
Changes to legislation: There are currently no known outstanding effects for the Legal Services Act 2007, Paragraph 38. (See end of Document for details)

SCHEDULES

SCHEDULE 13

OWNERSHIP OF LICENSED BODIES

PART 4

ADDITIONAL RESTRICTIONS

Power to impose share limit, voting limit etc

- 38 (1) Licensing rules may provide that—
- (a) a non-authorised person may not have a shareholding in a licensed body, or in a parent undertaking of a licensed body, which exceeds a limit specified in the rules (“the share limit”);
 - (b) a non-authorised person may not have an entitlement to exercise, or control the exercise of, voting rights in a licensable body, or a parent undertaking of a licensable body, which exceeds a limit specified in the rules (“the voting limit”);
 - (c) the total proportion of shares in a licensed body, or a parent undertaking of a licensed body, held by non-authorised persons may not exceed a limit specified in the rules;
 - (d) the total proportion of voting rights in a licensed body, or a parent undertaking of a licensed body, which non-authorised persons are entitled to exercise or control the exercise of, may not exceed a limit specified in the rules.
- (2) Rules made under any paragraph of sub-paragraph (1) in relation to a licensed body and a parent undertaking may specify different limits in relation to the licensed body and the parent undertaking.
- (3) Licensing rules made under sub-paragraph (1)(a) or (b) may provide that references in those rules to a person, in relation to a person's shareholding or entitlement to exercise or control the exercise of voting rights, are to—
- (a) the person,
 - (b) any of the person's associates, or
 - (c) the person and any of the person's associates taken together.
- (4) In relation to a licensed body which is a partnership, for the purposes of section 34 of the Partnership Act 1890 (c. 39) (dissolution by illegality) a breach of licensing rules made under sub-paragraph (1) does not make it unlawful for the business of the partnership to be carried on, or for the partners to carry it on in partnership.

Changes to legislation: There are currently no known outstanding effects for the Legal Services Act 2007, Paragraph 38. (See end of Document for details)

.....

Commencement Information

II Sch. 13 para. 38 in force at 1.10.2011 by S.I. 2011/2196, **art. 2(1)(d)**

Changes to legislation:

There are currently no known outstanding effects for the Legal Services Act 2007, Paragraph 38.