

Status: This version of this schedule contains provisions that are prospective.

Changes to legislation: Courts and Legal Services Act 1990, SCHEDULE 18 is up to date with all changes known to be in force on or before 01 May 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

SCHEDULES

SCHEDULE 18

Section 125(3).

CONSEQUENTIAL AMENDMENTS

The Public Records Act 1958 (c. 51)

- 1 (1) In the First Schedule to the Public Records Act 1958 (definition of public records) the following entries shall be inserted in the appropriate places in Part II of the Table in paragraph 3—

F1cc ”

F1cc ”

“The Legal Services Ombudsman”

“The Lord Chancellor’s Advisory Committee on Legal Education and Conduct”.

- (2) F2

Textual Amendments

- F1** Words in [Sch. 18 para. 1](#) repealed (31.3.2009) by [Legal Services Act 2007 \(c. 29\)](#), ss. 210, 211, [Sch. 23](#) (with ss. 29, 192, 193); [S.I. 2009/503](#), [art. 2\(f\)\(vi\)\(ee\)](#)
- F2** [Sch. 18 para. 1\(2\)](#) repealed (31.3.2009) by [Legal Services Act 2007 \(c. 29\)](#), ss. 210, 211, [Sch. 23](#) (with ss. 29, 192, 193); [S.I. 2009/503](#), [art. 2\(f\)\(vi\)\(ee\)](#)

Commencement Information

- I1** [Sch. 18 para. 1](#) in force for certain purposes at 1. 4. 1991 see [s. 124\(3\)](#) and [S.I. 1991/608](#), [art. 2](#)

The Tribunals and Inquiries Act 1971 (c. 62)

- F32

Textual Amendments

- F3** [Sch. 18 para. 2](#) repealed (1.10.1992) by [Tribunals and Inquiries Act 1992 \(c. 53, SIF 127\)](#), ss. 18(2), 19(2), [Sch. 4 Pt.I](#)

The Matrimonial Causes Act 1973 (c.18)

- 3 In section 50(1) of the Matrimonial Causes Act 1973 (matrimonial causes rules), for the words from “one registrar of the divorce registry” to “local law society” there shall be substituted “ one district judge of the principal registry of the Family

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Division, two Circuit judges, one district judge appointed under the County Courts Act 1984, two persons who have a Supreme Court qualification (within the meaning of section 71 of the Courts and Legal Services Act 1990), and two persons who have been granted by an authorised body, under Part II of that Act, the right to conduct litigation in relation to all proceedings in the Supreme Court." ”.

PROSPECTIVE

The Fair Trading Act 1973 (c.41)

4 F4

Textual Amendments

F4 Sch. 18 para. 4 repealed (20.6.2003) by 2002 c. 40, ss. 278, 279, Sch. 26; S.I. 2003/1397, art. 2, Sch. (with art. 10)

The Juries Act 1974 (c. 23)

5 F5

Textual Amendments

F5 Sch. 18 para. 5 repealed (5.4.2004) by Criminal Justice Act 2003 (c. 44), ss. 332, 336, Sch. 37 Pt. 10; S.I. 2004/829, art. 2(1)(2)(1)(iv) (subject to art. 2(3)-(6))

PROSPECTIVE

The Consumer Credit Act 1974 (c.39)

6 F6

Textual Amendments

F6 Sch. 18 para. 6 repealed (20.6.2003) by 2002 c. 40, ss. 278, 279, Sch. 26; S.I. 2003/1397, art. 2, Sch. (with art. 10)

The Solicitors Act 1974 (c. 47)

7 In section 7 of the Solicitors Act 1974 (entry of names in the roll and restoration of names struck off), the following shall be inserted at the end of paragraph (b)—

“ or

(c) of an order under section 47(2)(h) for the restoration of a person’s name to the roll,”.

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8 In section 8 of that Act (removal or restoration of name at solicitor’s request), the following subsection shall be inserted after subsection (2)—

“(2A) Subsection (2) does not apply to a former solicitor with respect to whom a direction has been given under section 47(2)(g).”

