



# Courts and Legal Services Act 1990

## CHAPTER 41

### COURTS AND LEGAL SERVICES ACT 1990

#### PART I

##### PROCEDURE ETC. IN CIVIL COURTS

###### *Allocation and transfer of business*

- 1 Allocation of business between High Court, family court and county court.
- 2 Transfer of proceedings between courts.

###### *Remedies*

- 3 Remedies available in county courts.

###### *Costs*

- 4 Costs.

###### *Evidence*

- 5 Witness statements.
- 6 Evidence given in arbitrations on small claims.

###### *Appeals*

- 7 Appeals to Court of Appeal.
- 8 Powers of Court of Appeal to award damages.

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### *Family proceedings*

- 9 Allocation of family proceedings which are within the jurisdiction of county courts.
- 10 Family proceedings in magistrates' courts and related matters.

### *Miscellaneous*

- 11 Representation in certain county court and family court cases.
- 12 Penalty for failure to warn that hearing will not be attended.
- 13 Administration orders.
- 14 Assessors.
- 15 Enforcement.
- 16 County court rules.

## **PART II**

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- 17 The statutory objective and the general principle.
- 18 The statutory duty.

#### *The Legal Services Consultative Panel*

- 18A The Consultative Panel.

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- 19 Legal Services
- 20 Legal Services

#### *The Legal Services Ombudsman*

- 21 The Legal Services Ombudsman.
- 22 Ombudsman's functions.
- 23 Recommendations and orders.
- 24 Advisory functions.
- 25 Procedure and offences.
- 26 Extension of Ombudsman's remit.

#### *Rights of audience and rights to conduct litigation*

- 27 Rights of audience.
- 28 Rights to conduct litigation.
- 29 Authorised bodies.
- 30 Revocation of authorised body's designation.
- 31 Barristers and solicitors.
- 31A Employed advocates.
- 31B Advocates and litigators employed by Lord Chancellor .
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- 32 The Law Society: rights of audience.
- 33 The Law Society: rights to conduct litigation.

#### *Extension of conveyancing services*

- 34 The Authorised Conveyancing Practitioners Board.

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- 35 Functions of the Board and financial provisions.
- 36 Provision of conveyancing services by authorised practitioners.
- 37 Authorisation of practitioners.
- 38 Refusal of approval and imposition of conditions.
- 39 Revocation and suspension of authorisation.
- 40 Regulations about competence and conduct etc. of authorised practitioners.
- 41 The Conveyancing Appeal Tribunals.
- 42 Appeals from Tribunals on points of law.
- 43 The Conveyancing Ombudsman Scheme.
- 44 Compensation scheme.
- 45 Advisory and supervisory functions of Office of Fair Trading .
- 46 Investigatory powers of OFT.
- 46A Enforcement of notices under section 46
- 46B Altering, etc. documents required to be produced under section 46
- 47 Power to obtain information and require production of documents.
- 48 Investigations on behalf of the Board.
- 49 Restrictions on disclosure of information.
- 50 Exceptions from restrictions on disclosure.
- 51 Board's intervention powers.
- 52 Board's intervention powers: supplemental provisions.

*Licensed conveyancers and licensed CLC practitioners*

- 53 The Council for Licensed Conveyancers.

*Probate services*

- 54 Preparation of papers for probate etc.
- 55 Preparation of probate papers etc: exemption from section 23(1) of Solicitors Act 1974.
- 56 Administration of oaths etc. by justices in certain probate business.
- 57 Notaries

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- 58A Conditional fee agreements: supplementary.
- 58AA Damages-based agreements ...
- 58B Litigation funding agreements.
- 58C Recovery of insurance premiums by way of costs
- 59 Representation under the Legal Aid Act 1988.
- 60 Regulation of right of Scottish and Northern Ireland lawyers to practise in England and Wales.
- 60A Procedural requirements relating to recommendations for the purposes of section 60
- 61 Right of barrister to enter into contract for the provision of his services.
- 62 Immunity of advocates from actions in negligence and for breach of contract.
- 63 Legal professional privilege.
- 64 Discrimination by, or in relation to, barristers.
- 65 Discrimination by, or in relation to, advocates.
- 66 Multi-disciplinary and multi-national practices.
- 67 Right of audience for solicitors in certain Crown Court centres.

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- 68 Preparation of documents etc. by registered patent agents and trade mark agents.
- 69 Exemption from liability for damages etc.

#### *Offences*

- 70 Offences.

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#### JUDICIAL AND OTHER OFFICES AND JUDICIAL PENSIONS

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#### *Judges*

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- 73 Delegation of certain administrative functions of Master of the Rolls.
- 74 District judges.
- 75 Judges etc. barred from legal practice.
- 76 Judicial oaths.

#### *Senior Courts Officers*

- 77 Age for retirement of certain Senior Courts officers.
- 78 Registrar of Criminal Appeals.

#### *Judicial pensions*

- 79 Widowers' pensions.
- 80 Widows' and widowers' pensions: supplemental.
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- 82 Voluntary contributions.
- 83 Period of service to qualify for certain superannuation benefits.
- 84 Abolition of abatement of salary rule for judges etc.

