (7) A sub-committee of a committee established under this paragraph may also include or consist of individuals other than members of the committee.
- (7A) The Council may make arrangements for the appointment and removal of members of any committee to be made other than by the Council.
- (7B) A committee or sub-committee may regulate its own procedure, including quorum.]
- (8) The validity of any proceedings of such a committee shall not be affected by any casual vacancy among its members.
- (9) Any rules made under this paragraph—
- (a) may make such incidental and supplemental provision as the Council considers appropriate; and
  - (b) may make different provision for different circumstances.
- [<sup>F22</sup>(10) This paragraph is subject to any provision to the contrary made by or under any enactment.]

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#### Textual Amendments

- F17** Words in Sch. 8 para. 12(1) substituted (31.3.2009) by [Legal Services Act 2007 \(c. 29\)](#), ss. 182, 211, [Sch. 17 para. 35\(10\)\(a\)](#) (with ss. 29, 192, 193); S.I. 2009/503, [art. 2\(c\)\(ii\)](#)
- F18** Sch. 8 para. 12(1)(b)(c) substituted (31.3.2009) for Sch. 8 para. 12(1)(b) by [Legal Services Act 2007 \(c. 29\)](#), ss. 182, 211, [Sch. 17 para. 35\(10\)\(b\)](#) (with ss. 29, 192, 193); S.I. 2009/503, [art. 2\(c\)\(ii\)](#)
- F19** Sch. 8 para. 12(1A)-(1D) inserted (31.3.2009) by [Legal Services Act 2007 \(c. 29\)](#), ss. 182, 211, [Sch. 17 para. 35\(10\)\(c\)](#) (with ss. 29, 192, 193); S.I. 2009/503, [art. 2\(c\)\(ii\)](#)
- F20** Sch. 8 para. 12(3) substituted (31.3.2009) by [Legal Services Act 2007 \(c. 29\)](#), ss. 182, 211, [Sch. 17 para. 35\(10\)\(d\)](#) (with ss. 29, 192, 193); S.I. 2009/503, [art. 2\(c\)\(ii\)](#)
- F21** Sch. 8 para. 12(6)-(7B) substituted (31.3.2009) for Sch. 8 para. 12(6)(7) by [Legal Services Act 2007 \(c. 29\)](#), ss. 182, 211, [Sch. 17 para. 35\(10\)\(e\)](#) (with ss. 29, 192, 193); S.I. 2009/503, [art. 2\(c\)\(ii\)](#)
- F22** Sch. 8 para. 12(10) inserted (31.3.2009) by [Legal Services Act 2007 \(c. 29\)](#), ss. 182, 211, [Sch. 17 para. 35\(10\)\(f\)](#) (with ss. 29, 192, 193); S.I. 2009/503, [art. 2\(c\)\(ii\)](#)

#### Commencement Information

- I10** Sch. 8 para. 12 in force 1.4.1991 (except in so far as it relates to certain exemptions under section 55) see s. 124(3) and S.I. 1991/608, [art. 2](#), [Sch.](#)

### *Council's intervention powers*

13 **F23** .....

#### Textual Amendments

- F23** Sch. 8 para. 13 repealed (31.3.2009) by [Legal Services Act 2007 \(c. 29\)](#), ss. 182, 210, 211, [Sch. 17 para. 35\(11\)](#), [Sch. 23](#) (with ss. 29, 192, 193); S.I. 2009/503, [art. 2\(c\)\(ii\)\(f\)\(vi\)\(cc\)](#)

### *Inadequate professional services*

14 **F24** .....

#### Textual Amendments

- F24** Sch. 8 paras. 14-20 repealed (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), ss. 208, 210, 211, [Sch. 21 para. 100\(e\)](#), [Sch. 23](#) (with ss. 29, 192, 193); S.I. 2009/3250, [art. 2\(h\)](#) (with art. 9)

### *Inadequate professional services: steps that may be taken*

15 **F25** .....

#### Textual Amendments

- F25** Sch. 8 paras. 14-20 repealed (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), ss. 208, 210, 211, [Sch. 21 para. 100\(e\)](#), [Sch. 23](#) (with ss. 29, 192, 193); S.I. 2009/3250, [art. 2\(h\)](#) (with art. 9)

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### *Inadequate professional services: compensation*

16 F26 .....

#### **Textual Amendments**

**F26** Sch. 8 paras. 14-20 repealed (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), ss. 208, 210, 211, [Sch. 21 para. 100\(e\)](#), [Sch. 23](#) (with ss. 29, 192, 193); S.I. 2009/3250, [art. 2\(h\)](#) (with art. 9)