9 F7

Textual Amendments

F7 Sch. 18 paras. 9-12 repealed (1.1.2010) by Legal Services Act 2007 (c. 29), ss. 210, 211, Sch. 23 (with ss. 29, 192, 193); S.I. 2009/3250, art. 2(i)(viii)(ss) (with art. 9)

10 F8

Textual Amendments

F8 Sch. 18 paras. 9-12 repealed (1.1.2010) by Legal Services Act 2007 (c. 29), ss. 210, 211, Sch. 23 (with ss. 29, 192, 193); S.I. 2009/3250, art. 2(i)(viii)(ss) (with art. 9)

PROSPECTIVE

11 F9

Textual Amendments

F9 Sch. 18 paras. 9-12 repealed (1.1.2010) by Legal Services Act 2007 (c. 29), ss. 210, 211, Sch. 23 (with ss. 29, 192, 193); S.I. 2009/3250, art. 2(i)(viii)(ss) (with art. 9)

PROSPECTIVE

12 F10

Textual Amendments

F10 Sch. 18 paras. 9-12 repealed (1.1.2010) by Legal Services Act 2007 (c. 29), ss. 210, 211, Sch. 23 (with ss. 29, 192, 193); S.I. 2009/3250, art. 2(i)(viii)(ss) (with art. 9)

13 In section 32 of that Act (accounts rules and trust account rules), the following subsection shall be inserted after subsection (5)—

“(6) For the purposes of this section and section 33 references to clients’ money and money of a kind mentioned in subsection (1)(b) of this section or (1)(a) of section 33 include references to money held by a solicitor as a stakeholder (whether or not paid by a client of his).”

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Commencement Information

I2 Sch. 18 para. 13 wholly in force at 1.6.1992 see s. 124 and S.I. 1992/1221, art. 2, Sch.

- 14 In section 41 of that Act (employment by solicitor of person struck off or suspended), the following subsection shall be inserted after subsection (1)—
- “(1A) No solicitor shall, except in accordance with a written permission granted under this section, employ or remunerate in connection with his practice as a solicitor any person if, to his knowledge, there is a direction in force under section 47(2)(g) in relation to that person.”
- 15 In section 42 of that Act (failure to disclose certain facts to solicitor employer), the following subsection shall be inserted after subsection (1)—
- “(1A) Any person—
- (a) with respect to whom a direction is in force under section 47(2)(g); and
 - (b) who seeks or accepts employment by a solicitor in connection with that solicitor’s practice without previously informing him of the direction,
- shall be guilty of an offence and liable on summary conviction to a fine not exceeding level three on the standard scale.”
- 16 (1) Section 80 of that Act (powers to act on behalf of Society) shall be amended as follows.
- (2) In subsection (1) for the words “to committees conferred on the Council” there shall be substituted “conferred”.
- (3) In subsection (3)—
- (a) after the word “Council”, in the second place where it occurs, there shall be inserted “or sub-committee”;
 - (b) for the words “or the committee” there shall be substituted “, committee or sub-committee”.
- 17 In section 87(1) of that Act (interpretation) after the definition of “practising certificate” there shall be inserted— ““replacement date”, in relation to a practising certificate, means the date prescribed under section 14(2)(a) or specified by the Society under any regulation made by virtue of section 14(4)(b);”.

Commencement Information

I3 Sch. 18 para. 17 wholly in force at 1.7.1991 see s. 124(3) and S.I. 1991/1364, art. 2, Sch.

18 F11

Textual Amendments

F11 Sch. 18 para. 18 repealed (1.1.2010) by Legal Services Act 2007 (c. 29), ss. 210, 211, Sch. 23 (with ss. 29, 192, 193); S.I. 2009/3250, art. 2(i)(viii)(ss) (with art. 9)

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PROSPECTIVE

The Restrictive Trade Practices Act 1976 (c.34)

- 19 In section 41(1) of the Restrictive Trade Practices Act 1976 (purposes for which certain information obtained under the Act may be disclosed), in paragraph (a)—
- (a) after the words “Electricity Supply” there shall be inserted “ or the Authorised Conveyancing Practitioners Board” ”; and
 - (b) after the words “Regulations 1988” there shall be inserted “ or the Courts and Legal Services Act 1990” ”.

