



# Legal Services Act 2007

## 2007 CHAPTER 29

### PART 3

#### RESERVED LEGAL ACTIVITIES

##### *Alteration of reserved legal activities*

#### **24 Extension of the reserved legal activities**

- (1) The Lord Chancellor may, by order, amend section 12 or Schedule 2 (reserved legal activities) so as to add any legal activity to the activities which are reserved legal activities for the purposes of this Act.
- (2) An order under subsection (1) may be made only on the recommendation of the Board.
- (3) Schedule 6 makes provision about the making of recommendations for the purposes of this section.
- (4) Where a recommendation is made in relation to an activity, the Lord Chancellor must—
  - (a) consider the report containing the recommendation given to the Lord Chancellor under paragraph 16(3)(a) of that Schedule,
  - (b) decide whether or not to make an order under this section in respect of the activity, and
  - (c) publish a notice of that decision,within the period of 90 days beginning with the day on which the report was given to the Lord Chancellor.
- (5) Where the Lord Chancellor decides not to make an order under this section in respect of an activity, the notice under subsection (4)(c) must state the reasons for that decision.

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*Status: This is the original version (as it was originally enacted).*

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## **25 Provisional designation as approved regulators and licensing authorities**

- (1) The Lord Chancellor may, by order, make provision—
  - (a) enabling applications to be made, considered and determined under Part 2 of Schedule 4 or Part 1 of Schedule 10 in relation to a provisional reserved activity, as if the activity were a reserved legal activity;
  - (b) enabling provisional designation orders to be made by the Lord Chancellor in respect of a provisional reserved activity, as if the activity were a reserved legal activity.
- (2) An order under subsection (1) may, in particular, provide that Part 2 of Schedule 4 or Part 1 of Schedule 10 is to apply, in relation to such cases as may be specified by the order, with such modifications as may be so specified.
- (3) The Lord Chancellor may also, by order, make provision—
  - (a) for the purpose of enabling applications for authorisation to carry on an activity which is a provisional reserved activity to be made to and considered and determined by—
    - (i) a body in respect of which a provisional designation order is made, or
    - (ii) the Board in its capacity as a licensing authority;
  - (b) for the purpose of enabling persons to be deemed to be authorised to carry on an activity which is a new reserved legal activity by a relevant approved regulator in relation to the activity, or by the Board in its capacity as a licensing authority, for a period specified in the order.
- (4) For this purpose—

“provisional reserved activity” means an activity in respect of which a provisional report under paragraph 10 of Schedule 6 states that the Board is minded to make a recommendation for the purposes of section 24;

“provisional designation order” means an order made by the Lord Chancellor under Part 2 of Schedule 4 or Part 1 of Schedule 10 which is conditional upon the Lord Chancellor making an order under section 24 in respect of the provisional reserved activity, pursuant to a recommendation made by the Board following the provisional report;

“new reserved legal activity” means a legal activity which has become a reserved legal activity by virtue of an order under section 24.

## **26 Recommendations that activities should cease to be reserved legal activities**

- (1) The Board may recommend that an activity should cease to be a reserved legal activity.
- (2) Schedule 6 makes provision about the making of recommendations for the purposes of this section.
- (3) The Lord Chancellor must consider any recommendation made by the Board for the purposes of this section (but nothing in section 208 (minor and consequential provision etc) authorises the Lord Chancellor to give effect to such a recommendation).
- (4) Where the Lord Chancellor disagrees with a recommendation (or any part of it), the Lord Chancellor must publish a notice to that effect which must include the Lord Chancellor’s reasons for disagreeing.