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

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## SCHEDULES

### SCHEDULE 5

#### INTERVENTION IN LICENSED CONVEYANCER'S PRACTICE

##### PART II

##### POWERS EXERCISABLE ON INTERVENTION

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

- C1** Powers conferred by Sch. 5 Pt. II (paras. 5-12) extended (1. 4. 1991 for certain purposes, otherwise 7.12.2004) by [Courts and Legal Services Act 1990 \(c. 41, SIF 76:1\)](#), ss. 53, 59(1), Sch. 8 para.13(1)(2); [S.I. 1991/608, art. 2, Sch](#); [S.I. 2004/2950, art. 2\(a\)](#)
- C1** Powers conferred by Sch. 5 Pt. II (paras. 5-12) restricted (1. 4. 1991 for certain purposes, otherwise 7.12.2004) by [Courts and Legal Services Act 1990 \(c. 41, SIF 76:1\)](#), ss. 53, 59(1), Sch. 8 para. 13(2); [S.I. 1991/608, art. 2, Sch](#); [S.I. 2004/2950, art. 2\(a\)](#)

###### *General*

- 11 The powers in relation to sums of money [<sup>F1</sup>, documents and other property] conferred by this Part of this Schedule shall be exercisable notwithstanding any lien on them or right to their possession.

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###### Textual Amendments

- F1** Words in [Sch. 5 para. 11](#) substituted (31.3.2009) by [Legal Services Act 2007 \(c. 29\)](#), ss. 182, 211, [Sch. 17 para. 31\(12\)](#), (with ss. 29, 192, 193); [S.I. 2009/503, art. 2\(c\)\(i\)](#)

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

- C1** [Sch. 5 Pt. II paras. 9\(2\)-\(12\), 11, 12](#) applied (1.4 1991 for certain purposes, otherwise 7.12.2004) by [Courts and Legal Services Act 1990 \(c. 41, SIF 76:1\)](#), s. 53, [Sch. 8 para. 21\(2\)](#) (with s. 59(1)); [S.I. 1991/608, art. 2, Sch](#); [S.I. 2004/2950, art. 2\(a\)](#)

- 12 Subject to any order for the payment of costs that may be made on an application to the court under this Schedule, any costs incurred by the Council for the purposes of this Schedule, including, without prejudice to the generality of this paragraph, the costs of any person exercising powers under this Part of this Schedule on behalf of the Council, shall be paid by the licensed conveyancer or his personal representatives and shall be recoverable from him or them as a debt owing to the Council.

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

- C2** Sch. 5 Pt. II paras. 9(2)-(12), 11, 12 applied (1. 4. 1991 for certain purposes, otherwise 7.12.2004) by Courts and Legal Services Act 1990 (c. 41, SIF 76:1), s. 53, Sch. 8 para. 21(2) (with s. 59(1)); S.I.1991/608, art. 2, Sch; S.I. 2004/2950, **art. 2(a)**

[<sup>F2</sup>12A(1) The High Court, on the application of the Council, may order a former partner of the licensed conveyancer to pay a specified proportion of the costs mentioned in paragraph 12.

- (2) The High Court may make an order under this paragraph only if it is satisfied that the conduct (or any part of the conduct) by reason of which the powers conferred by this Part were exercisable in relation to the licensed conveyancer was conduct carried on with the consent or connivance of, or was attributable to any neglect on the part of, the former partner.

- (3) In this paragraph “specified” means specified in the order made by the High Court.]

**Textual Amendments**

- F2** Sch. 5 para. 12A inserted (31.3.2009) by Legal Services Act 2007 (c. 29), ss. 182, 211, **Sch. 17 para. 31(13)**, (with ss. 29, 192, 193); S.I. 2009/503, **art. 2(c)(i)**

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