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#### SOLICITORS

- 85 Practising certificates for employed solicitors.
- 86 Commencement, expiry and replacement of practising certificates.
- 87 Fees payable on issue of practising certificates.
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- 89 Foreign lawyers: recognised bodies and partnerships with solicitors.
- 90 The Compensation Fund: incorporated practices.
- 91 Power of Law Society to intervene in solicitors' practices.
- 92 Functions of the Solicitors Disciplinary Tribunal.
- 93 Redress for inadequate professional services.
- 94 Solicitors charged with or convicted of fraud or serious crime.
- 95 Appeals against refusal to restore solicitor's name to roll under section 8 of the 1974 Act.
- 96 Powers of entry etc. of local weights and measures authorities.
- 97 Committees and sub-committees of the Council.

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- 98 Agreements with solicitors for payment by hourly rates.

#### PART V

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- 99 Arbitration by official referee.  
100 Specific powers of arbitrator exercisable by High Court.  
101 Power of parties in certain cases to fill vacancy.  
102 Want of prosecution.  
103 Repeal of High Court's power to order discovery etc.

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- 104 Tying-in arrangements in connection with residential property loans.  
105 Tying-in arrangements: supplemental provisions.  
106 Tying-in: offences.  
107 Tying-in: enforcement.

###### *Miscellaneous*

- 108 Liability of magistrates for damages and costs.  
109 Liability of resident magistrates etc. in Northern Ireland for damages and costs.  
110 Jurisdiction of the Parliamentary Commissioner for Administration.  
111 Costs against legal representatives etc. in criminal proceedings.  
112 Costs against legal representatives in magistrates' courts.  
113 Administration of oaths and taking of affidavits.  
114 Bail applications.  
115 Law reports.  
116 Provision with respect to the Children Act 1989.  
117 Extension of powers of justices' clerks.  
118 Functions of Treasury.

###### *Supplemental*

- 119 Interpretation.  
120 Regulations and orders.  
121 Financial provisions.  
122 Power to make corresponding provision for Northern Ireland.  
123 Extent.  
124 Commencement.  
125 Short title, minor and consequential amendments, transitionals and repeals.

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## SCHEDULES

### SCHEDULE 1 —

#### *Appointment of members*

- 1 (1) Every member of the Advisory Committee—

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*Proceedings of the Advisory Committee*

- 2 The Advisory Committee may regulate its own procedure.

*Delegation of powers*

- 3 (1) Anything authorised or required by or under any enactment...

*Vacancies and defective appointments*

- 4 The validity of any proceedings of the Advisory Committee shall...

*Application of seal and proof of instruments*

- 5 The application of the seal of the Advisory Committee shall...

*Documents served etc. by the Advisory Committee*

- 6 (1) Any document which the Advisory Committee is authorised or...

*Remuneration and pensions etc.*

- 7 (1) The Advisory Committee shall pay— (a) to its members;...

*Staff*

- 8 (1) The Advisory Committee may, with the approval of the...

*Accounts and audit*

- 9 (1) The Advisory Committee shall keep accounts and shall prepare...

*Grants to the Advisory Committee*

- 10 (1) The Lord Chancellor may, with the approval of the...

*Annual report of Advisory Committee*

- 11 (1) The Advisory Committee shall submit to the Lord Chancellor...

*Immunity for advice and reports*

- 12 For the purposes of the law of defamation, the publication...

*Parliamentary disqualification etc.*

- 13 (1) In Part II of Schedule 1 to the House...

SCHEDULE 2 —

*Education and training: general*

- 1 (1) The Advisory Committee shall— (a) keep under review the...

*Training in advocacy*

- 2 The Advisory Committee shall— (a) consider what form of initial...

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*Training in the conduct of litigation*

3 The Advisory Committee shall— (a) consider what form of initial...

*Practical training in other areas*

4 The Advisory Committee may consider what form of practical training...

*General advisory functions*

5 (1) The Advisory Committee may make such recommendations with regard...

*Specialisation schemes*

6 (1) It shall be the duty of the Advisory Committee—...

*Persons with special needs*

7 In discharging its functions under this Schedule, the Advisory Committee...

SCHEDULE 3 — The Legal Services Ombudsman

*Provision for discharge of functions*

1 .....

*Delegation of functions*

2 .....

*Remuneration*

3 .....

*Staff*

4 .....

*Annual and other reports*

5 .....

*Accounts and audit*

6 .....

*Financial provisions*

7 .....

*Parliamentary disqualification et cetera* etc.

8 .....

*Acting Ombudsman*

9 .....

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SCHEDULE 4 —

Part I — AUTHORISATION OF BODIES

Part II — APPROVAL REQUIRED BY SECTION 29

Part III — REVOCATION OF DESIGNATION OF AUTHORISED BODY

Part I — DESIGNATION OF BODIES AND APPROVAL OF REGULATIONS AND RULES

Part II — APPROVAL IN CASES OF ALTERED REGULATIONS, RULES OR RIGHTS

Part III — ALTERATION OF REGULATIONS AND RULES BY ORDER

*Notice to authorised body*

17 (1) If the Secretary of State considers—

*Representations by authorised body*

18 (1) The notice shall invite the authorised body to make...

*Advice of Consultative Panel*

19 (1) The Consultative Panel shall consider whether the alterations should...

*Advice of Office of Fair Trading*

20 (1) The OFT shall consider whether making the alterations would...

*Further representations by authorised body*

21 (1) When the Secretary of State has received the advice...

*Advice of designated judges*

22 (1) The Secretary of State shall send to each of...

*Decision by Secretary of State*

23 (1) After considering— (a) the advice given by the Consultative...

