Draft Order laid before Parliament under section 206(4) and (5) of the Legal Services Act 2007 for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2014 No. XXX

LEGAL SERVICES, ENGLAND AND WALES

The Legal Services Act 2007 (Appeals from Licensing Authority Decisions) (Institute of Chartered Accountants in England and Wales) Order 2014

Made - - - - ***

Coming into force in accordance with article 2

The Lord Chancellor makes the following Order in exercise of the powers conferred by sections 80(1)(b) and (4) and 204(3) and (4) 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(4) and (5) of the Legal Services Act 2007.

Citation

1. This Order may be cited as the Legal Services Act 2007 (Appeals from Licensing Authority Decisions) (Institute of Chartered Accountants in England and Wales) Order 2014.

Commencement

2. This Order comes into force on the day after the day on which it is made.

Interpretation and application

3.—(1) In this Order—

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

"the 2007 Act" means the Legal Services Act 2007;

"the Institute" means the Institute of Chartered Accountants in England and Wales.

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

Appeals to be made to the First-tier Tribunal

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

(a) Part 5 of the 2007 Act; or

(b) the Institute's licensing rules(**2**).

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

(a) affirm the Institute's decision in whole or in part;

(b) quash the Institute's decision in whole or in part;

(c) substitute for all or part of the Institute's decision another decision of a kind that the Institute could have taken; or

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

Modifications of the 2007 Act

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

Signed by authority of the Lord Chancellor

Name
Parliamentary Under Secretary of State
Ministry of Justice

Date

(**2**) Section 83 of the 2007 Act defines and makes other provision relating to licensing rules. By reason of article 4 the First-tier Tribunal is the "relevant appellate body" as defined in section 111 of the 2007 Act.