



# 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 and county courts.
- 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.

###### *Family proceedings*

- 9 Allocation of family proceedings which are within the jurisdiction of county courts.

*Status: Point in time view as at 19/08/2003.*

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- 10 Family proceedings in magistrates' courts and related matters.

*Miscellaneous*

- 11 Representation in certain county 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.

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LEGAL SERVICES

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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.

*The Advisory Committee*

- 19 The Lord Chancellor's Advisory Committee on Legal Education and Conduct.  
20 Duties of the Advisory Committee.

*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 Legal Services Commission.  
31C Change of authorised body.  
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.  
35 Functions of the Board and financial provisions.  
36 Provision of conveyancing services by authorised practitioners.

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- 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.
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- 52 Board's intervention powers: supplemental provisions.

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- 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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- 58 Conditional fee agreements.
- 58A Conditional fee agreements: supplementary.
- 58AA Damages-based agreements relating to employment matters
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- 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.
- 68 Preparation of documents etc. by registered patent agents and trade mark agents.
- 69 Exemption from liability for damages etc.

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### *Offences*

70 Offences.

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#### *Judicial appointments*

71 Qualification for judicial and certain other appointments.

#### *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.

#### *Supreme Court Officers*

- 77 Age for retirement of certain Supreme Court officers.
- 78 Registrar of Criminal Appeals.

#### *Judicial pensions*

- 79 Widowers' pensions.
- 80 Widows' and widowers' pensions: supplemental.
- 81 Transfer of accrued rights to and from judicial pension schemes.
- 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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- 86 Commencement, expiry and replacement of practising certificates.
- 87 Fees payable on issue of practising certificates.
- 88 Additional fee payable by certain solicitors on applying for practising certificates.
- 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.
- 98 Agreements with solicitors for payment by hourly rates.

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## PART V

### ARBITRATION

- 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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#### *Tying-in*

- 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 (1) The Secretary of State may give general directions concerning...

*Delegation of functions*

- 2 (1) The Ombudsman may delegate any of his functions to...

*Remuneration*

- 3 (1) The Secretary of State shall pay to, or in...

*Staff*

- 4 (1) The Ombudsman may appoint such staff as he thinks...

*Annual and other reports*

- 5 (1) The Ombudsman shall make an annual report to the...

*Accounts and audit*

- 6 (1) The Ombudsman shall keep accounts with respect to his...

*Financial provisions*

- 7 (1) Any expenses of the Ombudsman incurred under this Act...

*Parliamentary disqualification etc.*

- 8 (1) In Part III of Schedule 1 to the House...

*Acting Ombudsman*

- 9 (1) The Secretary of State may appoint a person to...

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No commentary — Authorised bodies  
available with id  
2004556 SCHEDULE

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

*Secretary of State*

1 (1) If a professional or other body wishes to grant...

*Advice of Consultative Panel*

2 (1) The Consultative Panel shall consider whether the application  
should...

*Advice of Office of Fair Trading*

3 (1) The OFT shall consider whether granting the application would...

*Representations by applicant*

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

*Advice of designated judges*

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

*Decision by Secretary of State*

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

*Effect of grant of application*

7 Where the application is granted— (a) the Secretary of State...

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

*Requirement of approval*

8 (1) If an authorised body makes an alteration of its...

*Application to Secretary of State*

9 (1) An application by a body for the Secretary of...

*Early advice of designated judges*

10 (1) If the Secretary of State considers that it would...

*Advice of Consultative Panel*

11 (1) If the Secretary of State decides (after considering the...

*Advice of Office of Fair Trading*

12 (1) If the Secretary of State decides (after considering the...



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*Representations by applicant*

- 13 (1) If the Secretary of State has sought the advice...

*Advice or further advice of designated judges*

- 14 (1) If the Secretary of State has sought the advice...

*Decision by Secretary of State*

- 15 (1) After considering— (a) any advice given by the Consultative...

*Effect of grant of application*

- 16 Where the application is granted— (a) in a case within...

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...

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*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...

*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 — The Authorised Conveyancing Practitioners Board

*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,...

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*Staff*

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

*Accounts*

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

*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 — The Conveyancing Appeal Tribunals

*Powers of Tribunals*

- 1 (1) A Tribunal hearing any appeal shall have power to—...

*Procedure of Tribunals*

- 2 (1) The Secretary of State may by regulations make provision...

*Staff*

- 3 (1) The Secretary of State may, with the consent of...

SCHEDULE 7 — The Conveyancing Ombudsman Scheme

- 1 In this Schedule “the scheme” means the “Conveyancing Ombudsman Scheme”...
- 2 The scheme may provide— (a) for the Conveyancing Ombudsman to...
- 3 (1) The scheme may provide for the Conveyancing Ombudsman—
- 4 The jurisdiction of the Conveyancing Ombudsman shall be determined by...
- 5 The scheme may provide for the Conveyancing Ombudsman not to...
- 6 The scheme shall require the Conveyancing Ombudsman to investigate any...
- 7 The scheme may empower the Conveyancing Ombudsman, when investigating any...
- 8 The scheme shall— (a) confer on the Conveyancing Ombudsman power...
- 9 The scheme may provide that compensation which the Conveyancing Ombudsman...
- 10 Subject to paragraphs 11 and 12, a determination of the...
- 11 Paragraph 10 does not apply where the authorised practitioner concerned...
- 12 Where a determination of the Conveyancing Ombudsman is binding on...
- 13 Where a case is so stated the High Court may...
- 14 A decision of the High Court under paragraph 13 shall...
- 15 No appeal shall lie from any decision of the High...
- 16 Nothing in this Schedule is to be taken as prejudicing...

