
Changes to legislation: Deregulation Act 2015, Paragraph 13 is up to date with all changes known to be in force on or before 29 March 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 19

CLC PRACTITIONER SERVICES: CONSEQUENTIAL AMENDMENTS

Courts and Legal Services Act 1990 (c. 41)

- 13 (1) Schedule 8 (licensed conveyancers) is amended as follows.
- (2) In the heading, after “CONVEYANCERS” insert “ AND LICENSED CLC PRACTITIONERS ”.
- (3) In paragraph 1 (general)—
- (a) for the definition of “advocacy licence” substitute—
- ““advocacy licence”, “litigation licence” and “probate licence” have the meaning given by section 53;”;
- (b) omit the definitions of—
- (i) “litigation licence”, and
- (ii) “probate licence”.
- (4) In paragraph 4 (issue of licences), in sub-paragraph (3), for the words from “with respect” to “as they” substitute “with respect to—
- (a) any application under paragraph 3 for an advocacy licence and any advocacy licence in force under section 53;
- (b) any application under paragraph 3 for a litigation licence and any litigation licence in force under section 53; and
- (c) any application under paragraph 3 for a probate licence and any probate licence in force under section 53 (as the case may be),
- as they ”.
- (5) In paragraph 5 (conditional licences)—
- (a) for sub-paragraph (1)(b) substitute—
- “(b) when conditions under this paragraph have been imposed on an advocacy, litigation or probate licence previously issued to him;
- (ba) when conditions under section 16 of the Act of 1985 have been imposed on a licence under Part 2 of the Act of 1985 previously issued to him;”;
- (b) in sub-paragraph (1)(c), for “a licence of that kind” substitute “ an advocacy, litigation or probate licence or a licence under Part 2 of the Act of 1985 ”;
- (c) in sub-paragraph (1)(d)—
- (i) after “1985” insert “ (including section 24A(1) as applied by section 53) ”;

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- (ii) after “that Act” insert “ (including section 26(1) as applied by section 53) ”;
 - (d) in sub-paragraph (6), omit the “or” after paragraph (a);
 - (e) in sub-paragraph (6)(b), at the beginning insert “ in the case of an applicant who is a licensed conveyancer, ”;
 - (f) after sub-paragraph (6)(b) insert “; or
 - (c) for requiring the applicant to take any specified steps that will, in the opinion of the Council, be conducive to his carrying on an efficient practice as a licensed CLC practitioner.”;
 - (g) in sub-paragraph (6), after “paragraph (b)” insert “ or (c) ”.
- (6) After paragraph 6 insert—

“Register of licensed CLC practitioners

- 6A (1) The Council must establish and maintain, in such form as the Council may determine, a register containing the names and places of business of all persons who for the time being hold an advocacy, litigation or probate licence and are not licensed conveyancers.
- (2) The Council may make rules specifying the further information, including information about disciplinary measures taken, to be recorded in the register in relation to a person.
- (3) The Council must cause the appropriate entries and deletions to be made in the register on the issue and termination of advocacy, litigation and probate licences; and where any licence held by a person is for the time being suspended by virtue of any provision of Part 2 of the Act of 1985 as applied by this Act the Council must cause that fact to be noted in the register against that person's name.
- (4) Any change in a licensed CLC practitioner's place or places of business must be notified by that person to the Council within the period of fourteen days beginning with the date on which the change takes effect.
- (5) The Council must provide facilities for making the information contained in the entries in the register available for inspection in visible and legible form by any person during office hours and without payment.
- (6) A certificate signed by an officer of the Council appointed for the purpose and stating—
- (a) that any person does or does not, or did or did not at any time, hold an advocacy, litigation or probate licence, or
 - (b) that any licence held by any person is or was at any time either free of conditions or subject to any particular conditions,
- is, unless the contrary is proved, evidence of the facts stated in the certificate; and a certificate purporting to be so signed is to be taken to have been so signed unless the contrary is proved.”
- (7) For paragraph 8 and the cross-heading preceding it substitute—

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“Effect of suspension or revocation

- 8 Where a relevant licence ceases to be in force because of—
- (a) a direction under section 24(5) of the Act of 1985, or
 - (b) an order under section 26(2)(a) or (c) of the Act of 1985,
- any other relevant licence in force with respect to that person at the time shall cease to have effect to the same extent as the licence in question.”
- (8) Omit paragraph 9 (removal of disqualification from holding an advocacy, litigation or probate licence).
- (9) Omit paragraph 10 (revocation on grounds of error or fraud).
- (10) In paragraph 21 (power to examine files)—
- (a) in sub-paragraph (1)(a), after “conveyancer” insert “ or licensed CLC practitioner ”;
 - (b) in sub-paragraph (1), for “the licensed conveyancer” (in both places where it occurs) substitute “ the person complained of ”.
- (11) In paragraph 22 (interest on clients' money), after “conveyancer” insert “ or licensed CLC practitioner ”.

Commencement Information

- II** Sch. 19 para. 13 in force at 29.6.2015 by S.I. 2015/1402, art. 2(b)

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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\(1\)](#)