
Changes to legislation: There are currently no known outstanding effects for the Legal Services Act 2007, Paragraph 119. (See end of Document for details)

SCHEDULES

SCHEDULE 16

THE LAW SOCIETY, SOLICITORS, RECOGNISED BODIES AND FOREIGN LAWYERS

PART 2

THE ADMINISTRATION OF JUSTICE ACT 1985 (C. 61)

- 119 (1) Paragraph 32 of that Schedule (intervention by Society) is amended as follows.
- (2) In sub-paragraph (1)(a)—
- (a) for “Council are” substitute “ Society is ”,
 - (b) after “recognised body” insert “ or a manager of such a body ”, and
 - (c) for “it” substitute “ the body or manager ”.
- (3) For sub-paragraph (1)(c) substitute—
- “(c) a relevant insolvency event occurs in relation to a recognised body; or”.
- (4) In sub-paragraph (1)(d)—
- (a) for “Council have” substitute “ Society has ”,
 - (b) for “officer” substitute “ manager ”, and
 - (c) for “that body's” to the end substitute—
 - “(i) that body's business,
 - (ii) any trust of which that body is or was a trustee,
 - (iii) any trust of which the manager or employee is or was a trustee in his capacity as such a manager or employee, or
 - (iv) the business of another body in which the manager or employee is or was a manager or employee or the practice (or former practice) of the manager or employee; or”.
- (5) After sub-paragraph (1)(d) insert—
- “(e) the Society is satisfied that it is necessary to exercise the powers conferred by Part 2 of Schedule 1 to the 1974 Act (or any of them) in relation to a recognised body to protect—
 - (i) the interests of clients (or former or potential clients) of the recognised body,
 - (ii) the interests of the beneficiaries of any trust of which the recognised body is or was a trustee, or
 - (iii) the interests of the beneficiaries of any trust of which a person who is or was a manager or employee of the

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recognised body is or was a trustee in that person's capacity as such a manager or employee;”.

(6) After sub-paragraph (1) insert—

“(1A) For the purposes of this paragraph a relevant insolvency event occurs in relation to a recognised body if—

- (a) a resolution for a voluntary winding-up of the body is passed without a declaration of solvency under section 89 of the Insolvency Act 1986;
- (b) the body enters administration within the meaning of paragraph 1(2)(b) of Schedule B1 to that Act;
- (c) an administrative receiver within the meaning of section 251 of that Act is appointed;
- (d) a meeting of creditors is held in relation to the body under section 95 of that Act (creditors' meeting which has the effect of converting a members' voluntary winding up into a creditors' voluntary winding up);
- (e) an order for the winding up of the body is made.”

(7) Omit sub-paragraph (2).

Commencement Information

II Sch. 16 para. 119 in force at 31.3.2009 by [S.I. 2009/503](#), [art. 2\(b\)\(ii\)](#)

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