

1987 No. 787 (C.21)

LICENSED CONVEYANCING

**The Administration of Justice Act 1985
(Commencement No.4) Order 1987**

Made *30th April 1987*

The Lord Chancellor, in exercise of the powers conferred on him by section 69(2) of the Administration of Justice Act 1985(a), hereby makes the following Order:-

1. This Order may be cited as the Administration of Justice Act 1985 (Commencement No. 4) Order 1987.

2. The provisions of the Administration of Justice Act 1985 specified in Part I of the Schedule to this Order shall come into force on 11th May 1987 and the provision of that Act specified in Part II of the Schedule shall come into force on 1st December 1987.

Dated 30th April 1987

Hailsham of St Marylebone, C.

(a) 1985 c. 61.

SCHEDULE

Article 2

PART I

PROVISIONS COMING INTO FORCE ON 11TH MAY 1987

<i>Provisions of the Act</i>	<i>Subject matter</i>
Sections 6(1), 6(2), 6(3) and 6(5)	Preparation of conveyancing documents by unqualified persons.
Section 11	Provision of conveyancing services by licensed conveyancers.
Section 14	Applications for licences
Section 15	Issue of licences by the Council of Licensed Conveyancers.
Section 16	Conditional licences.
Section 17	Imposition of conditions during currency of licence.
Section 18	Suspension or termination of licences.
Section 19	Register of licensed conveyancers.
Section 20	Rules as to professional practice, conduct and discipline.
Section 21	Professional indemnity and compensation.
Section 24	Preliminary investigation of disciplinary cases.
Section 25	The Discipline and Appeals Committee.
Section 26	Proceedings on disciplinary cases.
Section 27	Removal of disqualification from holding a licence.
Section 28	Revocation of licence on grounds of fraud or error.
Section 29	Appeals from decisions of Council in relation to licences.
Section 30 (and Schedule 4)	Supplementary provisions relating to disciplinary and other proceedings.
Section 31 (and Schedule 5)	Intervention in licensed conveyancer's practice and examination of files.
Section 32 (and Schedule 6)	Provision of conveyancing services by recognised bodies.
Section 33	Legal professional privilege.
Sections 34(1) and 34(2)	Modification of existing enactments relating to conveyancing, etc.
Section 35	Penalty for pretending to be a licensed conveyancer or recognised body.
Section 36	Offences by bodies corporate.
Section 37	Service of documents.
Section 39	Interpretation.

PART II

PROVISIONS COMING INTO FORCE ON 1ST DECEMBER 1987

<i>Provisions of the Act</i>	<i>Subject matter</i>
Section 6(4)	Preparation of conveyancing documents by unqualified persons.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into operation on 11th May 1987 the following provisions of the Administration of Justice Act 1985 and their consequential amendments and repeals—

- (a) Sections 6(1), 6(2), 6(3), 6(5): providing for the preparation of certain conveyancing documents by unqualified persons if they are employees of qualified persons, and for the institution of proceedings under s.22 of the Solicitors Act 1974 (c. 47) by local weights and measures authorities;
- (b) Sections 11, 14, 15, 16, 17, 18, 19, 20 and 21: providing for the provision of conveyancing services by licensed conveyancers, and providing rule making powers exercisable by the Council of Licensed Conveyancers to govern the granting of licences to persons seeking to practise as licensed conveyancers, and to govern the professional conduct and financial requirements to be observed by licensed conveyancers in practice;
- (c) Sections 24, 25, 26, 27, 28, 29, 30 (and Schedule 4), 31 (and Schedule 5), 32 (and Schedule 6), 33, 34, 35, 36, 37 and 39: providing rule making powers exercisable by the Council of Licensed Conveyancers to govern the disciplinary procedure to be followed in cases in which complaints or allegations are made concerning the conduct or convictions of a licensed conveyancer, and to govern the recognition by the Council of bodies corporate seeking to provide conveyancing services, and various consequential provisions.

and on 1st December 1987 the following provision of the Administration of Justice Act 1985 and its consequential amendments and repeals—

- (a) Section 6(4): providing that contracts for the sale or other disposition of land (except contracts to grant certain short leases) shall be included within the class of document which unqualified persons are prohibited from preparing by s.22 of the Solicitors Act 1974.

NOTE TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

<i>Provision</i>	<i>Date of commencement</i>	<i>S.I. No.</i>
Section 2, except insofar as it relates to the investigation of any complaint made to the Law Society relating to the quality of any professional services provided by a solicitor	12th March 1986	1986/364
Sections 4, 5, 7, 8, 12, 46		
Section 67(2), so far as it relates to the provisions of the Solicitors Act 1974 mentioned in Part III of Schedule 8		
Schedule 1		
Schedule 3	28th April 1986	
Section 50		
Sections 13, 22, 23, 38, 47, 51, 55	1st October 1986	1986/1503
Section 67(1), so far as it relates to paragraph 7 of Schedule 7		
Section 67(2), so far as it relates to so much of Part III of Schedule 8 as refers to the Supreme Court Act 1981 (c. 54) and the County Courts Act 1984 (c. 28)	1st January 1987	1986/2260
Sections 1 and 3		
Section 2, so far as it relates to the investigation of any complaint made to the Law Society relating to the quality of any professional services provided by a solicitor	12th January 1987	
Section 48		

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