

---

STATUTORY INSTRUMENTS

---

**1991 No. 608 (C.14)**

**LEGAL SERVICES**

**LEGAL PROFESSION**

**ARBITRATION**

**CRIMINAL LAW, ENGLAND AND WALES**

**OATHS**

The Courts and Legal Services Act 1990  
(Commencement No. 3) Order 1991

*Made* - - - - *11th March 1991*

The Lord Chancellor, in exercise of the powers conferred on him by section 124(3) of the Courts and Legal Services Act 1990<sup>(1)</sup>, hereby makes the following Order:

1. This Order may be cited as the Courts and Legal Services Act 1990 (Commencement No. 3) Order 1991.
2. The provisions of the Courts and Legal Services Act 1990 specified in the Schedule hereto shall come into force on 1st April 1991.

Dated 11th March 1991

*Mackay of Clashfern, C.*

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

## SCHEDULE

Provision of the Act	Subject matter of provision
Section 17	The statutory objective and the general principle.
Section 18	The statutory duty.
Section 19 and Schedule 1	The Lord Chancellor's Advisory Committee on Legal Education and Conduct.
Section 20 and Schedule 2	Duties of the Advisory Committee.
Section 24(3)	References to Advisory Committee by the Legal Services Ombudsman.
Section 29 and Schedule 4	Authorised bodies: designation and approval of regulations and rules.
Section 30	Revocation of authorised body's designation.
Section 31(3)—(9)	The General Council of the Bar.
Section 32(3)—(9)	The Law Society: rights of audience.
Section 33(3)—(9)	The Law Society: rights to conduct litigation.
Section 34 and Schedule 5	The Authorised Conveyancing Practitioners Board.
Section 35	Functions of Authorised Conveyancing Practitioners Board and financial provisions.
Section 40	Regulations about competence and conduct etc. of authorised practitioners.
Section 53 and Schedule 8 (except in so far as they relate to exemptions under section 55)	The Council for Licensed Conveyancers.
Section 59	Representation under the Legal Aid Act 1988(2).
Section 63(1)(a) and (2)	Legal professional privilege.
Section 69	Exemption from liability for damages etc.
Section 93 and Schedule 15	Redress for inadequate professional services.
Section 99	Arbitration by official referee.
Section 100	Special powers of arbitrator exercisable by High Court.
Section 101	Power of parties in certain cases to fill vacancy.
Section 103	Repeal of High Court's power to order discovery etc.
Section 113	Administration of oaths and taking of affidavits.
Section 114	Bail applications.

(2) 1988 c. 34.

Provision of the Act	Subject matter of provision
Section 115	Law reports.
Paragraphs 4, 7, 8, 10 and 13 of Schedule 17, and section 125(2) so far as it relates to them.	Minor amendments.
Paragraphs 1 (so far as it relates to the Lord Chancellor’s Advisory Committee on Legal Education and Conduct), 5, 41, 48, 49, 52, 56 and 58 to 63 of Schedule 18, and section 125(3) so far as it relates to them.	Consequential amendments.
Paragraphs 14, 15 and 17 of Schedule 19, and section 125(6) so far as it relates to them.	Transitionals and savings.
Section 125(7) and Schedule 20 so far as they provide for the repeal of, or of words in, the following provisions—	Repeals.
(a) section 1 of the Commissioners for Oaths Act 1889(3)	
(b) section 12(6)(b) of the Arbitration Act 1950(4)	
(c) sections 2(2), 44A, 47A and 8 1(5) of the Solicitors Act 1974(5)	
(d) section 143(2) of the County Courts Act 1984(6)	
(e) section 15(1) (and the word “and” immediately preceding it) of the Prosecution of Offences Act 1985(7)	
(f) sections 1, 3(2), 26(3) and 65(5) of, and paragraph 19 of Schedule 2, paragraph 8 of Schedule 3 and paragraph 5 of Schedule 7 to, the Administration of Justice Act 1985(8)	

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force on 1st April 1991 a number of provisions in the Courts and Legal Services Act 1990. These provisions, together with a brief indication of their subject matter, are listed in the Schedule to the Order.

- 
- (3) 1889 c. 10.  
(4) 1950 c. 27.  
(5) 1974 c. 47.  
(6) 1984 c. 28.  
(7) 1985 c. 23.  
(8) 1985 c. 61.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

Provision	Date of commencement	S.I. No.
Section 125(7) (partially)	1.11.1990	1990/2170
Schedule 20 (partially)		
Sections 9, 21, 22, 23, 24(1) and (2), 25-28, 31(1) and (2), 32(1) and (2), 33(1) and (2), 60-62, 66-68, 70(partially), 71, 74(1)—(3), 75—78, 83, 84, 116(partially), 118 and 125(partially); and Schedules 3, 10, 11, 16(partially), 17(partially), 18(partially), 19(partially) and 20(partially)	1.1.1991	1990/2484