*Order effecting alterations*

24 If the Secretary of State has decided to make the...

Part IV — REVOCATION OF DESIGNATION

*Order in Council*

25 (1) Where an Order in Council has been made designating...

*Requirement to seek advice*

26 Where the Secretary of State considers that it may be...

*Advice of Consultative Panel*

27 (1) The Consultative Panel shall carry out such investigations with...

*Advice of Office of Fair Trading*

28 (1) The OFT shall consider whether revoking the designation would...



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*Notice to authorised body*

29 (1) When the Secretary of State has received the advice...

*Notice to members of authorised body*

30 (1) Where the Secretary of State— (a) has given a...

*Advice of designated judges*

31 (1) The Secretary of State shall send to each of...

*Consideration by Secretary of State*

32 Before deciding whether to make the recommendation the Secretary of...

*The Order*

33 (1) An Order made in pursuance of a recommendation under...

SCHEDULE 5 —

*Appointment of members*

1 (1) Every member of the Board— (a) shall be appointed...

*Proceedings of the Board*

2 The Board may regulate its own procedure.

*Delegation of powers*

3 Anything authorised or required by or under any enactment to...

*Vacancies and defective appointments*

4 The validity of any proceedings of the Board shall not...

*Application of seal and proof of instruments*

5 The application of the seal of the Board shall be...

*Documents served etc. by the Board*

6 (1) Any document which the Board is authorised or required...

*Remuneration*

7 (1) The Board shall pay to its members such remuneration,...

*Staff*

8 (1) The Board may appoint such staff, and shall pay...

*Accounts*

9 (1) The Board shall keep proper accounts of all sums...

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*Annual report of Board*

10 (1) The Board shall submit to the Secretary of State...

*Parliamentary disqualification etc.*

11 (1) In Part II of Schedule 1 to the House...

SCHEDULE 6 —

SCHEDULE 7 —

SCHEDULE 8 — Licensed Conveyancers and Licensed CLC Practitioners  
 Part I — ADDITIONAL POWERS OF COUNCIL FOR LICENSED  
 CONVEYANCERS IN CONNECTION WITH SECTIONS 27, 28, AND  
 53

*General*

1 In this Schedule— “the Act of 1985” means the Administration...

*Qualification regulations and rules of conduct*

2 (1) For the purpose of exercising the powers conferred by...

*Applications for licences*

3 (1) An application for an advocacy licence, litigation licence or...

*Issue of licences*

4 (1) If, on an application for an advocacy, litigation or...

*Conditional licences*

5 (1) This paragraph has effect in any case where a...

*Register of licensed conveyancers*

6 (1) Where an advocacy, litigation or probate licence is in...

*Register of licensed CLC practitioners*

6A (1) The Council must establish and maintain, in such form...

*Code of conduct*

7 Licensed Conveyancers AND LICENSED CLC PRACTITIONERS

*Effect of suspension or revocation*

8 Where a relevant licence ceases to be in force because...

*Removal of disqualification from holding a licence*

9 Licensed Conveyancers AND LICENSED CLC PRACTITIONERS

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*Revocation on grounds of error or fraud*

10 Licensed Conveyancers AND LICENSED CLC PRACTITIONERS

*Recognised bodies*

11 Licensed Conveyancers AND LICENSED CLC PRACTITIONERS  
PART II — AMENDMENTS OF PROVISIONS RELATING TO POWERS OF  
COUNCIL ETC.

*Delegation of powers etc.*

12 (1) The Council may arrange for any of its functions...

*Council's intervention powers*

13 Licensed Conveyancers AND LICENSED CLC PRACTITIONERS

*Inadequate professional services*

14 Licensed Conveyancers AND LICENSED CLC PRACTITIONERS

*Inadequate professional services: steps that may be taken*

15 Licensed Conveyancers AND LICENSED CLC PRACTITIONERS

*Inadequate professional services: compensation*

16 Licensed Conveyancers AND LICENSED CLC PRACTITIONERS

*Inadequate professional services: failure to comply with direction*

17 Licensed Conveyancers AND LICENSED CLC PRACTITIONERS

*Inadequate professional services: fees*

18 Licensed Conveyancers AND LICENSED CLC PRACTITIONERS

*Inadequate professional services: costs*

19 Licensed Conveyancers AND LICENSED CLC PRACTITIONERS

*Duty of Discipline and Appeals Committee*

20 Licensed Conveyancers AND LICENSED CLC PRACTITIONERS

*Power to examine files*

21 (1) Where the Council is satisfied that it is necessary...

*Interest on clients' money*

22 Where a licensed conveyancer or licensed CLC practitioner —

*Full and limited licences*

23 Licensed Conveyancers AND LICENSED CLC PRACTITIONERS

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*Cases in which conditions may be attached to licences*

24 In section 16(1) of the Act of 1985 (cases in...

SCHEDULE 9 —

*Advice from the Advisory Committee*

1 (1) Where the Secretary of State receives an application from...

*Advice from the President of the Family Division*

2 (1) When the Secretary of State has received the Consultative...

*Information to be supplied by applicant*

3 The applicant shall provide the Secretary of State , the...

*Approval by Secretary of State*

4 Having considered the advice given to him by the Consultative...

*Refusal to approve*

5 (1) If the Secretary of State proposes to refuse the...

*Revocation of approval*

6 (1) The revocation of any approval given under this Schedule...

