



# Administration of Justice Act 1985

## 1985 CHAPTER 61

### PART II

#### LICENSED CONVEYANCING

##### *Training and licensing of persons seeking to practise as licensed conveyancers*

#### **17 Imposition of conditions during currency of licence.**

- (1) Subject to the provisions of this section the Council may in the case of any licensed conveyancer direct that his licence shall have effect subject to such conditions as the Council thinks fit.
- (2) The power to give a direction under this section in the case of any licensed conveyancer shall be exercisable by the Council at any time during the period for which his licence is in force if—
  - <sup>F1</sup>(a) in the event of an application for a licence being made by him at that time, section 16 would have effect in relation to him by reason of any such circumstances as are mentioned in paragraph [<sup>F2</sup>(ca)],(d), (e), [<sup>F3</sup>(ea), (eb), (ec)],(i) or (j) of subsection (1) of that section; or
  - (b) .....<sup>F4</sup>
  - (c) he has entered into a composition with his creditors<sup>F5</sup>....
- (3) Subject to subsection (4), the conditions specified in a direction under this section shall have effect as from the time when the licensed conveyancer concerned is notified of the Council's decision to give the direction.
- (4) The Council may, if it thinks fit, provide in a direction given under this section in the case of any licensed conveyancer that the conditions specified in the direction shall not have effect—
  - (a) pending the hearing and determination of any appeal brought by the licensed conveyancer under section 29(1)(c);

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*Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1985, Section 17. (See end of Document for details)*

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- [<sup>F6</sup>(aa) pending the hearing and determination of any appeal brought by the licensed conveyancer under paragraph 18, 20, 29, 32, 34 or 37 of Schedule 13 to the Legal Services Act 2007;
- (ab) pending the review by a licensing authority, in accordance with its licensing rules, of a determination that the licensed conveyancer should be disqualified under section 99 of the Legal Services Act 2007; or]
- (b) if an appeal has been made by the licensed conveyancer to the appropriate court against any order or judgment which, if successful, would result in subsection (2) no longer being applicable to him, pending the hearing and determination of that appeal.

(5) Subsection (3) of section 16 shall apply for the purposes of subsection (1) of this section as it applies for the purposes of subsection (2) of that section.

[<sup>F7</sup>(6) In this section “licensing authority” and “licensing rules” have the same meaning as in the Legal Services Act 2007 (see sections 73 and 83 of that Act).]

#### Textual Amendments

- F1** Words in s. 17(2)(a) inserted (31.3.2009 for specified purposes, 1.10.2011 in so far as not already in force) by Legal Services Act 2007 (c. 29), s. 211(2), **Sch. 17 para. 7(2)(b)** (with ss. 29, 192, 193); S.I. 2009/503, art. 2(c)(i); S.I. 2011/2196, art. 2(1)(g)
- F2** Words in s. 17(2)(a) inserted (31.3.2009) by Legal Services Act 2007 (c. 29), ss. 182, 211, **Sch. 17 para. 7(2)(a)** (with ss. 29, 192, 193); S.I. 2009/503, art. 2(c)(i)
- F3** Words in s. 17(2)(a) inserted (31.3.2009 for specified purposes, 1.10.2011 in so far as not already in force) by Legal Services Act 2007 (c. 29), s. 182, s. 211(2), **Sch. 17 para. 7(2)(b)** (with ss. 29, 192, 193); S.I. 2009/503, art. 2(c)(i); S.I. 2011/2196, art. 2(1)(g)
- F4** S. 17(2)(b) repealed by Insolvency Act 1985 (c. 65, SIF 66), s. 235(3), **Sch. 10 Pt. III** (with saving in Insolvency Act 1986 (c. 45, SIF 66), s. 437, **Sch. 11 para. 10**)
- F5** Words in s. 17(2)(c) omitted (1.10.2015) by virtue of Deregulation Act 2015 (c. 20), s. 115(7), **Sch. 6 para. 2(9)(b)** (with Sch. 6 para. 3); S.I. 2015/1732, art. 2(e)(i)
- F6** S. 17(4)(aa)(ab) substituted (1.10.2011) by Legal Services Act 2007 (c. 29), s. 211(2), **Sch. 17 para. 7(3)** (with ss. 29, 192, 193); S.I. 2011/2196, art. 2(1)(g)
- F7** S. 17(6) inserted (1.10.2011) by Legal Services Act 2007 (c. 29), s. 211(2), **Sch. 17 para. 7(4)** (with ss. 29, 192, 193); S.I. 2011/2196, art. 2(1)(g)

**Changes to legislation:**

There are currently no known outstanding effects for the Administration of Justice Act 1985, Section 17.