The Patents Act 1977 (c.37)

- 20 ^{F12}

Textual Amendments

- F12** Sch. 18 para. 20 repealed (1.1.2010) by Legal Services Act 2007 (c. 29), ss. 210, 211, Sch. 23 (with ss. 29, 192, 193); S.I. 2009/3250, art. 2(i)(viii)(ss) (with art. 9)

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

- ^{F13}21

Textual Amendments

- F13** Sch. 18 para. 21 repealed (1.10.1997) by 1996 c. 27, s. 66(3), Sch. 10; S.I. 1997/1892, art. 3(1)

PROSPECTIVE

The Estate Agents Act 1979 (c.38)

- 22 ^{F14}

Textual Amendments

- F14** Sch. 18 para. 22 repealed (20.6.2003) by 2002 c. 40, ss. 278, 279, Sch. 26; S.I. 2003/1397, art. 2, Sch. (with art. 10)

PROSPECTIVE

The Competition Act 1980 (c.21)

- 23 ^{F15}

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Textual Amendments

F15 Sch. 18 para. 23 repealed (20.6.2003) by 2002 c. 40, ss. 278, 279, Sch. 26; S.I. 2003/1397, art. 2, Sch. (with art. 10)

The Social Security Act 1980 (c. 30)

F16 24

Textual Amendments

F16 Sch. 18 para. 24 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6, SIF 113:1), ss. 3, 7(2), Sch.1 (with Sch. 3) (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), s.118)

The Magistrates' Courts Act 1980 (c.43)

- 25 (1) The Magistrates' Courts Act 1980 shall be amended as follows.
- (2) In section 150(1) (interpretation) after the definition of "impose imprisonment" there shall be inserted the following definition—
- ““legal representative” means an authorised advocate or authorised litigator, as defined by section 119(1) of the Courts and Legal Services Act 1990;”.
- (3) For the words—
- (a) “counsel or a solicitor” in sections 4(4)(b), 6(2)(b), 23(1)(a) and 128(1B);
- (b) “counsel or solicitor” in sections 122(1) and (3);
- there shall be substituted “ a legal representative” ”.
- (4) For the words—
- (a) “solicitor” in sections 6(2)(a), 12(2), 128(1A)(ii) and (3B);
- F17** (b)
- F18** (c)
- there shall be substituted “ legal representative” ”.
- F19** (5)
- (6) For the words—
- (a) “solicitors and counsel” in section 69(2)(b);
- (b) “solicitors or counsel” in section 69(4),
- there shall be substituted “ legal representatives” ”.
- F20** (7)

Textual Amendments

F17 Sch. 18 para. 25(4)(b) repealed (1.4.2001) by 2000 c. 43, s. 75, Sch. 8; S.I. 2001/919, art. 2(g) Table

F18 Sch. 18 para. 25(4)(c) repealed (1.4.1995) by 1994 c. 29, s. 93, Sch. 9 Pt. II; S.I. 1995/685, art. 1(2)

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- F19** Sch. 18 para. 25(5) repealed (18.6.2012 for specified purposes, 5.11.2012 for specified purposes, 28.5.2013 in so far as not already in force) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 4](#); [S.I. 2012/1320](#), art. 4(1)(d)(2)(3) (with art. 5) (see [S.I. 2012/2574](#), art. 4(2) and [S.I. 2013/1103](#), art. 4); [S.I. 2012/2574](#), art. 2(2)(3)(d), [Sch.](#) (with arts. 3, 4) (as amended (4.11.2012) by [S.I. 2012/2761](#), art. 2) (with [S.I. 2013/1103](#), art. 4); [S.I. 2013/1103](#), art. 2(1)(d)
- F20** Sch. 18 para. 25(7) repealed (18.9.2012) by [The Public Bodies \(Abolition of Crown Court Rule Committee and Magistrates' Courts Rule Committee\) Order 2012 \(S.I. 2012/2398\)](#), art. 1(2), [Sch. 2 para. 2](#)

The Judicial Pensions Act 1981 (c. 20)

- 26 In section 16 of the Judicial Pensions Act 1981 (application of Part II and interpretation), in the definition of “derivative benefit”, after the word “widow’s” there shall be inserted “ widower’s” ”.