*Role of the Advisory Committee*

7 (1) Where the Secretary of State is considering whether to...

*Duty to comply with requests for information*

8 (1) Where the Consultative Panel is carrying out an investigation...

*Notice to approved body*

9 (1) If the Consultative Panel advises the Secretary of State...

*Notice to members of approved body*

10 (1) Where— (a) the Secretary of State has given notice...

*Consideration by Secretary of State and President*

11 (1) It shall be the duty of the Secretary of...

SCHEDULE 10 — Judicial and other Appointments

*Appellate Jurisdiction Act 1876 (c. 59)*

*Lord of Appeal in Ordinary*

1 In section 6 of the Appellate Jurisdiction Act 1876 (appointment...

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*War Pensions (Administrative Provisions) Act 1919 (c. 53)*

*Pensions Appeal Tribunal*

- 2 (1) In paragraph 2 of the Schedule to the War...

*Land Registration Act 1925 (c. 21)*

*District Registrar*

- 3 In section 132(2) of the Land Registration Act 1925 (district...

*London Building Acts (Amendment) Act 1939 (c. xcvi)*

- 4 In section 109(1) of the London Building Acts (Amendment) Act...

*Pensions Appeal Tribunals Act 1943 (c. 39)*

- 5 .....

*Agriculture Act 1947 (c. 48)*

*Agricultural Land Tribunal*

- 6 (1) In . . . Schedule 9 to the Agriculture...

*Lands Tribunal Act 1949 (c. 42)*

*Lands Tribunal*

- 7 In section 2(2) of the Lands Tribunal Act 1949 (President...

*Wireless Telegraphy Act 1949 (c. 54)*

- 8 In section 9(3)(a) of the Wireless Telegraphy Act 1949 (president...

*National Health Service (Amendment) Act 1949 (c. 93)*

*Arbitration committee*

- 9 In section 7(6) of the National Health Service (Amendment) Act...

*Courts-Martial Appeals Act 1951 (c. 46)*

*Judge Advocate of the Fleet*

- 10 In section 28(2) of the Courts-Martial (Appeals) Act 1951  
(appointment...

*Judge Advocate General etc*

- 11 (1) In section 31(1) of that Act (appointment of Judge...

*Agricultural Marketing Act 1958 (c. 47)*

*Chairman of disciplinary committee*

- 12 In section 9(1) of the Agricultural Marketing Act 1958 (constitution...

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*County Courts Act (Northern Ireland) 1959 (c. 25 (N.I.))*

*County Court Judge*

13 In section 103 of the County Courts Act (Northern Ireland)...

*Charities Act 1960 (c. 58)*

*Charity Commissioner*

14 .....

*Professions Supplementary to Medicine Act 1960 (c. 66)*

*Assessor to disciplinary committee*

15 In paragraph 4(1) of the Second Schedule to the Professions...

*Betting Gaming and Lotteries Act 1963 (c. 2)*

*Levy Appeal Tribunal*

16 In section 29(2)(a) of the Betting, Gaming and Lotteries Act...

*Ecclesiastical Jurisdiction Measure 1963 (No. 1)*

*Judge of Consistory Court*

17 In section 2(2) of the Ecclesiastical Jurisdiction Measure 1963 (judge...

*Dean of the Arches and Auditor*

18 (1) In section 3(3) of that Measure (Dean of the...

*Assessor for episcopal committee inquiry*

19 In section 33(4) of that Measure (barrister to assist episcopal...

*Examiner*

20 In paragraph 1(1) of the Second Schedule to that Measure...

*Plant Varieties and Seeds Act 1964 (c. 14)*

*Plant Variety Rights Tribunal*

21 .....

*Police Act 1964 (c. 48)*

22 .....

*Hairdressers (Registration) Act 1964 (c. 89)*

*Assessor to disciplinary committee*

23 In paragraph 3(1) of Schedule 2 to the Hairdressers (Registration)...

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*City of London Courts Act 1964 (c. iv)*

*The Common Serjeant*

24 In section 12(2) of the City of London (Courts) Act...

*Law Commissions Act 1965 (c. 22)*

*Law Commissioner*

25 In section 1(2) of the Law Commissions Act 1965 (Law...

*Commons Registration Act 1965 (c. 64)*

*Commons Commissioner*

26 In section 17(1) of the Commons Registration Act 1965 (Commons...

*Employment Tribunal (England and Wales) Regulations 1965*

*Employment tribunal (S.I. 1965/1101.)*

27 (1) In regulation 3(1) of the Employment Tribunal (England and...

*Veterinary Surgeons Act 1966 (c. 36)*

*Assessor to disciplinary committee*

28 In paragraph 6(1) of Schedule 2 to the Veterinary Surgeons...

*Hearing Aid Council Act 1968 (c. 50)*

*Assessor to Disciplinary Committee*

29 In section 11(1) of the Hearing Aid Council Act 1968...

*Taxes Management Act 1970 (c. 9)*

*Special Commissioner*

30 In section 4(2) of the Taxes Management Act 1970 (Special...

*Courts Act 1971 (c. 23)*

*Circuit Judge*

31 (1) In section 16(3) of the Courts Act 1971 (appointment...

*Recorder and Assistant Recorder*

32 (1) In section 21(2) of that Act (appointment of Recorders)...

