



# Legal Services Act 2007

## 2007 CHAPTER 29

### PART 5

#### ALTERNATIVE BUSINESS STRUCTURES

##### *Licensing*

#### **84 Application for licence**

- (1) A licensing authority other than the Board must determine any application for a licence which is made to it.
- (2) The Board (acting in its capacity as a licensing authority) may determine an application for a licence which is made to it only if the applicant is entitled to make the application by virtue of a decision of the Board (acting otherwise than in its capacity as a licensing authority) under Schedule 12.
- (3) A licensing authority may not grant an application for a licence unless it is satisfied that if the licence is granted the applicant will comply with its licensing rules.
- (4) If the licensing authority grants an application for a licence, it must issue the licence as soon as reasonably practicable.
- (5) The licence has effect from the date on which it is issued.
- (6) References in this section to an application for a licence are to an application for a licence which is—
  - (a) made to a licensing authority by a licensable body, in accordance with the authority's licensing rules, and
  - (b) accompanied by the required application fee (if any).

#### **85 Terms of licence**

- (1) A licence issued under section 84 must specify—

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*Status: This is the original version (as it was originally enacted).*

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- (a) the activities which are reserved legal activities and which the licensed body is authorised to carry on by virtue of the licence, and
  - (b) any conditions subject to which the licence is granted.
- (2) If an order under section 106 has been made in relation to the licensed body, the licence must also specify the terms of the order.
- (3) In the case of a licensing authority other than the Board, the licence may authorise the licensed body to carry on activities which are reserved legal activities only if the licensing authority is designated in relation to the reserved legal activities in question.
- (4) A licence must be granted subject to the condition that—
- (a) any obligation which may from time to time be imposed on the licensed body or a person within subsection (5) by or under the licensing authority's licensing rules is complied with, and
  - (b) any other obligations imposed on the licensed body or a person within that subsection by or under this or any other enactment (whether passed before or after this Act) are complied with.
- (5) The persons mentioned in subsection (4) are the managers and employees of a licensed body, and non-authorised persons having an interest or an indirect interest, or holding a material interest, in the licensed body (in their capacity as such).
- (6) A licence may be granted subject to such other conditions as the licensing authority considers appropriate.
- (7) Those conditions may include conditions as to the non-reserved activities which the licensed body may or may not carry on.
- (8) In this Part references to the terms of the licence are to the matters listed in subsections (1) and (2).

## **86 Modification of licence**

- (1) A licensing authority may modify the terms of a licence granted by it—
- (a) if the licensed body applies to the licensing authority, in accordance with its licensing rules, for it to do so;
  - (b) in such other circumstances as may be specified in its licensing rules.
- (2) If a licensed body is a body to which section 106 applies, the licensing authority may modify the terms of its licence in accordance with sections 106 and 107.
- (3) A licensing authority modifies the terms of a licensed body's licence by giving the licensed body notice in writing of the modifications; and the modifications have effect from the time the licensing authority gives the licensed body the notice or such later time as may be specified in the notice.
- (4) The licensing authority's power under this section is subject to—
- (a) section 85(3) and (4), and
  - (b) licensing rules made under paragraph 6 of Schedule 11.

## **87 Registers of licensed bodies**

- (1) Each licensing authority must keep a register containing the names and places of business of all bodies which hold or have held licences granted by the licensing authority.
- (2) Where any licence held by a body is for the time being suspended, the licensing authority shall cause that fact to be noted in the register in the entry for that body.
- (3) A licensing authority must provide facilities for making the information contained in the entries in its register available for inspection by any person during office hours and without payment.
- (4) The Board may make rules about—
  - (a) the register to be kept by the Board under this section, and
  - (b) the register to be kept under this section by each licensing authority designated under Part 1 of Schedule 10.
- (5) Rules under subsection (4) may in particular prescribe any further information which must be contained in an entry in the register in relation to a licensed body or former licensed body.

## **88 Evidence of status**

- (1) A certificate signed by an officer of a licensing authority appointed for the purpose and stating one of the matters within subsection (2) is, unless the contrary is proved, evidence of the facts stated in the certificate.
- (2) The matters are that any person does or does not, or did or did not at any time, hold a licence granted by the licensing authority under this Part.
- (3) A certificate purporting to be so signed is to be taken to have been so signed unless the contrary is proved.