
Status: Point in time view as at 31/03/2009.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, Cross Heading: Recognised bodies. (See end of Document for details)

SCHEDULES

SCHEDULE 22

TRANSITIONAL AND TRANSITORY PROVISION

Recognised bodies

- 15 (1) During the transitional period, any reference in sections 9, 9A or 32A of, or Schedule 2 or 6 to, the Administration of Justice Act 1985 (c. 61) (recognition of legal services bodies and conveyancing services bodies) to an authorised person is to be read as a reference to—
- (a) a person who has in force a certificate issued by the General Council of the Bar authorising the person to practise as a barrister,
 - (b) a person who is qualified under section 1 of the Solicitors Act 1974 (c. 47) to act as a solicitor,
 - (c) a recognised body under section 9 of the Administration of Justice Act 1985,
 - (d) a registered European lawyer (within the meaning of the European Communities (Lawyer's Practice) Regulations 2000 (S.I. 2000/1119)),
 - (e) a person who has in force a certificate issued by the Institute of Legal Executives authorising the person to practise as a legal executive,
 - (f) licensed conveyancers (within the meaning of section 11(2) of the Administration of Justice Act 1985),
 - (g) a recognised body under section 32 of that Act,
 - (h) a duly certificated notary (within the meaning of paragraph 12(4) of Schedule 5),
 - (i) a person who (having regard to section 15) carries on notarial activities through an employee or manager of the person who is within paragraph (h),
 - (j) a registered patent attorney within the meaning given by section 275(1) of the Copyright, Designs and Patents Act 1988 (c. 48),
 - (k) a patent attorney body (within the meaning of paragraph 14(7) of Schedule 5),
 - (l) a registered trade mark attorney within the meaning of the Trade Marks Act 1994 (c. 26),
 - (m) a trade mark attorney body (within the meaning of paragraph 16(7) of Schedule 5),
 - (n) an authorised member of the Association of Law Costs Draftsmen (within the meaning of paragraph 17(2) of Schedule 5), or
 - (o) a person who (having regard to section 15) carries on an activity which is a reserved legal activity within paragraph 18(2) of Schedule 5 through an employee or manager of the person who is within paragraph (n).
- (2) After the end of the transitional period, any reference in section 9, 9A or 32A of, or Schedule 2 or 6 to, the Administration of Justice Act 1985 (c. 61) to an authorised person includes a person who is an exempt person—

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- (a) by virtue of paragraph 13 of Schedule 5, in relation to the carrying on of an activity which is a notarial activity, or
 - (b) by virtue of paragraph 18 of that Schedule, in relation to the carrying on of an activity which is a reserved legal activity within sub-paragraph (2) of that paragraph.
- (3) For this purpose “the transitional period” means the period which—
- (a) begins with the day on which sections 9, 9A, 32 and 32A of the Administration of Justice Act 1985 (as amended and substituted by Schedules 16 and 17) come into force, and
 - (b) ends with the day appointed for the coming into force of section 13 (entitlement to carry on a reserved legal activity).

Commencement Information

II Sch. 22 para. 15 wholly in force at 31.3.2009 see s. 211 and S.I. 2009/503, art. 2(c)(i) (subject to art. 5)

- 16 (1) During the transitional period (within the meaning of paragraph 15), the Law Society may make rules to which this sub-paragraph applies only with the concurrence of the Lord Chancellor (as well as the Master of the Rolls).
- (2) Sub-paragraph (1) applies to —
- (a) rules made under section 9 of the Administration of Justice Act 1985 by virtue of subsections (1A), (1C), (2F), (2G) or (2I) of that section or section 9A of that Act, and
 - (b) any other rules made under section 9 of that Act, in so far as they apply in relation to bodies which have one or more managers who are not legally qualified (within the meaning of section 9A of that Act), or managers or employees of such bodies.
- 17 (1) During the relevant period, the legal professional privilege provisions apply to a body which—
- (a) is recognised under section 9 of the 1985 Act, and
 - (b) has one or more managers who are not legally qualified (within the meaning of section 9A of that Act),
- as if the body were a licensed body.
- (2) Sub-paragraph (1) applies whether or not the legal professional privilege provisions have been brought into force for other purposes.
- (3) The relevant period is the period which—
- (a) begins when section 9A of the 1985 Act comes into force, and
 - (b) ends when paragraph 7 of Schedule 5 ceases to apply in relation to the body.
- (4) The legal professional privilege provisions are—
- (a) paragraph 36(4) of Schedule 2 to the 1985 Act (as inserted by Schedule 16 to this Act), and
 - (b) section 190(3) to (7) of this Act.
- (5) During the transitional period (within the meaning of paragraph 15), section 190(5) (h) (as it applies by virtue of this paragraph) applies as if for “an authorised person in relation to an activity which is a reserved legal activity” there were substituted “within paragraph 15(1) of Schedule 22”.

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(6) “The 1985 Act” means the Administration of Justice Act 1985.

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