



Legal Services Act 2007

2007 CHAPTER 29

PART 5

ALTERNATIVE BUSINESS STRUCTURES

Appeals

80 Functions of appellate bodies

- (1) The Lord Chancellor may by order—
 - (a) establish a body to hear and determine appeals from decisions, made by a person specified in the order in the person's capacity as a licensing authority, which are appealable under this Part or licensing rules made by the person;
 - (b) modify, or make any other provision relating to, the functions of a body within subsection (2) or any other body, for the purpose of enabling the body to hear and determine appeals from such decisions.
- (2) The bodies mentioned in subsection (1)(b) are—
 - (a) the Solicitors Disciplinary Tribunal;
 - (b) the Discipline and Appeals Committee established by the Council of Licensed Conveyancers under section 25 of the Administration of Justice Act 1985 (c. 61).
- (3) The Lord Chancellor may make an order under subsection (1) only if—
 - (a) the Board has made a recommendation in accordance with section 81,
 - (b) a draft order was annexed to the recommendation, and
 - (c) the order is in the same form as, or not materially different from, that draft order.
- (4) An order under this section may—
 - (a) make provision as to the payment of fees, and award of costs, in relation to such appeals;

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

- (b) modify provisions made by or under any enactment (including this Act or any Act passed after this Act), prerogative instrument or other instrument or document.
- (5) Any provision made by an order under this section may be expressed to be conditional upon the person specified in the order being designated by an order under Part 1 of Schedule 10 as a licensing authority in relation to one or more reserved legal activities.
- (6) The powers to make an order conferred by this section are without prejudice to any powers (statutory or non-statutory) which a body may have apart from this section.

Commencement Information

II S. 80 in force at 30.11.2010 by [S.I. 2010/2842](#), **art. 2**

81 Procedural requirements relating to recommendations under section 80

- (1) A recommendation may be made under section 80 only with the consent of—
 - (a) the person from whose decisions the appeals are to be made, and
 - (b) where the recommendation is for an order under section 80(1)(b), the body to which appeals are to be made.
- (2) Before making a recommendation under that section, the Board must publish a draft of—
 - (a) the proposed recommendation, and
 - (b) the proposed draft order.
- (3) The draft must be accompanied by a notice which states that representations about the proposals may be made to the Board within a specified period.
- (4) Before making any recommendation, the Board must have regard to any representations duly made.
- (5) If the draft order to be annexed to the recommendation differs from the draft published under subsection (2)(b) in a way which is, in the opinion of the Board, material, the Board must, before making the recommendation, publish the draft order along with a statement detailing the changes made and the reasons for those changes.

Commencement Information

I2 S. 81 in force at 30.11.2010 by [S.I. 2010/2842](#), **art. 2**

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