

Changes to legislation: Deregulation Act 2015, Cross Heading: Administration of Justice Act 1985 (c. 61) is up to date with all changes known to be in force on or before 19 April 2024. 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) View outstanding changes

SCHEDULES

SCHEDULE 19

CLC PRACTITIONER SERVICES: CONSEQUENTIAL AMENDMENTS

Administration of Justice Act 1985 (c. 61)

1 The Administration of Justice Act 1985 is amended as follows.

Commencement Information

II Sch. 19 para. 1 in force at 29.6.2015 by S.I. 2015/1402, art. 2(b)

- 2
- (1) In section 16 (conditional licences), subsection (1) is amended as follows.
 - (2) For paragraph (b) substitute—
 - “(b) when conditions under this section have been imposed on a licence under this Part previously issued to him;
 - (ba) when conditions under paragraph 5 of Schedule 8 to the Courts and Legal Services Act 1990 have been imposed on a licence under section 53 of that Act previously issued to him;”.
 - (3) In paragraph (c), after “Part” insert “ or a licence in force under section 53 of the Courts and Legal Services Act 1990 ”.
 - (4) In paragraph (ca), after “24A” insert “ (including that section as applied by section 53 of the Courts and Legal Services Act 1990) ”.
 - (5) In paragraph (d), after “26” insert “ (including that section as applied by section 53 of the Courts and Legal Services Act 1990) ”.
 - (6) In paragraph (ea), after “22” insert “ (including that section as applied by section 53 of the Courts and Legal Services Act 1990) ”.

Commencement Information

I2 Sch. 19 para. 2 in force at 29.6.2015 by S.I. 2015/1402, art. 2(b)

- 3
- (1) Section 26 (proceedings in disciplinary cases) is amended as follows.
 - (2) In subsection (2)—
 - (a) in paragraph (a), after “licence” insert “ under this Part ”;
 - (b) in paragraph (b), for “a licence under this Part” substitute “ any relevant licence ”;
 - (c) in paragraph (c), after “licence” insert “ under this Part ”.
 - (3) After subsection (8) insert—

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- “(9) In this section “relevant licence” means—
- (a) a licence under this Part, or
 - (b) a licence under section 53 of the Courts and Legal Services Act 1990.”

Commencement Information

I3 Sch. 19 para. 3 in force at 29.6.2015 by S.I. 2015/1402, art. 2(b)

- 4 (1) Section 28 (revocation of licence on grounds of fraud or error) is amended as follows.
- (2) In subsection (1)—
- (a) after “a licence” insert “ under this Part ”;
 - (b) for “the licence” substitute “ all of the relevant licences held by that person ”.
- (3) For subsection (2) substitute—
- “(2) Where a person has had any relevant licence which was held by him revoked because of fraud on that person's part, the person may not be issued with a licence under this Part except on the advice of the Committee given to the Council as the result of an application made by the person to the Committee.”
- (4) In subsection (3), for “a licence under this Part” substitute “ any relevant licence ”.
- (5) After subsection (6) insert—
- “(7) In this section “relevant licence” has the meaning given by section 26.”

Commencement Information

I4 Sch. 19 para. 4 in force at 29.6.2015 by S.I. 2015/1402, art. 2(b)

- 5 (1) Section 33A (administration of oaths by licensed conveyancers) is amended as follows.
- (2) In the heading, after “conveyancers” insert “ or licensed CLC practitioners ”.
- (3) In the section, after “conveyancers” insert “ or licensed CLC practitioners ”.

Commencement Information

I5 Sch. 19 para. 5 in force at 29.6.2015 by S.I. 2015/1402, art. 2(b)

- 6 (1) Section 34 (modification of existing enactments relating to conveyancing etc) is amended as follows.
- (2) In subsection (2), after “a recognised body” insert “ which is a conveyancing services body ”.
- (3) In subsection (2), after “conveyancer or” (in the second place it occurs) insert “ such a ”.
- (4) In subsection (3), after “body” insert “ which is a conveyancing services body ”.

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(5) After subsection (3) insert—

“(4) In this section “conveyancing services body” has the meaning given by section 32A.”

Commencement Information

I6 Sch. 19 para. 6 in force at 29.6.2015 by S.I. 2015/1402, art. 2(b)

7 In section 39 (interpretation of Part 2), in subsection (1), at the appropriate place insert—

““licensed CLC practitioner” means a person, other than a licensed conveyancer, who holds a licence under section 53 of the Courts and Legal Services Act 1990;”.

Commencement Information

I7 Sch. 19 para. 7 in force at 29.6.2015 by S.I. 2015/1402, art. 2(b)

8 In Schedule 3 (the Council for Licensed Conveyancers: supplementary provisions), in paragraph 2 (constitution of the Council), in sub-paragraph (1)(a)—

(a) omit the “or” at the end of sub-paragraph (i);

(b) after sub-paragraph (i) insert—

“(ia) licensed CLC practitioners; or”.

Commencement Information

I8 Sch. 19 para. 8 in force at 29.6.2015 by S.I. 2015/1402, art. 2(b)

9 (1) Schedule 6 (bodies recognised under section 32: supplementary provisions) is amended as follows.

(2) In paragraph 3 (preliminary investigation by the Investigating Committee etc)—

(a) omit the “or” at the end of sub-paragraph (1)(a)(ii);

(b) after sub-paragraph (1)(aa) insert—

“(aaa) it is alleged that a manager or employee of a recognised body who is not a licensed CLC practitioner has failed to comply with any rules applicable to him by virtue of section 32; or”.

(3) In paragraph 3A (orders made by the Investigating Committee), in sub-paragraph (1)(b)—

(a) after “3(1)(aa)” insert “ or (aaa) ”;

(b) for “that paragraph” substitute “ paragraph 3(1)(aa) or (aaa) (as the case may be) ”.

(4) In paragraph 4 (orders made by the Discipline and Appeals Committee), in sub-paragraph (2A)—

(a) after “3(1)(aa)” insert “ or (aaa) ”;

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(b) for “sub-paragraph (ii) of that paragraph” substitute “ paragraph 3(1)(aa) or (aaa) (as the case may be) ”.

(5) In paragraph 14 (examination of files), in sub-paragraph (1), after “(aa)” insert “ , (aaa) ”.

Commencement Information

19 [Sch. 19 para. 9](#) in force at 29.6.2015 by [S.I. 2015/1402](#), [art. 2\(b\)](#)

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2015/994 art. 13 Sch. by [S.I. 2015/1405 art. 2\(3\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 110A inserted by [2016 c. 12 s. 16\(1\)](#)