
Changes to legislation: Deregulation Act 2015, Paragraph 3 is up to date with all changes known to be in force on or before 20 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 20 **E+W+S**

THE COUNCIL FOR LICENSED CONVEYANCERS: OTHER AMENDMENTS

- 3 (1) Section 18 (suspension or termination of licences) is amended as follows.
- (2) After subsection (2C) insert—
- “(2CA) Where the power conferred by paragraph 6(1) or 9(1) of Schedule 5 is exercised in relation to a recognised body by virtue of paragraph 10(1) (a) of Schedule 6, the exercise of that power shall operate immediately to suspend any licence under this Part held by a person who is a manager of the recognised body.
- (2CB) Where the power conferred by paragraph 6(1) or 9(1) of Schedule 5 is exercised in relation to a recognised body by virtue of paragraph 10(1)(d) of Schedule 6, the exercise of that power shall operate immediately to suspend any licence under this Part held by a person who is—
- (a) a manager of the recognised body, or
 - (b) an employee of the recognised body.
- (2CC) Where the power conferred by paragraph 3(1) or 8(1) of Schedule 14 to the Legal Services Act 2007 is exercised in relation to a licensed body by virtue of paragraph 1(2)(d) of that Schedule, the exercise of that power shall operate immediately to suspend any licence under this Part held by a person who is—
- (a) a manager of the licensed body, or
 - (b) an employee of the licensed body.
- (2CD) At the time when the power referred to in subsection (2CA), (2CB) or (2CC) is exercised, the Council may direct that subsection (2CA), (2CB) or (2CC) (as the case may be) is not to apply in relation to a particular licensed conveyancer.
- (2CE) The Council may give a direction under subsection (2CD) in relation to a licensed conveyancer only if—
- (a) the Council is satisfied that the licensed conveyancer did not fail to comply with the rules applicable to the recognised body by virtue of section 32, or contribute to the body's failure to comply with such rules, in a case where the Council acts by virtue of paragraph 10(1) (a) of Schedule 6,
 - (b) the Council does not suspect the licensed conveyancer of dishonesty, in a case where the Council acts by virtue of—
 - (i) paragraph 10(1)(d) of Schedule 6, or
 - (ii) paragraph 1(2)(d) of Schedule 14 to the Legal Services Act 2007,
 - (c) the Council is satisfied that the licensed conveyancer was not a manager of the recognised body when the conduct providing the

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basis for the exercise of the power in paragraph 6(1) or 9(1) of Schedule 5 took place, in a case where the Council acts by virtue of paragraph 10(1)(a) of Schedule 6,

- (d) the Council is satisfied that the licensed conveyancer was not a manager or employee of the recognised body when the conduct providing the basis for the exercise of the power in paragraph 6(1) or 9(1) of Schedule 5 is suspected of having taken place, in a case where the Council acts by virtue of paragraph 10(1)(d) of Schedule 6, and
- (e) the Council is satisfied that the licensed conveyancer was not a manager or employee of the licensed body when the conduct providing the basis for the exercise of the power in paragraph 3(1) or 8(1) of Schedule 14 to the Legal Services Act 2007 is suspected of having taken place, in a case where the Council acts by virtue of paragraph 1(2)(d) of Schedule 14 to that Act.

(2CF) At the time when the power referred to in subsection (2CA), (2CB) or (2CC) is exercised, the Council may direct that such of the licensed conveyancers concerned as are identified in the direction may continue to act in relation to any matter specified in the direction as if their licences had not been suspended by virtue of subsection (2CA), (2CB) or (2CC) (as the case may be), subject to such conditions (if any) as the Council sees fit to impose.”

- (3) In subsection (2D), after “(2A)” insert “, (2CA), (2CB) or (2CC) ”.
- (4) In subsection (2G), for “High Court” substitute “ First-tier Tribunal ”.
- (5) Omit subsection (2H).

Commencement Information

II Sch. 20 para. 3 in force at 29.6.2015 by S.I. 2015/1402, art. 2(c) (with art. 3(2)(3))

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2015/994 art. 13 Sch. by [S.I. 2015/1405 art. 2\(3\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 110A inserted by [2016 c. 12 s. 16\(1\)](#)