



Legal Services Act 2007

2007 CHAPTER 29

PART 5

ALTERNATIVE BUSINESS STRUCTURES

Regulation of licensed bodies

96 Appeals against financial penalties

- (1) A person on whom a penalty is imposed under section 95 may, before the end of such period as may be prescribed by rules made by the Board, appeal to the relevant appellate body on one or more of the appeal grounds.
- (2) The appeal grounds are—
 - (a) that the imposition of the penalty is unreasonable in all the circumstances of the case;
 - (b) that the amount of the penalty is unreasonable;
 - (c) that it is unreasonable of the licensing authority to require the penalty imposed or any portion of it to be paid by the time or times by which it was required to be paid.
- (3) On any such appeal, where the relevant appellate body considers it appropriate to do so in all the circumstances of the case and is satisfied of one or more of the appeal grounds, that body may—
 - (a) quash the penalty,
 - (b) substitute a penalty of such lesser amount as it considers appropriate, or
 - (c) in the case of the appeal ground in subsection (2)(c), substitute for any time imposed by the licensing authority a different time or times.
- (4) Where the relevant appellate body substitutes a penalty of a lesser amount it may require the payment of interest on the substituted penalty at such rate, and from such time, as it considers just and equitable.

Changes to legislation: There are currently no known outstanding effects for the Legal Services Act 2007, Section 96. (See end of Document for details)

- (5) Where the relevant appellate body specifies as a time by which the penalty, or a portion of the penalty, is to be paid a time before the determination of the appeal under this section it may require the payment of interest on the penalty, or portion, from that time at such rate as it considers just and equitable.
- (6) A party to the appeal may appeal to the High Court on a point of law arising from the decision of the relevant appellate body, but only with the permission of the High Court.
- (7) The High Court may make such order as it thinks fit.
- (8) Except as provided by this section, the validity of a penalty is not to be questioned by any legal proceedings whatever.

Modifications etc. (not altering text)

- C1** S. 96 modified (with effect in accordance with art. 2 of the amending S.I.) by [Legal Services Act 2007 \(Appeals from Licensing Authority Decisions\) Order 2011 \(S.I. 2011/1712\)](#), arts. 2(1), 5, **Sch. para. 1**
 - C2** S. 96 modified (18.7.2014) by [The Legal Services Act 2007 \(Appeals from Licensing Authority Decisions\) \(Chartered Institute of Patent Attorneys and Institute of Trade Mark Attorneys\) Order 2014 \(S.I. 2014/1897\)](#), art. 2(1), **Sch. para. 1** (with art. 2(2))
 - C3** S. 96 modified (18.7.2014) by [The Legal Services Act 2007 \(Appeals from Licensing Authority Decisions\) \(Institute of Chartered Accountants in England and Wales\) Order 2014 \(S.I. 2014/1898\)](#), art. 2, **Sch. para. 1**
 - C4** S. 96 modified (1.10.2018) by [The Legal Services Act 2007 \(Appeals from Licensing Authority Decisions\) \(General Council of the Bar\) Order 2018 \(S.I. 2018/457\)](#), art. 1, **Sch. para. 1**
 - C5** S. 96 modified (6.4.2020) by [The Legal Services Act 2007 \(Chartered Institute of Legal Executives\) \(Appeals from Licensing Authority Decisions\) Order 2020 \(S.I. 2020/301\)](#), art. 1, **Sch. para. 1**
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Commencement Information

- I1** S. 96 partly in force; s. 96 not in force at Royal Assent see s. 211; s. 96(1) in force at 1.1.2009 by [S.I. 2008/3149](#), **art. 2(d)(i)**
- I2** S. 96(2)-(8) in force at 1.10.2011 by [S.I. 2011/2196](#), **art. 2(1)(c)**

Changes to legislation:

There are currently no known outstanding effects for the Legal Services Act 2007, Section 96.