*Misuse of Drugs Act 1971 (c. 38)*

33 In paragraph 1(1)(a) of Schedule 3 to the Misuse of...

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*Immigration Act 1971 (c. 77)*

*Immigration Appeal Tribunal*

34 .....

*Friendly Societies Act 1974 (c. 46)*

*Assistant registrar of friendly societies*

35 In section 2(2) of the Friendly Societies Act 1974 (at...

*Social Security Act 1975 (c. 14)*

*Social Security Commissioner*

36 .....

*Social security appeal tribunal and medical appeal tribunal*

37 .....

*Farriers Registration Act 1975 (c. 35)*

*Assessor to Disciplinary Committee*

38 In paragraph 5(1) of Schedule 3 to the Farriers (Registration)...

*Industry Act 1975 (c. 68)*

*Arbitration Tribunal*

39 In paragraph 4(a) of Schedule 3 to the Industry Act...

*Aircraft and Shipbuilding Industries Act 1977 (c. 3)*

*Aircraft and Shipbuilding Industries Arbitration Tribunal*

40 In section 42(3)(a) of the Aircraft and Shipbuilding Industries Act...

*Insurance Brokers (Registration) Act 1977 (c. 46)*

*Assessor to Disciplinary Committee*

41 In section 20(1) of the Insurance Brokers (Registration) Act 1977...

*National Health Service Act 1977 (c. 49)*

42 In paragraph 2 of Schedule 9 to the National Health...

*Nurses, Midwives and Health Visitors Act 1979 (c. 36)*

*Assessors to the Central Council*

43 .....



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*Justices of the Peace Act 1979 (c. 55)*

*Stipendiary Magistrate*

44 .....

*Justices' Clerk*

45 .....

*Social Security Act 1980 (c. 30)*

*Deputy Social Security Commissioner*

46 .....

*Senior Courts Act 1981 (c. 54)*

*Judge's legal secretary*

47 In section 98(4) of the Senior Courts Act 1981 (appointment...

*Conveyancing counsel*

48 In section 131(1) of that Act (conveyancing counsel of the...

*Master, Registrar etc*

49 For Schedule 2 to that Act (which sets out the...

*Representation of the People Act 1983 (c. 2)*

*Election Court Commissioner*

50 (1) In section 130 of the Representation of the People...

*Mental Health Act 1983 (c. 20)*

*Lord Chancellor's Legal Visitor*

51 In section 102(3)(b) of the Mental Health Act 1983 (panel...

*Value Added Tax Act 1983 (c. 55)*

*VAT Tribunal*

52 .....

*Medical Act 1983 (c. 54)*

*Legal Assessor to Committees*

53 In paragraph 7(1) of Schedule 4 to the Medical Act...

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*Pastoral Measure 1983 (No. 1)*

*Appeal Tribunal*

54 In Schedule 4 to the Pastoral Measure 1983 (compensation of...

*Merchant Shipping Act 1984 (c. 5)*

*Arbitrator*

55 .....

*Dentists Act 1984 (c. 24)*

*Assessor to committees*

56 In paragraph 5(1) of Schedule 3 to the Dentists Act...

*County Courts Act 1984 (c. 28)*

*District judges*

57 In section 9 of the County Courts Act 1984 (appointment...

*Data Protection Act 1984 (c. 35)*

58 .....

*Reserve Forces (Safeguard of Employment) Act 1985 (c. 17)*

*Umpire hearing appeals from Reinstatement Committee*

59 In paragraph 5 of Schedule 2 to the Reserve Forces...

*Prosecution of Offences Act 1985 (c. 23)*

*Director of Public Prosecutions*

60 In section 2(2) of the Prosecution of Offences Act 1985...

*Crown Prosecutors*

61 (1) In section 1(3) of that Act (Crown Prosecutors) for...

*Interception of Communications Act 1985 (c. 56)*

62 .....

*Administration of Justice Act 1985 (c. 61)*

*Questions of construction*

63 In section 48(1) of the Administration of Justice Act 1985...

*Assessor to Discipline and Appeals Committee of the Council of Licensed Conveyancers*

64 In paragraph 3(1) of Schedule 4 to that Act (barrister...

**Changes to legislation:** Courts and Legal Services Act 1990 is up to date with all changes known to be in force on or before 02 June 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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*Transport Act 1985 (c. 67)*

*Transport Tribunal*

65 For paragraph 2(2) of Schedule 4 to the Transport Act...

*Animals (Scientific Procedures) Act 1986 (c. 14)*

66 In section 12(5) of the Animals (Scientific Procedures) Act 1986...

*Insolvency Act 1986 (c. 45)*

*Insolvency Practitioners Tribunal*

67 In paragraph 1(1)(a) of Schedule 7 to the Insolvency Act...

*Building Societies Act 1986 (c. 53)*

68 In section 47(3) of the Building Societies Act 1986 (chairman...

*Banking Act 1987 (c. 22)*

69 In section 28(3) of the Banking Act 1987 (chairman of...

*Coroners Act 1988 (c. 13)*

*Coroner*

70 In section 2(1) of the Coroners Act 1988 (appointment as...

*Criminal Justice Act 1988 (c. 33)*

*Criminal Injuries Compensation Board*

71 (1) In paragraph 2(2) of Schedule 6 to the Criminal...

*Assessor of compensation for miscarriages of justice*

72 (1) In Schedule 12 to that Act (appointment as assessor...

