
STATUTORY INSTRUMENTS

2015 No. 1402 (C. 77)

DEREGULATION

**The Deregulation Act 2015 (Commencement
No. 2 and Transitional Provisions) Order 2015**

Made - - - - *18th June 2015*

The Lord Chancellor makes the following Order in exercise of the powers conferred by section 115(6), (10) and (11) of the Deregulation Act 2015⁽¹⁾.

Citation and interpretation

1.—(1) This Order may be cited as the Deregulation Act 2015 (Commencement No. 2 and Transitional Provisions) Order 2015.

(2) In this Order—

“the AJA 1985” means the Administration of Justice Act 1985⁽²⁾;

“the Act” means the Deregulation Act 2015.

Provisions coming into force on 29th June 2015

2. The day appointed for the coming into force of the following provisions of the Act is 29th June 2015—

- (a) sections 86 and 87;
- (b) section 88 and Schedule 19;
- (c) section 89 and Schedule 20.

Transitional provisions

3.—(1) The amendments to section 15 of the AJA 1985⁽³⁾ (issue of licences by Council) made by paragraph 2 of Schedule 20 to the Act only apply to applications for a licence under Part 2 of the AJA 1985 received by the Council for Licensed Conveyancers on or after the date on which rules made under section 15(3A) come into force.

(1) 2015 c. 20.

(2) 1985 c. 61.

(3) Section 15(3) was amended by section 182 of, and paragraphs 1 and 4(2) of Schedule 17 to, the Legal Services Act 2007 (c. 29). There are other amendments to section 15 which are not relevant to this Order.

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(2) The amendments made by paragraph 3(2) and (3) of Schedule 20 to the Act only apply to an exercise of the power conferred by paragraph 6(1) or 9(1) of Schedule 5 to the AJA 1985 (intervention in licensed conveyancer's practice) or paragraph 3(1) or 8(1) of Schedule 14 to the Legal Services Act 2007(4) (licensing authority's powers of intervention) that arises by virtue of an act or omission that occurs on or after 29th June 2015.

(3) The amendments to the AJA 1985 made by paragraphs 3(4) and (5), 6, 7, 8 and 10 of Schedule 20 to the Act (which relate to the right of appeal against certain decisions and orders) only apply in relation to a decision that is taken, or an order that is made, on or after 29th June 2015.

18th June 2015

Shailesh Vara
Parliamentary Under Secretary of State
Ministry of Justice

(4) 2007 c. 29.

EXPLANATORY NOTE

(This note is not part of the Order)

This is the second commencement order made under the Deregulation Act 2015 (c. 20) and brings into force on 29th June 2015 sections 86 to 89 of, and Schedules 19 and 20 to, that Act.

The provisions that this Order commences make various amendments relating to the powers of the Council for Licensed Conveyancers (“CLC”). Section 86 amends section 32 of, and inserts a new section 32B into, the Administration of Justice Act 1985 (c. 61) (“the 1985 Act”) to make provision for a new type of body regulated by the CLC, known as a “CLC practitioner services body”. Section 87 amends section 53 of the Courts and Legal Services Act 1990 (c. 41) (“the 1990 Act”) to make provision for a new type of individual practitioner regulated by the CLC, known as a “licensed CLC practitioner”. These bodies and practitioners will, subject to authorisation by the CLC, be able to undertake any reserved legal activity for which the CLC is an approved regulator under the Legal Services Act 2007 (c. 29) (“the 2007 Act”), without first needing to be authorised to practise in conveyancing.

Section 88 brings into effect Schedule 19, which makes consequential amendments to the 1985 Act, the 1990 Act and the 2007 Act relating to sections 86 and 87.