### *Inadequate professional services: failure to comply with direction*

17 F27 .....

#### **Textual Amendments**

**F27** Sch. 8 paras. 14-20 repealed (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), ss. 208, 210, 211, [Sch. 21 para. 100\(e\)](#), [Sch. 23](#) (with ss. 29, 192, 193); S.I. 2009/3250, [art. 2\(h\)](#) (with art. 9)

### *Inadequate professional services: fees*

18 F28 .....

#### **Textual Amendments**

**F28** Sch. 8 paras. 14-20 repealed (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), ss. 208, 210, 211, [Sch. 21 para. 100\(e\)](#), [Sch. 23](#) (with ss. 29, 192, 193); S.I. 2009/3250, [art. 2\(h\)](#) (with art. 9)

### *Inadequate professional services: costs*

19 F29 .....

#### **Textual Amendments**

**F29** Sch. 8 paras. 14-20 repealed (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), ss. 208, 210, 211, [Sch. 21 para. 100\(e\)](#), [Sch. 23](#) (with ss. 29, 192, 193); S.I. 2009/3250, [art. 2\(h\)](#) (with art. 9)

### *Duty of Discipline and Appeals Committee*

20 F30 .....

#### **Textual Amendments**

**F30** Sch. 8 paras. 14-20 repealed (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), ss. 208, 210, 211, [Sch. 21 para. 100\(e\)](#), [Sch. 23](#) (with ss. 29, 192, 193); S.I. 2009/3250, [art. 2\(h\)](#) (with art. 9)

*Status: Point in time view as at 01/01/2010.*

*Changes to legislation: Courts and Legal Services Act 1990, SCHEDULE 8 is up to date with all changes known to be in force on or before 05 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

*Power to examine files*

- 21 (1) Where the Council is satisfied that it is necessary to do so for the purpose of investigating any complaint made to it—
- (a) alleging professional misconduct by a licensed conveyancer; or
  - (b) <sup>F31</sup> .....
- the Council may give notice to the licensed conveyancer or his firm requiring the production or delivery to any person appointed by the Council, at a time and place to be fixed by the Council, of all documents in the possession of the licensed conveyancer or his firm in connection with the matters to which the complaint relates (whether or not they relate also to other matters).
- (2) The provisions of paragraphs 9(2) to (12), 11 and 12 of Schedule 5 to the Act of 1985 shall apply in relation to the powers conferred by sub-paragraph (1) as they apply in relation to the powers conferred by paragraph 9(1) of that Schedule.

**Textual Amendments**

**F31** Sch. 8 para. 21(1)(b) repealed (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), ss. 208, 210, 211, [Sch. 21 para. 100\(e\)](#), [Sch. 23](#) (with ss. 29, 192, 193); S.I. 2009/3250, [art. 2\(h\)](#) (with art. 9)

**Commencement Information**

**I11** Sch. 8 para. 21 in force 1.4.1991 (except in so far as it relates to certain exemptions under section 55) see s. 124(3) and [S.I. 1991/608](#), [art. 2](#), [Sch.](#)

*Interest on clients' money*

- 22 Where a licensed conveyancer—
- (a) is required by rules made under section 23 of the Act of 1985 to place any sum of money in a separate deposit account; but
  - (b) fails to do so as soon as is reasonably practicable,
- the Council may give a direction requiring him to account to the client in question for any interest which has not been earned but which would have been earned if that sum had been placed in a separate deposit account as soon as was reasonably practicable.

**Commencement Information**

**I12** Sch. 8 para. 22 in force 1.4.1991 (except in so far as it relates to certain exemptions under section 55) see s. 124(3) and [S.I. 1991/608](#), [art. 2](#), [Sch.](#)

*Full and limited licences*

<sup>F32</sup>23 .....

**Textual Amendments**

**F32** Sch. 8 para. 23 repealed (31.3.2009) by [Planning Act 2008 \(c. 29\)](#), [Sch. 23](#) (with ss. 29, 192, 194); S.I. 2009/503, [art. 2\(f\)\(vi\)\(cc\)](#) (with art. 5)

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*Cases in which conditions may be attached to licences*

- 24 In section 16(1) of the Act of 1985 (cases in which conditions may be attached to licences), the following shall be substituted for paragraph (i)—
- “(i) after having been committed to prison in civil proceedings;
  - (ia) after having been convicted of an offence involving dishonesty or deception or a serious arrestable offence (as defined by section 116 of the Police and Criminal Evidence Act 1984); or”.

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**Commencement Information**

- I13** Sch. 8 para. 24 in force 1.4.1991 (except in so far as it relates to certain exemptions under section 55) see s. 124(3) and [S.I. 1991/608, art. 2, Sch.](#)

**Status:**

Point in time view as at 01/01/2010.

**Changes to legislation:**

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