

**2008 No. 537**

**LEGAL SERVICES, ENGLAND AND WALES**

**The Courts and Legal Services Act 1990 (Modification of Power to Make Rules about Licensed Conveyancers) Order 2008**

*Made* - - - - - *28th February 2008*  
*Laid before Parliament* *28th February 2008*  
*Coming into force* - - - *28th March 2008*

The Secretary of State makes the following Order in exercise of the powers conferred by section 53(8) of the Courts and Legal Services Act 1990(a):

**Citation and commencement**

1. This Order may be cited as the Courts and Legal Services Act 1990 (Modification of Power to Make Rules about Licensed Conveyancers) Order 2008 and shall come into force on 28th March 2008.

**Amendment of Section 21 of the Administration of Justice Act 1985**

2.—(1) Section 21 of the Administration of Justice Act 1985(b) is amended in accordance with paragraph (2).

(2) After Section 21(2) insert—

“(2A) The power of the Council to make rules under subsection (2) shall apply in relation to the probate practices of licensed conveyancers as it applies to their practices as licensed conveyancers.

(2B) In subsection (2A) “probate practice” means the provision of probate services, within the meaning given by section 119 of the Courts and Legal Services Act 1990(c), by a person.”

Signed by authority of the Secretary of State

28th February 2008

*Bridget Prentice*  
Parliamentary Under Secretary of State  
Ministry of Justice

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(a) 1990 c.41. Section 53 was amended by the Access to Justice Act 1999 (c.22), section 43 and Schedule 6, paragraphs 4 and 8. “Secretary of State” was substituted in section 53 by article 9 and Schedule 2, paragraph 8(1)(a) of S.I. 2003/1887. Section 53 is prospectively amended by the Legal Services Act 2007 (c.29) sections 182 and 210, Schedule 17, paragraphs 22 and 34 and Schedule 23.  
(b) 1985 c.61. Section 21 was amended by S.I. 2001/3649, article 298.  
(c) There are amendments to section 119, but none is relevant.

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

Section 21(2) of the Administration of Justice Act 1985 (c.61) allows the Council for Licensed Conveyancers to make rules for paying compensation to people who have suffered loss as a result of the negligence, fraud or dishonesty of licensed conveyancers in connection with their practice as licensed conveyancers, or as a result of their failure to account for money received by them in connection with their practices.

This Order extends that power so that the Council for Licensed Conveyancers can make similar rules in relation to the provision by licensed conveyancers of probate services.

A regulatory impact assessment has not been prepared for this order as it has no impact on business, charities or voluntary bodies.

**£3.00**

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