Section 89 brings into effect Schedule 20, which makes other amendments to the 1985 Act relating to the CLC. Paragraph 2 of Schedule 20 replaces a statutory period of 42 days for the CLC to consider licence applications with a power for the CLC to make rules to prescribe the relevant period. Paragraph 3 amends section 18 of the 1985 Act to provide that where the CLC exercises certain intervention powers under the 1985 Act or the 2007 Act in relation to a CLC recognised body or licensed body (within the meaning of the 1985 Act and 2007 Act respectively), the exercise of those powers will operate immediately to suspend any licence held by a manager or employee of that body, unless the CLC directs otherwise. Paragraphs 3(4) and (5), 6, 7, 8 and 10 make provision for certain types of regulatory appeal to be heard by the First-tier Tribunal instead of the High Court.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Deregulation Act 2015 (c. 20) have been brought into force, or will be brought into force, by commencement order made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 2	1st October 2015	2015/994
Section 3 (so far as not already in force)	26th May 2015	2015/994
Section 4	26th May 2015	2015/994
Section 5	26th May 2015	2015/994
Section 6	1st October 2015	2015/994
Section 7	1st October 2015	2015/994
Section 8(1), (3) and (4) (so far as not already in force)	8th June 2015	2015/994

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 9	30th June 2015	2015/994
Section 10	1st October 2015	2015/994
Section 11	1st October 2015	2015/994
Section 12	1st October 2015	2015/994
Section 14	26th May 2015	2015/994
Section 33	1st October 2015	2015/994
Section 34	1st October 2015	2015/994
Section 35	1st October 2015	2015/994
Section 36	1st October 2015	2015/994
Section 37	1st July 2015	2015/994
Section 38 (partially)	1st July 2015	2015/994
Section 38 (so far as not already in force)	1st October 2015	2015/994
Section 39 (partially)	1st July 2015	2015/994
Section 39 (so far as not already in force)	1st October 2015	2015/994
Section 40	1st October 2015	2015/994
Section 41	1st October 2015	2015/994
Section 44	26th May 2015	2015/994
Section 45	26th May 2015	2015/994
Section 48	1st April 2015	2015/994
Section 49 (so far as not already in force)	1st October 2015	2015/994
Section 51(b) (so far as not already in force)	30th June 2015	2015/994
Section 51(f) (so far as not already in force)	8th June 2015	2015/994
Section 51(g)	1st October 2015	2015/994
Section 52(a)	10th April 2015	2015/994
Section 53 (so far as not already in force)	1st April 2015	2015/994
Section 58 (so far as not already in force)	15th June 2015	2015/994
Section 59(c)	26th May 2015	2015/994
Section 62 (so far as not already in force)	6th April 2015	2015/994
Section 63 (so far as not already in force)	6th April 2015	2015/994
Section 68	26th May 2015	2015/994
Section 69	1st April 2015	2015/994
Section 70	26th May 2015	2015/994
Section 72	26th May 2015	2015/994
Section 76	6th April 2015	2015/994

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 77	26th May 2015	2015/994
Section 78	26th May 2015	2015/994
Section 80	26th May 2015	2015/994
Section 81	26th May 2015	2015/994
Section 82	26th May 2015	2015/994
Section 90 (partially, so far as not already in force)	20th April 2015	2015/994
Section 90 (so far as not already in force)	26th May 2015	2015/994
Section 93	26th May 2015	2015/994
Section 96	26th May 2015	2015/994
Schedule 1, Part 1 (so far as not already in force)	26th May 2015	2015/994
Schedule 1, Part 2	26th May 2015	2015/994
Schedule 2, Part 2 (so far as not already in force)	8th June 2015	2015/994
Schedule 2, Part 3, paragraphs 30, 32 and 33	8th June 2015	2015/994
Schedule 3	30th June 2015	2015/994
Schedule 8 (so far as not already in force)	1st October 2015	2015/994
Schedule 10, Part 2 (so far as not already in force)	30th June 2015	2015/994
Schedule 10, Part 6 (so far as not already in force)	8th June 2015	2015/994
Schedule 10, Part 7	1st October 2015	2015/994
Schedule 11, Part 1	10th April 2015	2015/994
Schedule 12 (so far as not already in force)	15th June 2015	2015/994
Schedule 13, Part 3	26th May 2015	2015/994
Schedule 18	1st April 2015	2015/994
Schedule 21 (partially, so far as not already in force)	20th April 2015	2015/994
Schedule 21 (so far as not already in force)	26th May 2015	2015/994