*Copyright, Designs and Patents Act 1988 (c. 48)*

*Copyright Tribunal*

73 In section 145(3) of the Copyright, Designs and Patents Act...

*Security Service Act 1989 (c. 5)*

74 .....

*Opticians Act 1989 (c. 44)*

*Assessor to Disciplinary Committee*

75 In section 22(1) of the Opticians Act 1989 (assessor to...

SCHEDULE 11 — Judges etc Barred from Legal Practice  
The following are the offices for the purposes of section...

*Changes to legislation:* Courts and Legal Services Act 1990 is up to date with all changes known to be in force on or before 02 June 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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SCHEDULE 12 — Widowers’ Pensions: Transitional Provisions

SCHEDULE 13 — Transfer of Accrued Benefits

SCHEDULE 14 — Foreign Lawyers: Partnerships and Recognised Bodies

Part I — REGISTRATION

*General*

1 In this Schedule— “the Act of 1974” means the Solicitors...

*Application for registration*

2 (1) An application for registration or for renewal of registration—...  
2A (1) The Society may direct that a foreign lawyer's registration...

*Duration of registration*

3 (1) Every registration shall have effect from the beginning of...

*Evidence as to registration*

4 Any certificate purporting to be signed by an officer of...

Part II — REGISTERED FOREIGN LAWYERS: SUPPLEMENTARY PROVISIONS

*Intervention in practices*

5 (1) In this paragraph “the intervention powers” means the powers...

*The Compensation Fund*

6 Section 36 of the 1974 Act applies in relation to...

*Contributions to the Fund*

7 Section 36A(2) and (3) of the 1974 Act applies in...

*Accountants’ reports*

8 Section 34 of the Act of 1974 applies in relation...

*Certification for purposes of investment business*

9 .....

*Effect of bankruptcy*

10 (1) The registration of any foreign lawyer against whom a...

*Effect of disciplinary action*

11 (1) Where a registered foreign lawyer is struck off, or...

*Re-instatement of disciplined foreign lawyer*

12 (1) Where a person’s registration has been suspended by virtue...

**Changes to legislation:** Courts and Legal Services Act 1990 is up to date with all changes known to be in force on or before 02 June 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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*Effective date of revived registration*

13 Where a foreign lawyer’s registration is revived (whether as the...

*Appeal against conditions or refusals*

14 (1) Any foreign lawyer may appeal to the High Court...

*Jurisdiction and powers of Disciplinary Tribunal*

15 (1) Subject to paragraph 16, section 46 of the Act...

*Foreign lawyers assisting the Tribunal*

16 (1) For the purposes of section 46 of the Act...

*Appeals from Tribunal*

17 (1) An Appeal from the Tribunal shall lie to the...

SCHEDULE 15 — Inadequate Professional Services

.....

SCHEDULE 16 — Children Act 1989

Part I — AMENDMENT OF ACT AND OTHER ENACTMENTS AFFECTED

1 In this Part of this Schedule “the Act of 1989”...

*The Civil Evidence Act 1968 (c. 64)*

2 (1) In section 12(5) of the Civil Evidence Act 1968...

*The Family Law Reform Act 1969 (c. 46)*

3 .....

*The Children and Young Persons Act 1969 (c. 54)*

4 .....

5 .....

*The Administration of Justice Act 1970 (c. 31)*

6 (1) In paragraph 6 of Schedule 8 to the Administration...

*The Adoption Act 1976 (c. 36)*

7 .....

*The Child Care Act 1980 (c. 5)*

8 After section 21(2) of the Child Care Act 1980 (power...

*The Education Act 1981 (c. 60)*

9 (1) In section 3A(1) of the Education Act 1981 (provision...

*The Children Act 1989 (c. 41)*

10 (1) In section 15(1) of the Children Act 1989 (orders...

**Changes to legislation:** Courts and Legal Services Act 1990 is up to date with all changes known to be in force on or before 02 June 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- 11 In section 21(2)(c)(i) of the Act of 1989 (provision of...  
 12 (1) In section 23 of the Act of 1989 (provision...  
 13 At the end of section 24 of the Act of...  
 14 In section 27 of the Act of 1989 (co-operation between...  
 15 In section 29 of the Act of 1989 (recoupment of...  
 16 In section 37 of the Act of 1989 (powers of...  
 17 .....  
 18 (1) Section 42 of the Act of 1989 (right of...  
 19 For section 45(10) of the Act of 1989 (appeals against...  
 20 In section 47(11)(d) of the Act of 1989 (persons obliged...  
 21 In section 81 of the Act of 1989 (power of...  
 22 In section 93(2) of the Act of 1989 (rules of...  
 23 .....  
 24 In section 97(8) of the Act of 1989 (privacy for...  
 25 In section 108(12) of the Act of 1989 (provisions extending...  
 26 In paragraph 14 of Schedule 2 to the Act of...  
 27 In Schedule 3 to the Act of 1989 (supervision orders)...  
 28 (1) In Schedule 4 to the Act of 1989 (management...  
 29 In paragraph 3(1) of Schedule 6 to the Act of...  
 30 (1) Paragraph 2 of Schedule 9 to the Act of...  
 31 In Schedule 12 to the Act of 1989 (minor amendments),...  
 32 In Schedule 13 to the Act of 1989 (consequential amendments),...  
 33 (1) Schedule 14 to the Act of 1989 (transitionals and...  
     Part II — FURTHER CONSEQUENTIAL AMENDMENTS

*The Maintenance Orders Act 1950 (c. 37)*

- 34 In section 15(1)(a) of the Maintenance Orders Act 1950 (service...  
 35 In section 16(2)(a) of that Act (application of Part II)—...

