



Access to Justice Act 1999

1999 CHAPTER 22

PART III

PROVISION OF LEGAL SERVICES

Legal Services Consultative Panel

35 Replacement of ACLEC by Consultative Panel

- (1) The Lord Chancellor's Advisory Committee on Legal Education and Conduct is abolished.
- (2) In the Courts and Legal Services Act 1990, after section 18 insert—

“The Legal Services Consultative Panel

18A The Consultative Panel

- (1) The Lord Chancellor shall appoint persons to form a panel to be known as the Legal Services Consultative Panel.
- (2) In appointing persons to the Consultative Panel the Lord Chancellor shall have regard to the desirability of securing that the Consultative Panel includes persons who (between them) have experience in or knowledge of—
 - (a) the provision of legal services;
 - (b) the lay advice sector;
 - (c) civil or criminal proceedings and the working of the courts;
 - (d) legal education and training;
 - (e) the maintenance of the professional standards of persons who provide legal services;
 - (f) the maintenance of standards in professions other than the legal profession;

Status: This is the original version (as it was originally enacted).

- (g) consumer affairs;
 - (h) commercial affairs; and
 - (i) social conditions.
- (3) The Consultative Panel shall have—
 - (a) the duty of assisting in the maintenance and development of standards in the education, training and conduct of persons offering legal services by considering relevant issues in accordance with a programme of work approved by the Lord Chancellor and, where the Consultative Panel considers it appropriate to do so, making recommendations to him;
 - (b) the duty of providing to the Lord Chancellor, at his request, advice about particular matters relating to any aspect of the provision of legal services (including the education, training and conduct of persons offering legal services); and
 - (c) the functions conferred or imposed on it by other provisions of this Act or any other enactment.
- (4) The Consultative Panel may, in performance of the duty in subsection (3)(a), seek information from or give advice to any body or person.
- (5) The Lord Chancellor shall publish—
 - (a) any recommendations made to him by the Consultative Panel in performance of the duty in paragraph (a) of subsection (3); and
 - (b) any advice provided to him by the Consultative Panel in performance of the duty in paragraph (b) of that subsection.
- (6) The Lord Chancellor shall consider any recommendations made to him by the Consultative Panel in performance of the duty in subsection (3)(a).
- (7) The Lord Chancellor—
 - (a) shall make available to the Consultative Panel appropriate administrative support; and
 - (b) may pay to any of the persons forming it any such allowances, and make any such reimbursement of expenses, as he considers appropriate.
- (8) For the purposes of the law of defamation the publication of any advice by the Consultative Panel in the exercise of any of its functions shall be absolutely privileged.”
- (3) In section 119(1) of that Act (interpretation), after the definition of “authorised practitioner” insert—

““Consultative Panel” means the Legal Services Consultative Panel;”.
- (4) In Schedule 9 to that Act (exemption from prohibition on preparation of probate papers: approval)—
 - (a) for “Advisory Committee” (in each place) substitute “Consultative Panel”,
 - (b) in paragraph 2(1), for “Advisory Committee’s” substitute “Consultative Panel’s”, and
 - (c) in paragraphs 2(3) and 8(3), for “Committee” (in each place) substitute “Consultative Panel”.

- (5) In the First Schedule to the Public Records Act 1958 (definition of public records), in Part II of the Table set out at the end of paragraph 3, insert at the appropriate place—
“The Legal Services Consultative Panel.”