
Status: Point in time view as at 31/03/2009.

Changes to legislation: There are currently no known outstanding effects for the Legal Services Act 2007, Paragraph 20. (See end of Document for details)

SCHEDULES

SCHEDULE 17

LICENSED CONVEYANCING

PART 1

ADMINISTRATION OF JUSTICE ACT 1985 (C. 61)

- 20 (1) Section 32 (provision of conveyancing services by recognised bodies) is amended as follows.
- (2) In subsection (1)(a) for “by licensed” (in the first place) to the end substitute “ of conveyancing services bodies; ”.
- (3) In subsection (1)(b) for “such services” substitute “ conveyancing services or other relevant legal services ”.
- (4) After subsection (1)(b) insert—
- “(ba) prescribing the Council's arrangements for authorising recognised bodies, for the purposes of the Legal Services Act 2007, to carry on reserved instrument activities, or the administration of oaths, within the meaning of that Act;”.
- (5) In subsection (1)(c) for “conditions” substitute “ requirements ”.
- (6) In subsection (2) omit “corporate”.
- (7) In subsection (3)—
- (a) in paragraph (a) after “section” insert “ , or for the renewal of such recognition, ”,
- (b) after that paragraph insert—
- “(aa) for the payment of fees in connection with other applications under the rules;”,
- (c) for paragraph (c) substitute—
- “(c) about the time when any recognition granted under this section, or renewal of such recognition, takes effect and the period for which it is (subject to the provisions of this Part) to remain in force;
- (ca) for the suspension or revocation of any such recognition, on such grounds and in such circumstances as may be prescribed in the rules;
- (cb) about the effect on the recognition of a partnership or other unincorporated body (“the existing body”) of any change in its membership, including provision for the existing body's recognition to be transferred where the existing body

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ceases to exist and another body succeeds to the whole or substantially the whole of its business;”,

- (d) omit paragraph (d),
- (e) in paragraph (e)—
 - (i) for “a list” substitute “ a register ”,
 - (ii) omit “corporate”, and
 - (iii) for “, and for the” to the end substitute “ and such other information relating to those bodies as may be specified in the rules; ”,
- (f) after that paragraph insert—
 - “(ea) for information (or information of a specified description) on such a register to be made available to the public, and about the manner in which and times at which, information is to be made so available;”,
- (g) after paragraph (f) insert—
 - “(fa) about the education and training requirements to be met by managers and employees of recognised bodies;
 - (fb) for rules made under any other provision of this Part to have effect in relation to managers and employees of recognised bodies with such additions, omissions or other modifications as appear to the Council to be necessary or expedient;”, and
- (h) in paragraph (g) after “recognised bodies” insert “ or managers or employees of such bodies ”.

(8) After subsection (3) insert—

“(3A) Rules made by the Council may provide for the Council to grant a body recognition under this section subject to one or more conditions.

(3B) At any time while a body is recognised under this section, the Council may, in such circumstances as may be prescribed, direct that the body's recognition is to have effect subject to such conditions as the Council may think fit.

“Prescribed” means prescribed by rules made by the Council.

(3C) The conditions which may be imposed under subsection (3A) or (3B) include—

- (a) conditions restricting the kinds of conveyancing services that may be provided by the body;
- (b) conditions imposed by reference to criteria of general application;
- (c) conditions requiring the body to take any specified steps that will, in the opinion of the Council, be conducive to the body carrying on an efficient business;

and conditions may be imposed despite the fact that they may result in expenditure being incurred by the body.

(3D) On an application made by a recognised body, the Council may, in such circumstances as may be prescribed, direct—

- (a) the removal of a condition subject to which the body's recognition has effect;
- (b) the variation of such a condition in the manner described in the application.

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- (3E) For the purposes of subsection (3D)—
- (a) section 14 applies in relation to an application under that subsection as it applies in relation to an application for a licence under this Part of this Act, and
 - (b) “prescribed” means prescribed by rules made by the Council.
- (3F) Rules under subsection (3A) or (3B) may make provision about when conditions imposed take effect (including provision conferring power on the Council to direct that a condition is not to have effect until the conclusion of any appeal in relation to it).
- (3G) Rules under this section may contain such incidental, supplemental, transitional or transitory provisions or savings as the Council considers necessary or expedient.”
- (9) Omit subsections (4) and (5).
- (10) In subsection (6)—
- (a) in paragraph (a) omit “corporate”, and
 - (b) for paragraph (b) substitute—
 - “(b) that a body's recognition under this section does not have effect subject to any conditions or has effect subject to any particular conditions.”.
- (11) After subsection (7) insert—
- “(8) In this section “conveyancing services body” and “relevant legal services” have the meaning given by section 32A.
 - (9) The Council is capable of being designated as a licensing authority for the purposes of, and subject to, Part 5 of the Legal Services Act 2007 (alternative business structures).”

Commencement Information

II Sch. 17 para. 20 wholly in force at 31.3.2009 see s. 211 and [S.I. 2009/503](#), [art. 2\(c\)\(i\)](#) (subject to [art. 4](#))

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