

1987 No. 788

LICENSED CONVEYANCING

**The Licensed Conveyancers' Discipline and Appeals
Committee (Legal Assessor) Rules 1987**

Made - - - - - *30th April 1987*

Coming into force *26th May 1987*

The Lord Chancellor, in exercise of the powers conferred on him by paragraph 3(2) of Schedule 4 to the Administration of Justice Act 1985(a), hereby makes the following Rules:

Citation and Commencement

1. These Rules may be cited as the Licensed Conveyancers' Discipline and Appeals Committee (Legal Assessor) Rules 1987 and shall come into force on 26th May 1987.

Interpretation

2. In these Rules, unless the context otherwise requires:-

"The Act" means the Administration of Justice Act 1985;

"The Committee" means the Discipline and Appeals Committee established under section 25(1) of the Act;

"The Legal Assessor" means the assessor appointed by the Council for Licensed Conveyancers under paragraph 3(1) of Schedule 4 to the Act.

Duties

3. It shall be the duty of the Legal Assessor to:

- (a) be present at all proceedings under section 26 of the Act and advise the Committee on any questions of law and the admission of evidence arising from the proceedings which they may refer to him;
- (b) inform the Committee forthwith of any irregularity in the conduct of proceedings before them which may come to his knowledge and to advise them of his own motion where it appears to him that, but for such advice, there is a possibility of a mistake of law being made.

Advice to be tendered in public

4. Where the Legal Assessor advises the Committee on any question of law as to evidence, procedure or any other matter specified in the rules, he shall do so in the presence of every party to the proceedings, or every person representing such a party, who appears at the proceedings or, if the advice is tendered after the Committee have begun to deliberate as to their findings, every such party or person shall be informed what advice the assessor tendered.

Where advice not accepted

5. If on any occasion the Committee do not accept the advice of the Legal Assessor, a record shall be made of the question referred to him, of the advice given and of the refusal

(a) 1985 c. 61.

to accept it (together with the reasons for such a refusal), and a copy of the record shall be given to every party, or person representing a party, to the proceedings who appears thereat.

Advice to be available to all parties

6. Copies of written advice made for the purposes of either of the last two foregoing Rules shall be available on application to every party to the proceedings who does not appear thereat.

Dated 30th April 1987

Hailsham of St Marylebone, C.

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules regulate the functions of the assessor appointed by the Council for Licensed Conveyancers under paragraph 3(1) of Schedule 4 to the Administration of Justice Act 1985 to assist the deliberations of the Council's Discipline and Appeals Committee.

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