
Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1985, Paragraph 10. (See end of Document for details)

SCHEDULES

SCHEDULE 6

BODIES RECOGNISED UNDER S.32: SUPPLEMENTARY PROVISIONS

Intervention by Council

- 10 (1) Subject to sub-paragraph (2), where—
- (a) the Council is satisfied that a recognised body [^{F1}or a manager of such a body] has failed to comply with any rules applicable to it by virtue of section 32; or
 - [^{F2}(aa) the Council is satisfied that a recognised body has been carrying on business in breach of any condition subject to which the body's recognition under section 32 of this Act has effect; or]
 - (b) a person has been appointed receiver or manager of property of a recognised body ; or
 - [^{F3}(c) a relevant insolvency event occurs in relation to a recognised body; or]
 - (d) the Council has reason to suspect dishonesty on the part of any [^{F4}manager] or employee of a recognised body in connection with
 - [^{F5}(i) that body's business,
 - (ii) any trust of which that body is or was a trustee,
 - (iii) any trust of which the manager or employee is or was a trustee in his capacity as such a manager or employee, or
 - (iv) the business of another body in which the manager or employee is or was a manager or employee or the practice (or former practice) of the manager or employee;]
 - [^{F6}or
 - (e) the Council is satisfied that it is necessary to exercise the powers conferred by Part 2 of Schedule 5 (or any of them) in relation to a recognised body to protect—
 - (i) the interests of clients (or former or potential clients) of the recognised body,
 - (ii) the interests of the beneficiaries of any trust of which the recognised body is or was a trustee, or
 - (iii) the interests of the beneficiaries of any trust of which a person who is or was a manager or employee of the recognised body is or was a trustee in that person's capacity as such a manager or employee.]
- the powers conferred by Part II of Schedule 5 shall be exercisable in relation to the recognised body and its business in like manner as they are exercisable in relation to a licensed conveyancer and his practice.
- [^{F7}(1A) For the purposes of this paragraph a relevant insolvency event occurs in relation to a recognised body if—

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- (a) a resolution for a voluntary winding-up of the body is passed without a declaration of solvency under section 89 of the Insolvency Act 1986;
 - (b) the body enters administration within the meaning of paragraph 1(2)(b) of Schedule B1 to that Act;
 - (c) an administrative receiver within the meaning of section 251 of that Act is appointed;
 - [^{F8}(d) a winding up becomes a creditors' voluntary winding up under section 96 of that Act (conversion to creditors' voluntary winding up);]
 - (e) an order for the winding up of the body is made.]
- (2) ^{F9}

Textual Amendments

- F1** Words in Sch. 6 para. 10(1)(a) inserted (31.3.2009) by [Legal Services Act 2007 \(c. 29\)](#), ss. 182, 211, [Sch. 17 para. 32\(12\)\(a\)](#) (with ss. 29, 192, 193); S.I. 2009/503, [art. 2\(c\)\(i\)](#)
- F2** Sch. 6 para. 10(1)(aa) inserted (31.3.2009) by [Legal Services Act 2007 \(c. 29\)](#), ss. 182, 211, [Sch. 17 para. 32\(12\)\(b\)](#) (with ss. 29, 192, 193); S.I. 2009/503, [art. 2\(c\)\(i\)](#)
- F3** Sch. 6 para. 10(1)(c) substituted (31.3.2009) by [Legal Services Act 2007 \(c. 29\)](#), ss. 182, 211, [Sch. 17 para. 32\(12\)\(c\)](#) (with ss. 29, 192, 193); S.I. 2009/503, [art. 2\(c\)\(i\)](#)
- F4** Word in Sch. 6 para. 10(1)(d) substituted (31.3.2009) by [Legal Services Act 2007 \(c. 29\)](#), ss. 182, 211, [Sch. 17 para. 32\(12\)\(d\)](#) (with ss. 29, 192, 193); S.I. 2009/503, [art. 2\(c\)\(i\)](#)
- F5** Words in Sch. 6 para. 10(1)(d) substituted (31.3.2009) by [Legal Services Act 2007 \(c. 29\)](#), ss. 182, 211, [Sch. 17 para. 32\(12\)\(e\)](#) (with ss. 29, 192, 193); S.I. 2009/503, [art. 2\(c\)\(i\)](#)
- F6** Sch. 6 para. 10(1)(e) and preceding word inserted (31.3.2009) by [Legal Services Act 2007 \(c. 29\)](#), ss. 182, 211, [Sch. 17 para. 32\(12\)\(f\)](#) (with ss. 29, 192, 193); S.I. 2009/503, [art. 2\(c\)\(i\)](#)
- F7** Sch. 6 para. 10(1A) inserted (31.3.2009) by [Legal Services Act 2007 \(c. 29\)](#), ss. 182, 211, [Sch. 17 para. 32\(12\)\(g\)](#) (with ss. 29, 192, 193); S.I. 2009/503, [art. 2\(c\)\(i\)](#)
- F8** Sch. 6 para. 10(1A)(d) substituted (6.4.2017) by [The Deregulation Act 2015 and Small Business, Enterprise and Employment Act 2015 \(Consequential Amendments\) \(Savings\) Regulations 2017 \(S.I. 2017/540\)](#), reg. 1, [Sch. 1 para. 1\(3\)](#) (with reg. 4)
- F9** Sch. 6 para. 10(2) repealed (31.3.2009) by [Legal Services Act 2007 \(c. 29\)](#), ss. 182, 210, 211, [Sch. 17 para. 32\(12\)\(h\)](#), [Sch. 23](#) (with ss. 29, 192, 193); S.I. 2009/503, [art. 2\(c\)\(i\)\(f\)\(v\)\(ff\)](#)

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