



Courts and Legal Services Act 1990

1990 CHAPTER 41

PART II

LEGAL SERVICES

Offences

70 Offences

- (1) If any person does any act in the purported exercise of a right of audience, or right to conduct litigation, in relation to any proceedings or contemplated proceedings when he is not entitled to exercise that right he shall be guilty of an offence.
- (2) If any person does any act in the purported exercise of any right granted to authorised practitioners by virtue of this Act when he is not an authorised practitioner he shall be guilty of an offence.
- (3) If any person—
 - (a) wilfully pretends—
 - (i) to be entitled to exercise any right of audience in relation to any proceedings, or contemplated proceedings; or
 - (ii) to be entitled to exercise any right to conduct litigation in relation to any proceedings, or contemplated proceedings,when he is not so entitled;
 - (b) wilfully pretends to be an authorised practitioner when he is not; or
 - (c) with the intention of implying falsely that he is so entitled, or is such a practitioner, takes or uses any name, title or description,he shall be guilty of an offence.
- (4) A person guilty of an offence under subsection (1) or (2) shall be liable—
 - (a) on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum or to both; or

Status: This is the original version (as it was originally enacted).

- (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both.
- (5) A person guilty of an offence under subsection (3) shall be liable, on summary conviction, to a fine not exceeding level 4 on the standard scale.
- (6) A person guilty of an offence under this section, by virtue of subsection (1), shall also be guilty of contempt of the court concerned and may be punished accordingly.
- (7) Subsection (8) applies where an offence under this section is committed by a body corporate.
- (8) If the offence is proved to have been committed with the consent or connivance of or to be attributable to any neglect on the part of—
 - (a) any director, secretary or other similar officer of the body corporate; or
 - (b) any person who was purporting to act in any such capacity,he (as well as the body corporate) shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.