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SCHEDULE 8 — Licensed Conveyancers  
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...

*Code of conduct*

7 (1) The rules made by the Council under section 20...

*Effect of suspension or disqualification under Part II of the Act of 1985*

8 Where a licence issued under Part II of the Act...

*Removal of disqualification from holding a licence*

9 (1) Where the Discipline and Appeals Committee have made any...

*Revocation on grounds of error or fraud*

10 (1) Where the Discipline and Appeals Committee are satisfied that...

*Recognised bodies*

11 Section 32 of the Act of 1985 (provision of conveyancing...  
PART II — AMENDMENTS OF PROVISIONS RELATING TO POWERS OF  
COUNCIL ETC.

*Delegation of powers etc.*

12 (1) Subject to any provision to the contrary made by...

*Council's intervention powers*

13 (1) Subject to sub-paragraph (2), the powers conferred by Part...

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*Inadequate professional services*

14 (1) The Council may take any of the steps mentioned...

*Inadequate professional services: steps that may be taken*

15 (1) The steps are— (a) determining that the costs to...

*Inadequate professional services: compensation*

16 (1) The amount specified in a direction by virtue of...

*Inadequate professional services: failure to comply with direction*

17 (1) If a licensed conveyancer fails to comply with a...

*Inadequate professional services: fees*

18 (1) The Council may, by regulations made with the concurrence...

*Inadequate professional services: costs*

19 Where the Council takes any of the steps with respect...

*Duty of Discipline and Appeals Committee*

20 Where the Discipline and Appeals Committee— (a) is considering, or...

*Power to examine files*

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

*Interest on clients' money*

22 Where a licensed conveyancer— (a) is required by rules made...

*Full and limited licences*

23 In section 15 of the Act of 1985 (issue of...

*Cases in which conditions may be attached to licences*

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

No commentary — Probate  
available with id  
2004558SCHEDULE  
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*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...

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*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...

*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 .....

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*Agriculture Act 1947 (c. 48)*

*Agricultural Land Tribunal*

6 (1) In paragraph 13(1) of 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...

*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...

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*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)...

*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...



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*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...

*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 .....

*Status: Point in time view as at 19/08/2003.*

*Changes to legislation: Courts and Legal Services Act 1990 is up to date with all changes known to be in force on or before 27 January 2024. 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)*

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*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 .....

*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 .....

*Status: Point in time view as at 19/08/2003.*

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*Supreme Court Act 1981 (c. 54)*

*Judge's legal secretary*

47 In section 98(4) of the Supreme Court 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...

*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...

*Status: Point in time view as at 19/08/2003.*

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*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...

*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...

*Status: Point in time view as at 19/08/2003.*

*Changes to legislation: Courts and Legal Services Act 1990 is up to date with all changes known to be in force on or before 27 January 2024. 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)*

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*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

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...

*Status: Point in time view as at 19/08/2003.*

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*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 (1) Where the Council are satisfied— (a) that a person...

*Contributions to the Fund*

- 7 (1) On an application for registration, a foreign lawyer shall...

*Accountants’ reports*

- 8 (1) Unless the Council are satisfied that it is unnecessary...

*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...

*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 Master of...

*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—

SCHEDULE 15 — Inadequate Professional Services

SCHEDULE 16 — Children Act 1989

*Status: Point in time view as at 19/08/2003.*

*Changes to legislation: Courts and Legal Services Act 1990 is up to date with all changes known to be in force on or before 27 January 2024. 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)*

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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...

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 In section 94(1) (appeals), for the first word “An” there...

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),...

*Status: Point in time view as at 19/08/2003.*

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- 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...

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...



*Status: Point in time view as at 19/08/2003.*

*Changes to legislation: Courts and Legal Services Act 1990 is up to date with all changes known to be in force on or before 27 January 2024. 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)*

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*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 Supreme Court Act 1981 (c. 54)*

12 In section 5(3) of the Supreme Court 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

*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...

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*Changes to legislation: Courts and Legal Services Act 1990 is up to date with all changes known to be in force on or before 27 January 2024. 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)*

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*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...

*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...

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35 In paragraph 7(3) of Schedule 3 to that Act, after...

*The Supreme Court Act 1981 (c. 54)*

- 36 (1) In section 85 of the Supreme Court 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 .....

*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...
- 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 .....

*Status: Point in time view as at 19/08/2003.*

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*Judicial appointments: solicitors*

3 .....

*Directions under section 83 of the Supreme Court Act 1981 (c. 54)*

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

*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 Supreme Court*

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...

*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

**Status:**

Point in time view as at 19/08/2003.

**Changes to legislation:**

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