



Courts and Legal Services Act 1990

1990 CHAPTER 41

PART II

LEGAL SERVICES

Extension of conveyancing services

35 Functions of the Board and financial provisions.

- (1) It shall be the general duty of the Board—
 - (a) to seek to develop competition in the provision of conveyancing services;
 - (b) to supervise the activities of authorised practitioners in connection with the provision by them of conveyancing services.
- (2) In discharging the duty imposed on it by subsection (1)(b) the Board shall, in particular, make arrangements designed to enable it to ascertain whether authorised practitioners are complying with regulations made by the Lord Chancellor under section 40.
- (3) The Board shall have the specific functions conferred on it by or under this Act.
- (4) Where the Lord Chancellor refers to the Board any matter connected with—
 - (a) the provision of conveyancing services by authorised practitioners; or
 - (b) the organisation or practice of authorised practitioners,it shall be the duty of the Board to consider the matter and to report its conclusions to the Lord Chancellor.
- (5) Any report made under subsection (4) may be published by the Lord Chancellor in such manner as he thinks fit.
- (6) A copy of any guidance for authorised practitioners issued by the Board shall be sent by the Board to the Lord Chancellor.
- (7) Where it appears to the Lord Chancellor that there are grounds for believing that the Board has failed in any way to carry out any of its duties under this Act, he may give such directions to the Board as he considers appropriate.

Status: Point in time view as at 01/04/1991. This version of this provision has been superseded.

Changes to legislation: Courts and Legal Services Act 1990, Section 35 is up to date with all changes known to be in force on or before 09 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (8) The Board may make rules providing for the expenses which it incurs in exercising its functions, after taking into account any grants made to it under subsection (10) and any fees received by it, to be met by the imposition on each authorised practitioner of an annual levy calculated, and payable, in accordance with the provisions of the rules.
- (9) Any amount due to the Board from an authorised practitioner in respect of any levy payable by that practitioner under the rules shall be recoverable by the Board as a civil debt.
- (10) The Lord Chancellor may, with the approval of the Treasury, make grants to the Board towards meeting the expenses incurred, or to be incurred, by it in the discharge of its functions.
- (11) Any such grant may be made subject to such terms and conditions (including conditions as to repayment) as the Lord Chancellor sees fit to impose.
- (12) Any sums required by the Lord Chancellor for making grants under subsection (10) shall be paid out of money provided by Parliament.
- (13) Any sums repaid by the Board in accordance with conditions imposed under subsection (11) shall be paid into the Consolidated Fund.

Commencement Information

II S. 35 wholly in force at 1. 4.1991 see s. 124(3) and S.I. 1991/608, art. 2 Sch.

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