



Courts and Legal Services Act 1990

1990 CHAPTER 41

PART II

LEGAL SERVICES

Licensed conveyancers

53 The Council for Licensed Conveyancers

- (1) Subject to subsection (2), the Council for Licensed Conveyancers shall have the powers necessary to enable it to become—
 - (a) an authorised body for the purposes of granting rights of audience under section 27(2)(a);
 - (b) an authorised body for the purposes of granting rights to conduct litigation under section 28(2)(a); and
 - (c) an approved body for the purposes of granting, in accordance with section 55, exemption from the provisions of section 23(1) of the Solicitors Act 1974 (preparation of probate papers).
- (2) The Council may exercise the powers given to it by this section only with respect to persons who are licensed conveyancers.
- (3) Where the Council—
 - (a) becomes an authorised body for the purposes of section 27 and grants any right of audience;
 - (b) becomes an authorised body for the purposes of section 28 and grants any right to conduct litigation; or
 - (c) becomes an approved body for the purposes of section 55 and grants an exemption under that section,

it shall do so by issuing a licence to the licensed conveyancer to whom the right or exemption is being granted.

Status: This is the original version (as it was originally enacted).

- (4) Any such licence may be granted as a separate licence or as part of a composite licence comprising the licensed conveyancer's licence issued under Part II of the Administration of Justice Act 1985 and any other licence which the Council may grant to the licensed conveyancer concerned.
- (5) The Council's general duty shall include the duty to ensure that the standards of competence and professional conduct among licensed conveyancers who are granted rights of audience, rights to conduct litigation or an exemption under section 55 are sufficient to secure adequate protection for consumers, and that the advocacy, litigation or (as the case may be) probate services provided by such persons are provided both economically and efficiently.
- (6) Where the Council exercises any of its powers in connection with—
- (a) an application under section 29 for authorisation or an application under Schedule 9 for approval; or
 - (b) the granting of any right of audience or right to conduct litigation or of an exemption under section 55,
- it shall do so subject to any requirements to which it is subject in accordance with the provisions of this Act relating to the grant of any such right or exemption.
- (7) Schedule 8 makes further provision in connection with the powers given to the Council by this section and the provision made by the Act of 1985 in relation to licensed conveyancers, including amendments of Part II of that Act.
- (8) The Lord Chancellor may by order make such—
- (a) amendments of, or modifications to, the provisions of Part II of the Act of 1985; or
 - (b) transitional or consequential provision,
- as he considers necessary or expedient in connection with the provision made by this section and Schedule 8.
- (9) Subject to any provision made by this section, Schedule 8 or any order made by the Lord Chancellor under subsection (8), the provisions of Part II of the Act of 1985 shall, with the necessary modifications, apply with respect to—
- (a) any application for an advocacy, litigation or probate licence;
 - (b) any such licence;
 - (c) the practice of any licensed conveyancer which is carried on by virtue of any such licence;
 - (d) rules made by the Council under Schedule 8;
 - (e) the management and control by licensed conveyancers (or by licensed conveyancers together with persons who are not licensed conveyancers) of bodies corporate carrying on businesses which include the provision of advocacy, litigation or probate services; and
 - (f) any other matter dealt with by this section or Schedule 8,
- as they apply with respect to the corresponding matters dealt with by Part II of that Act.