



Access to Justice Act 1999

1999 CHAPTER 22

PART III

PROVISION OF LEGAL SERVICES

Barristers and solicitors

44 Barristers employed by solicitors etc.

(1) Where a barrister ^{F1}. . . —

- [^{F2}(a) is employed by an authorised person, or
- (b) is a manager of such a person,]

any rules of the General Council of the Bar which impose a prohibition or limitation on the provision of legal services shall not operate to prevent him from providing legal services to clients of [^{F3}the authorised person of which the barrister is an employee or a manager] if either of the conditions specified in subsection (2) is satisfied.

(2) Those conditions are—

- (a) that the prohibition or limitation is on the provision of the services otherwise than on the instructions of a solicitor (or other person acting for the client), and
- (b) that the prohibition or limitation does not apply to barristers who provide legal services but are not employees [^{F4}or managers of an authorised person].

[^{F5}(3) In this section—

“authorised person” means a person who, for the purposes of the Legal Services Act 2007, is an authorised person in relation to an activity which is a reserved legal activity (within the meaning of that Act), and

“manager” has the same meaning as in that Act (see section 207 of that Act).]

Changes to legislation: There are currently no known outstanding effects for the Access to Justice Act 1999, Cross Heading: Barristers and solicitors. (See end of Document for details)

Textual Amendments

- F1** Words in s. 44(1) repealed (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), ss. 208, 210, 211, [Sch. 21 para. 129\(a\)\(i\)](#), [Sch. 23](#) (with ss. 29, 192, 193); S.I. 2009/3250, [art. 2](#) (with art. 9)
- F2** S. 44(1)(a)(b) substituted (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), ss. 208, 211, [Sch. 21 para. 129\(a\)\(ii\)](#) (with ss. 29, 192, 193); S.I. 2009/3250, [art. 2](#) (with art. 9)
- F3** Words in s. 44(1) substituted (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), ss. 208, 211, [Sch. 21 para. 129\(a\)\(iii\)](#) (with ss. 29, 192, 193); S.I. 2009/3250, [art. 2](#) (with art. 9)
- F4** Words in s. 44(2) inserted (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), ss. 208, 211, [Sch. 21 para. 129\(b\)](#) (with ss. 29, 192, 193); S.I. 2009/3250, [art. 2](#) (with art. 9)
- F5** S. 44(3) inserted (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), ss. 208, 211, [Sch. 21 para. 129\(c\)](#) (with ss. 29, 192, 193); S.I. 2009/3250, [art. 2](#) (with art. 9)

^{F6}45 Fees on application for appointment as Queen’s Counsel.

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Textual Amendments

- F6** S. 45 repealed (31.1.2013) by [Statute Law \(Repeals\) Act 2013 \(c. 2\)](#), s. 3(2), [Sch. 1 Pt. 5](#)

46 Bar practising certificates.

- (1) If the General Council of the Bar makes rules prohibiting barristers from practising as specified in the rules unless authorised by a certificate issued by the Council (a “practising certificate”), the rules may include provision requiring the payment of fees to the Council by applicants for practising certificates.
- (2) Rules made by virtue of subsection (1)—
 - (a) may provide for the payment of different fees by different descriptions of applicants, ^{F7}
 - (b) ^{F7}
- (3) ^{F8}
- (4) ^{F8}
- (5) ^{F8}
- (6) ^{F8}

Textual Amendments

- F7** S. 46(2)(b) and preceding word repealed (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), ss. 208, 210, 211, [Sch. 21 para. 131\(a\)](#), [Sch. 23](#) (with ss. 29, 192, 193); S.I. 2009/3250, [art. 2](#) (with art. 9)
- F8** S. 46(3)-(6) repealed (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), ss. 208, 210, 211, [Sch. 21 para. 131\(b\)](#), [Sch. 23](#) (with ss. 29, 192, 193); S.I. 2009/3250, [art. 2](#) (with art. 9)

47 Fees for solicitors’ practising certificates.

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Changes to legislation: There are currently no known outstanding effects for the Access to Justice Act 1999, Cross Heading: Barristers and solicitors. (See end of Document for details)

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Textual Amendments

F9 S. 47 repealed (1.1.2010) by Legal Services Act 2007 (c. 29), ss. 208, 210, 211, Sch. 21 para. 131(b), **Sch. 23** (with ss. 29, 192, 193); S.I. 2009/3250, **art. 2** (with art. 9)

48 Law Society's powers in relation to conduct of solicitors etc.

Schedule 7 (which extends the powers of the Law Society in relation to the conduct of solicitors and their employees and consultants) has effect.

Changes to legislation:

There are currently no known outstanding effects for the Access to Justice Act 1999, Cross
Heading: Barristers and solicitors.