

**Changes to legislation:** There are currently no known outstanding effects for the Administration of Justice Act 1985, Cross Heading: Appeal against refusal of Society to grant recognition etc. (See end of Document for details)

## SCHEDULES

### SCHEDULE 2

#### [<sup>F1</sup>LEGAL SERVICES PRACTICES]: SUPPLEMENTARY PROVISIONS

##### Textual Amendments

- F1** Words in Sch. 2 heading substituted (31.3.2009) by [Legal Services Act 2007 \(c. 29\)](#), ss. 177, 211, [Sch. 16 para. 85](#) (with ss. 29, 192, 193); S.I. 2009/503, [art. 2\(b\)\(ii\)](#)

##### Modifications etc. (not altering text)

- C1** Sch. 2 applied (with modifications) by SI 2000/1119 Sch. 4 para. 24(2) (as substituted (1.11.2015) by [The Legal Services Act 2007 \(The Law Society\) \(Modification of Functions\) Order 2015 \(S.I. 2015/401\)](#), art. 1(3), [Sch. 2 para. 3\(c\)\(ii\)](#))

##### Commencement Information

- I1** Sch. 2 wholly in force at 1.1.1992 see s. 69(2) and [S.I. 1991/2683](#), [art. 2](#)

*[<sup>F1</sup> Appeal against refusal of Society to grant recognition etc]*

##### Textual Amendments

- F1** Sch. 2 para. 2 and cross-heading substituted (31.3.2009) by [Legal Services Act 2007 \(c. 29\)](#), ss. 177, 211, [Sch. 16 para. 87](#) (with ss. 29, 192, 193); S.I. 2009/503, [art. 2\(b\)\(ii\)](#)

- [<sup>F2</sup>2 (1) A body may appeal to the High Court against—
- (a) a decision to refuse an application by the body for recognition under section 9;
  - (b) a decision to impose a condition under subsection (2F) of that section on the body's recognition under that section;
  - (c) a decision to impose a condition under subsection (2G) of that section on the body's recognition under that section.
- [<sup>F3</sup>(1A) A sole solicitor may appeal to the High Court against—
- (a) a decision to refuse an application for recognition of the solicitor's practice under section 9;
  - (b) a decision to impose a condition under subsection (2F) of that section on the recognition of the solicitor's practice under that section; and
  - (c) a decision to impose a condition under subsection (2G) of that section on the recognition of the solicitor's practice under that section.]
- (2) A recognised body whose recognition is subject to a condition within section 9(2H)
- (b) may appeal to the High Court against any decision by the Society to refuse to approve the taking of any step for the purposes of that condition.

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- [<sup>F4</sup>(2A) Where the recognition of a recognised sole solicitor’s practice is subject to a condition within section 9(2H)(b), the sole solicitor may appeal to the High Court against any decision by the Society to refuse to approve the taking of any step for the purposes of that condition.]
- (3) Rules made by the Society may make provision, as respects any application for recognition that is neither granted nor refused by the Society within such period as may be specified in the rules, for enabling an appeal to be brought under this paragraph in relation to the application as if it had been refused by the Society.
- (4) On an appeal under sub-paragraph (1)(a) or (b) [<sup>F5</sup>or (1A)(a) or (b)] , the High Court may—
- (a) affirm the decision of the Society,
  - (b) direct the Society to grant the body [<sup>F6</sup>or sole solicitor’s practice] recognition under section 9 free from conditions or subject to such conditions as the High Court may think fit,
  - (c) direct the Society not to recognise the body [<sup>F6</sup>or sole solicitor’s practice] ,
  - (d) if the Society has recognised the body [<sup>F6</sup>or sole solicitor’s practice] , by order suspend the recognition, or
  - (e) make such other order as the High Court thinks fit.
- (5) On an appeal under sub-paragraph (1)(c) [<sup>F7</sup>or (1A)(c)] , the High Court may—
- (a) affirm the decision of the Society,
  - (b) direct that the <sup>F8</sup>... recognition under section 9 is to have effect subject to such conditions as the High Court may think fit,
  - (c) by order revoke the direction given by the Society under section 9(2G), or
  - (d) make such other order as the High Court thinks fit.
- (6) On an appeal under sub-paragraph (2) [<sup>F9</sup>or (2A)] , the High Court may—
- (a) affirm the decision of the Society,
  - (b) direct the Society to approve the taking of one or more steps for the purposes of a condition within section 9(2H)(b), or
  - (c) make such other order as the High Court thinks fit.
- (7) In relation to an appeal under this paragraph, the High Court may make such order as it thinks fit as to payment of costs.
- (8) The decision of the High Court on an appeal under this paragraph is final.]

#### Textual Amendments

- F2** Sch. 2 para. 2 and preceding cross-heading substituted (31.3.2009) by [Legal Services Act 2007 \(c. 29\)](#), ss. 177, 211, [Sch. 16 para. 87](#) (with ss. 29, 192, 193); S.I. 2009/503, [art. 2\(b\)\(ii\)](#)
- F3** Sch. 2 para. 2(1A) inserted (1.11.2015) by [The Legal Services Act 2007 \(The Law Society\) \(Modification of Functions\) Order 2015 \(S.I. 2015/401\)](#), art. 1(3), [Sch. 1 para. 20\(3\)\(a\)](#)
- F4** Sch. 2 para. 2(2A) inserted (1.11.2015) by [The Legal Services Act 2007 \(The Law Society\) \(Modification of Functions\) Order 2015 \(S.I. 2015/401\)](#), art. 1(3), [Sch. 1 para. 20\(3\)\(b\)](#)
- F5** Words in Sch. 2 para. 2(4) inserted (1.11.2015) by [The Legal Services Act 2007 \(The Law Society\) \(Modification of Functions\) Order 2015 \(S.I. 2015/401\)](#), art. 1(3), [Sch. 1 para. 20\(3\)\(c\)\(i\)](#)
- F6** Words in Sch. 2 para. 2(4) inserted (1.11.2015) by [The Legal Services Act 2007 \(The Law Society\) \(Modification of Functions\) Order 2015 \(S.I. 2015/401\)](#), art. 1(3), [Sch. 1 para. 20\(3\)\(c\)\(ii\)](#)

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- F7** Words in Sch. 2 para. 2(5) inserted (1.11.2015) by The Legal Services Act 2007 (The Law Society) (Modification of Functions) Order 2015 (S.I. 2015/401), art. 1(3), **Sch. 1 para. 20(3)(d)(i)**
- F8** Word in Sch. 2 para. 2(5)(b) omitted (1.11.2015) by virtue of The Legal Services Act 2007 (The Law Society) (Modification of Functions) Order 2015 (S.I. 2015/401), art. 1(3), **Sch. 1 para. 20(3)(d)(ii)**
- F9** Words in Sch. 2 para. 2(6) inserted (1.11.2015) by The Legal Services Act 2007 (The Law Society) (Modification of Functions) Order 2015 (S.I. 2015/401), art. 1(3), **Sch. 1 para. 20(3)(e)**

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**Commencement Information**

- I1** Sch. 2 para. 2 wholly in force at 1.1.1992 see s. 69(2) and S.I. 1991/2683, **art. 2**

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