STATUTORY INSTRUMENTS

2018 No. 457

LEGAL SERVICES, ENGLAND AND WALES

The Legal Services Act 2007 (Appeals from Licensing Authority Decisions) (General Council of the Bar) Order 2018

Made - - - - 27th March 2018

Coming into force in accordance with article 1

The Lord Chancellor makes the following Order in exercise of the powers conferred by sections 80(1)(b) and (4)(b) and 204(3) of the Legal Services Act 2007(**1**).

In accordance with section 80(3) of that Act, the Order is made following a recommendation made by the Legal Services Board to which was annexed a draft order which was in a form not materially different from this Order.

The Legal Services Board made its recommendation under section 80 of that Act with the consents required by section 81(1) of that Act and having complied with the requirements of section 81(2) to (5) of that Act.

A draft of this Order has been approved by a resolution of each House of Parliament pursuant to section 206(5) of the Legal Services Act 2007.

Citation and commencement

1. This Order may be cited as the Legal Services Act 2007 (Appeals from Licensing Authority Decisions) (General Council of the Bar) Order 2018 and comes into force on 1st October 2018.

Interpretation and application

2.—(1) In this Order, "the 2007 Act" means the Legal Services Act 2007.

(2) This Order applies to appeals from decisions made by the General Council of the Bar in its capacity as a licensing authority.

Appeals to be made to the First-tier Tribunal

3.—(1) The First-tier Tribunal may hear and determine appeals from decisions made by the General Council of the Bar which are appealable under any provision of—

(a) Part 5 of the 2007 Act, or

(**1**) 2007 c. 29.

(b) the General Council of the Bar's licensing rules(**2**).

(2) The First-tier Tribunal may suspend the effect of a decision of the General Council of the Bar (whether or not the decision has already taken effect) while an appeal against that decision has been brought and has not yet been finally determined or withdrawn.

(3) The First-tier Tribunal may, in relation to appeals from the decisions which are appealable under the licensing rules—

(a) affirm the General Council of the Bar's decision in whole or in part;

(b) quash the General Council of the Bar's decision in whole or in part;

(c) substitute for all or part of the General Council of the Bar's decision another decision of a kind that the General Council of the Bar could have made, or

(d) remit a matter to the General Council of the Bar (generally, or for determination in accordance with a finding made or direction given by the First-tier Tribunal).

Modifications of the 2007 Act

4. The Schedule to this Order (which modifies provisions of the 2007 Act) has effect.

Lucy Frazer
Parliamentary Under Secretary of State
Ministry of Justice

27th March 2018

(**2**) Section 83 of the 2007 Act defines and makes other provision relating to licensing rules. By reason of article 3, the First-tier Tribunal is the "relevant appellate body" as defined in section 111 of the 2007 Act.