

Changes to legislation: Courts and Legal Services Act 1990, Paragraph 12 is up to date with all changes known to be in force on or before 30 May 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) View outstanding changes

SCHEDULES

SCHEDULE 8

LICENSED CONVEYANCERS ^[F1] AND LICENSED CLC PRACTITIONERS]

Textual Amendments

- F1** Words in Sch. 8 heading inserted (29.6.2015) by Deregulation Act 2015 (c. 20), s. 115(6)(b), Sch. 19 para. 13(2); S.I. 2015/1402, art. 2(b)

PART II

AMENDMENTS OF PROVISIONS RELATING TO POWERS OF COUNCIL ETC.

Delegation of powers etc.

- 12 (1) ^[F1]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
 - ^[F2](b) by a sub-committee of such a committee; or
 - (c) by an individual (whether or not a member of the Council's staff).]
- ^[F3](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—
- (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.
- ^[F4](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.]

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- (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.
- [^{F5}(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.
- [^{F6}(10) This paragraph is subject to any provision to the contrary made by or under any enactment.]

Textual Amendments

- F1** 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\(c\)\(ii\)](#)
- F2** 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\(c\)\(ii\)](#)
- F3** 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\(c\)\(ii\)](#)
- F4** 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\(c\)\(ii\)](#)
- F5** 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\(c\)\(ii\)](#)
- F6** 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

- I1** 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.](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 58A(2)(fe) inserted by [2021 c. 17 s. 53](#)