*The Social Work (Scotland) Act 1968 (c. 49)*

- 36 In section 94(1) of the Social Work (Scotland) Act 1968...

*The Administration of Justice Act 1970 (c. 31)*

- 37 (1) In Schedule 8 to the Administration of Justice Act...

*The Attachment of Earnings Act 1971 (c. 32)*

- 38 In Schedule 1 to the Attachment of Earnings Act 1971...

*The Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18)*

- 39 (1) In section 28 of the Maintenance Orders (Reciprocal Enforcement)...

*The Magistrates' Courts Act 1980 (c. 43)*

- 40 In section 65(1) of the Magistrates' Courts Act 1980 (meaning...

*The Civil Jurisdiction and Judgments Act 1982 (c. 27)*

- 41 In section 18(6) of the Civil Jurisdiction and Judgments Act...

*The Mental Health Act 1983 (c.20)*

- 42 In section 116(2) of the Mental Health Act 1983 (visiting...

**Changes to legislation:** Courts and Legal Services Act 1990 is up to date with all changes known to be in force on or before 02 June 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## SCHEDULE 17 — Minor Amendments

### *The Naval Agency and Distribution Act 1864 (c. 24)*

- 1 In section 7 of the Naval Agency and Distribution Act...

### *The Land Registration Act 1925 (c. 21)*

- 2 In section 126 of the Land Registration Act 1925 (business...

### *The Administration of Justice Act 1956 (c. 46)*

- 3 Section 53 of the Administration of Justice Act 1956 (only...

### *The Powers of Attorney Act 1971 (c. 27)*

- 4 In section 3 of the Powers of Attorney Act 1971...

### *The Attachment of Earnings Act 1971 (c. 32)*

- 5 In section 6 of the Attachment of Earnings Act 1971...  
6 In section 23 of that Act (powers of judge in...

### *The Juries Act 1974 (c. 23)*

- 7 In Group B in Part I of Schedule 1 to...

### *The Solicitors Act 1974 (c. 47)*

- 8 In section 2 of the Solicitors Act 1974 (training regulations),...  
9 Section 4 of that Act (which sets out conditions to...  
10 In section 31 of that Act (rules as to professional...

### *The Magistrates' Courts Act 1980 (c. 43)*

- 11 .....

### *The Senior Courts Act 1981 (c. 54)*

- 12 In section 5(3) of the Senior Courts Act 1981 (judges...  
13 In section 36(4) of that Act (witness not to be...

### *The County Courts Act 1984 (c. 28)*

- 14 (1) Section 73 of the County Courts Act 1984 (register...  
15 In section 77 of that Act (appeals: general provisions) after...  
16 In section 103 of that Act (execution out of the...  
17 In section 138 of that Act (forfeiture for non-payment of...  
18 In Schedule 1 to that Act, paragraphs 2(3) and 3...

### *The Legal Aid Act 1988 (c. 34)*

- 19 .....

### *The Law of Property (Miscellaneous Provisions) Act 1989 (c. 34)*

- 20 (1) In subsection (5) of section 1 of the Law...

## SCHEDULE 18 — Consequential Amendments

*Changes to legislation:* Courts and Legal Services Act 1990 is up to date with all changes known to be in force on or before 02 June 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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*The Public Records Act 1958 (c. 51)*

1 (1) In the First Schedule to the Public Records Act...

*The Tribunals and Inquiries Act 1971 (c. 62)*

2 .....

*The Matrimonial Causes Act 1973 (c.18)*

3 In section 50(1) of the Matrimonial Causes Act 1973 (matrimonial...

*The Fair Trading Act 1973 (c.41)*

4 In section 133(2) of the Fair Trading Act 1973 (purposes...

*The Juries Act 1974 (c. 23)*

5 In Group B in Part I of Schedule 1 to...

*The Consumer Credit Act 1974 (c.39)*

6 In section 174(3) of the Consumer Credit Act 1974 (purposes...

*The Solicitors Act 1974 (c. 47)*

7 In section 7 of the Solicitors Act 1974 (entry of...

8 In section 8 of that Act (removal or restoration of...

9 In section 12 of that Act (discretion of Society with...

10 (1) Section 16 of that Act (duration of suspension of...

11 In section 20 of that Act (unqualified person not to...

12 In section 25 of that Act (costs where unqualified person...

13 In section 32 of that Act (accounts rules and trust...

14 In section 41 of that Act (employment by solicitor of...

15 In section 42 of that Act (failure to disclose certain...

16 (1) Section 80 of that Act (powers to act on...

17 In section 87(1) of that Act (interpretation) after the definition...

18 In Schedule 2 to that Act after sub-paragraph (3) of...

*The Restrictive Trade Practices Act 1976 (c.34)*

19 In section 41(1) of the Restrictive Trade Practices Act 1976...

*The Patents Act 1977 (c.37)*

20 (1) In section 102 of the Patents Act 1977 (right...

*The Domestic Proceedings and Magistrates' Courts Act 1978 (c.22)*

21 .....

*The Estate Agents Act 1979 (c.38)*

22 (1) In section 10(3) of the Estate Agents Act 1979...

