
Status: Point in time view as at 01/04/1991. This version of this provision has been superseded.

Changes to legislation: Courts and Legal Services Act 1990, Paragraph 5 is up to date with all changes known to be in force on or before 09 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)

SCHEDULES

SCHEDULE 8

LICENSED CONVEYANCERS

PART I

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

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;
 - (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;
 - (d) after the Discipline and Appeals Committee have made any order in his case under section 26 of the Act of 1985.
- (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 service that may be provided 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

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licensed conveyancer who provides the additional services 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.

Commencement Information

- II** 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](#)

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Changes to legislation:

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