



Administration of Justice Act 1985

1985 CHAPTER 61

PART II

LICENSED CONVEYANCING

Intervention by Council

31 Intervention in licensed conveyancer's practice and examination of files.

- (1) The powers conferred by Part II of Schedule 5 shall be exercisable in the circumstances specified in Part I of that Schedule.
- (2) Where the Investigating Committee are satisfied that it is necessary to do so for the purpose of investigating any such allegation ^{F1} . . . as is mentioned in paragraph (a) (ii) or (iii) ^{F2} . . . of section 24(1), the Committee may give notice to the licensed conveyancer to whom the allegation ^{F1} . . . relates, or to his firm, requiring the production or delivery to any person appointed by the Committee, at a time and place to be fixed by the Committee, of all documents in the possession of the licensed conveyancer or his firm in connection with the matters to which the allegation ^{F1} . . . relates (whether or not they relate also to other matters).
- (3) Sub-paragraphs (2) to (12) of paragraph 9 of Schedule 5, together with paragraphs 11 [^{F3} to 12A] of that Schedule, shall apply in relation to the powers conferred on the Investigating Committee by subsection (2) as they apply in relation to the powers conferred on the Council by sub-paragraph (1) of paragraph 9, and accordingly in those provisions—
 - (a) any reference to the Council shall be construed as including a reference to the Committee;
 - (b) any reference to a person appointed, or to a requirement, under that sub-paragraph shall be construed as including a reference to a person appointed, or to a requirement, under subsection (2); and
 - (c) any reference to any such documents as are mentioned in that sub-paragraph shall be construed as including a reference to any such documents as are mentioned in subsection (2).

Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1985, Cross Heading: Intervention by Council. (See end of Document for details)

- (4) The reference in subsection (2) to a licensed conveyancer includes a reference to a person who was a licensed conveyancer at the time when the conduct to which the allegation^{F4} . . . relates took place; and references to the licensed conveyancer in the provisions applied by subsection (3) shall be construed accordingly.

Textual Amendments

- F1** Words in s. 31(2) repealed (31.3.2009) by Legal Services Act 2007 (c. 29), ss. 182, 210, 211, Sch. 17 para. 19(2)(a), **Sch. 23** (with ss. 29, 192, 193); S.I. 2009/503, **art. 2(c)(i)(f)(v)(aa)**
- F2** Words in s. 31(2) repealed (31.3.2009) by Legal Services Act 2007 (c. 29), ss. 182, 210, 211, Sch. 17 para. 19(2)(b), **Sch. 23** (with ss. 29, 192, 193); S.I. 2009/503, **art. 2(c)(i)(f)(v)(aa)**
- F3** Words in s. 31(3) inserted (31.3.2009) by Legal Services Act 2007 (c. 29), ss. 182, 211, **Sch. 17 para. 19(3)** (with ss. 29, 192, 193); S.I. 2009/503, **art. 2(c)(i)**
- F4** Words in s. 31(4) repealed (31.3.2009) by Legal Services Act 2007 (c. 29), ss. 182, 210, 211, Sch. 17 para. 19(4), **Sch. 23** (with ss. 29, 192, 193); S.I. 2009/503, **art. 2(c)(i)(f)(v)(aa)**

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