*The Competition Act 1980 (c.21)*

23 (1) Section 19 of the Competition Act 1980 (restriction on...



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*The Social Security Act 1980 (c. 30)*

24 .....

*The Magistrates' Courts Act 1980 (c.43)*

25 (1) The Magistrates' Courts Act 1980 shall be amended as...

*The Judicial Pensions Act 1981 (c. 20)*

26 In section 16 of the Judicial Pensions Act 1981 (application...  
27 In section 22 of that Act (children's pension: rate and...  
28 In section 23 of that Act (contributions towards widows and...  
29 In section 25 of that Act (persons serving again after...  
30 In the following sections of that Act—  
31 The following section shall be inserted in that Act at...  
32 In Part I of Schedule 1 to that Act (certain...  
33 In paragraph 15 of Schedule 1 to that Act (persons...  
34 At the beginning of sub-paragraph (1) of paragraphs 15 and...  
35 In paragraph 7(3) of Schedule 3 to that Act, after...

*The Senior Courts Act 1981 (c. 54)*

36 (1) In section 85 of the Senior Courts Act 1981...  
37 In section 89(2) of that Act (person appointed as Queen's...  
38 For section 89(3)(e) of that Act (Senior Registrar of Family...  
39 In section 90 of that Act (Official Solicitor) the following...  
40 (1) In section 100(1) of that Act (county court registrar...  
41 In section 151(1) of that Act (interpretation), the following shall...

*The County Courts Act 1984 (c. 28)*

42 In sections 6 to 12 of the County Courts Act...  
43 In section 52 of that Act (powers of court exercisable...  
44 In section 53 of that Act (powers of court to...  
45 In section 54 of that Act (provisions supplementary to sections...  
46 In section 69 of that Act (power to award interest...  
47 For section 75(7) of that Act (members of the rule...  
48 For section 143(1) of that Act (prohibition on persons other...  
49 (1) In section 147(1) of that Act (interpretation) after the...

*The Matrimonial and Family Proceedings Act 1984 (c. 42)*

50 In section 40(1) of the Matrimonial and Family Proceedings Act...

*The Prosecution of Offences Act 1985 (c. 23)*

51 .....

52 (1) In section 14(1)(a) of that Act (regulations in relation...  
53 In section 20(2) of that Act (regulations providing for the...

*The Administration of Justice Act 1985 (c. 61)*

54 (1) Section 9 of the Administration of Justice Act 1985...  
55 In paragraph 10 of Schedule 2 to that Act (which...  
56 In paragraph 13 of Schedule 2 to that Act (incorporated...  
57 In Schedule 2 to that Act (incorporated practices), in paragraph...

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58 In Schedule 6 to that Act (incorporated licensed conveyancers) the...

*The Legal Aid Act 1988 (c. 34)*

- 59 .....
- 60 .....
- 61 .....
- 62 .....
- 63 .....

SCHEDULE 19 — Transitionals and Savings

*Discrimination by, or in relation to, barristers*

1 Nothing in section 64 shall have effect in relation to...

*Judicial appointments: barristers*

2 .....

*Judicial appointments: solicitors*

3 .....

*Directions under section 83 of the Senior Courts Act 1981 (c. 54)*

4 (1) Any direction given under section 83 of the Senior...

*District judges*

5 For the purposes of section 16(3)(c) of the Courts Act...

*Judicial oaths*

6 (1) Sub-paragraph (2) applies in relation to any person who,...

*Retirement age of certain officers of Senior Courts*

7 Subsection (2A) of section 92 of the Supreme Court Act...

*Investigations by lay observers*

8 (1) Where, before the coming into force of section 21,...

*Judicial pensions*

9 The repeal by this Act of sections 18(3), 20(6) and...

10 (1) The repeal by this Act of subsection (3) of...

*Overseas solicitors*

11 (1) Notwithstanding the repeal by this Act of section 4...

*Practising certificates*

12 (1) Section 14 of the Solicitors Act 1974, as substituted...

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*Notaries*

13 (1) Subsection (2) of section 57 and the repeal by...

*Redress for inadequate professional services*

14 Section 93 and the repeal by Schedule 20 of—

*The Council for Licensed Conveyancers*

15 (1) The following provisions— (a) section 53;

*Immunity of magistrates etc.*

16 (1) The Justices of the Peace Act 1979 shall continue...

*Commissioners for Oaths*

17 The repeal by this Act of section 1(1) of the...

SCHEDULE 20 — Repeals

**Changes to legislation:**

Courts and Legal Services Act 1990 is up to date with all changes known to be in force on or before 02 June 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to :**

- s. 13 repealed by [2007 c. 15 Sch. 16 para. 6Sch. 23 Pt. 5](#)
- s. 58B inserted by [1999 c. 22 s. 28](#)
- Sch. 16 para. 24 repealed by [2010 c. 26 Sch. 4 Pt. 2](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 4 Pt. 2 repealed (4.9.2013) without ever being in force by [2013 c. 22, s. 17\(4\)](#) ; S.I. 2013/2200 art. 2(a))
- Sch. 18 para. 25(6) repealed by [2010 c. 26 Sch. 4 Pt. 2](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 4 Pt. 2 repealed (4.9.2013) without ever being in force by [2013 c. 22, s. 17\(4\)](#) ; S.I. 2013/2200 art. 2(a))

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 58A(2)(fe) inserted by [2021 c. 17 s. 53](#)