



# Administration of Justice Act 1985

## 1985 CHAPTER 61

### PART II

#### LICENSED CONVEYANCING

##### *Disciplinary and other proceedings*

#### **[<sup>F1</sup>24A Determination of allegations by Investigating Committee**

- (1) Where, on hearing an allegation by virtue of section 24(1A)(a), the Investigating Committee are satisfied that a licensed conveyancer—
  - (a) has, while holding a licence in force under this Part, failed to comply with any condition to which that licence was subject, or
  - (b) has failed to comply with any rules made by the Council under this Part, the Committee may, if they think fit, make an order directing the payment by the licensed conveyancer of a penalty to be forfeited to Her Majesty.
- (2) In relation to proceedings before the Investigating Committee by virtue of section 24(1A)(a), the Committee may make such order as they consider fit as to the payment of costs by—
  - (a) the Council,
  - (b) the licensed conveyancer against whom the proceedings were brought, or
  - (c) if the person on whose allegation the proceedings were brought was heard (in person, or through a representative) by the Committee in the course of the proceedings, that person.
- (3) In subsection (2), for the purposes of paragraph (a) or (b) of that subsection, the reference to costs includes costs incurred in connection with a preliminary investigation of the allegation under section 24(1A).
- (4) The amount of any penalty required to be paid under subsection (1) may not exceed such amount as may be prescribed by rules made by the Council for the purposes of this subsection.

*Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1985, Section 24A. (See end of Document for details)*

- (5) Paragraphs 1, 2(1) and (3) and 4 of Schedule 4 have effect in relation to—
  - (a) proceedings for the hearing and determination of an allegation by the Investigating Committee, as they have effect in relation to proceedings before the Discipline and Appeals Committee under section 26, and
  - (b) orders of the Investigating Committee, as they have effect in relation to orders of the Discipline and Appeals Committee.
- (6) A person against whom an order is made by the Investigating Committee by virtue of subsection (1) may appeal to the Discipline and Appeals Committee, and on any such appeal the Discipline and Appeals Committee may make such order as they think fit.
- (7) Where an order is made by the Investigating Committee by virtue of subsection (2), a person listed in paragraphs (a) to (c) of that subsection may appeal to the Discipline and Appeals Committee, and on any such appeal the Discipline and Appeals Committee may make such order as they think fit.
- (8) Where an order is made by the Discipline and Appeals Committee under subsection (6) or (7)—
  - (a) a party to the appeal, or
  - (b) if not within paragraph (a), the Council,
 may appeal against the order to the [<sup>F2</sup>First-tier Tribunal] .
- (9) On an appeal under subsection (8) the [<sup>F3</sup>First-tier Tribunal] may make such order as it thinks fit.

<sup>F4</sup>(10)] .....

<b>Textual Amendments</b>	
<b>F1</b>	S. 24A inserted (31.3.2009) by Legal Services Act 2007 (c. 29), ss. 182, 211, <b>Sch. 17 para. 13</b> (with ss. 29, 192, 193); S.I. 2009/503, <b>art. 2(c)(i)</b>
<b>F2</b>	Words in s. 24A(8) substituted (29.6.2015) by Deregulation Act 2015 (c. 20), s. 115(6)(c), <b>Sch. 20 para. 7(2)</b> ; S.I. 2015/1402, art. 2(c) (with art. 3(3))
<b>F3</b>	Words in s. 24A(9) substituted (29.6.2015) by Deregulation Act 2015 (c. 20), s. 115(6)(c), <b>Sch. 20 para. 7(3)</b> ; S.I. 2015/1402, art. 2(c) (with art. 3(3))
<b>F4</b>	S. 24A(10) omitted (29.6.2015) by virtue of Deregulation Act 2015 (c. 20), s. 115(6)(c), <b>Sch. 20 para. 7(4)</b> ; S.I. 2015/1402, art. 2(c) (with art. 3(3))

**Changes to legislation:**

There are currently no known outstanding effects for the Administration of Justice Act 1985, Section 24A.