Commencement Information

- I4** [Sch. 18 para. 26](#) wholly in force at 1.1.1992 see [s. 124\(3\)](#) and [S.I. 1991/2730](#), [art. 2](#), [Sch.](#)

- 27 In section 22 of that Act (children’s pension: rate and mode of payment)—
- (a) in subsection (2) for the words “leaves no widow and, if he leaves a widow, after her death” there shall be substituted “ leaves no widow or widower and, if he or she leaves a widow or widower, after his or her death” ”;
 - (b) in subsection (3), after the word “widow” there shall be inserted “ or widower” ” and after the word “her” there shall be inserted “ or his” ”; and
 - (c) in subsection (4), after the word “widow”, in both places, there shall be inserted “ or widower” ” and after the words “she has a husband” there shall be inserted “ or he has a wife” ”.

Commencement Information

- I5** [Sch. 18 para. 27](#) wholly in force at 1.1.1992 see [s. 124\(3\)](#) and [S.I. 1991/2730](#), [art. 2](#), [Sch.](#)

- 28 In section 23 of that Act (contributions towards widows and children’s pensions) for the words “man’s” and “man” there shall be substituted “ person’s” ” and “person”.

Commencement Information

- I6** [Sch. 18 para. 28](#) wholly in force at 1.1.1992 see [s. 124\(3\)](#) and [S.I. 1991/2730](#), [art. 2](#), [Sch.](#)

- 29 In section 25 of that Act (persons serving again after retirement), in subsection (1)—
- (a) in paragraph (a), for the words “widow or child of his” there shall be substituted “ widow, widower or child of that person” ”; and
 - (b) in paragraph (b), for the word “his” there shall be substituted “ that person’s” ”.

Commencement Information

- I7** [Sch. 18 para. 29](#) wholly in force at 1.1.1992 see [s. 124\(3\)](#) and [S.I. 1991/2730](#), [art. 2](#), [Sch.](#)

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- 30 In the following sections of that Act—
- (a) 29 (recommendation of a Minister required in certain cases);
 - (b) 31 (payments charged on Consolidated Fund); and
 - (c) 32(3)(b) (definition of “pension benefits”),
- after the word “widow’s” there shall in each case be inserted “widower’s”.

Commencement Information

I8 Sch. 18 para. 30 wholly in force at 1.1.1992 see s. 124(3) and S.I. 1991/2730, art. 2, Sch.

PROSPECTIVE

- 31 The following section shall be inserted in that Act at the beginning of Part III—
- “29A Transfer of accrued benefits.**
- Schedule 1A shall have effect with respect to the transfer of accrued rights into and out of the judicial pension schemes constituted by this Act and the Sheriffs’ Pensions (Scotland) Act 1961.”
- 32 In Part I of Schedule 1 to that Act (certain Supreme Court officers)—
- (a) for the entry “Registrar, Principal Registry of the Family Division” there shall be substituted— “ District judge of the Principal Registry of the Family Division. ”; and
 - (b) for the entries “County court registrar” and “county court assistant registrar” there shall be substituted—
- “District judge.
- Assistant district judge.”
- 33 In paragraph 15 of Schedule 1 to that Act (persons injured, or contracting disease, in discharge of their duties), in sub-paragraph (2)(a), after the word “widow” there shall be inserted “ or, in the case of a female officer, her widower”.

Commencement Information

I9 Sch. 18 para. 33 wholly in force at 1.1.1992 see s. 124(3) and S.I. 1991/2730, art. 2, Sch.

- 34 At the beginning of sub-paragraph (1) of paragraphs 15 and 16 of Schedule 2 to that Act (transitional provisions with respect to derivative benefits) there shall be inserted the words “ Subject to paragraph 28 below,”.

Commencement Information

I10 Sch. 18 para. 34 wholly in force at 1.1.1992 see s. 124(3) and S.I. 1991/2730, art. 2, Sch.

- 35 In paragraph 7(3) of Schedule 3 to that Act, after the word “widow’s” there shall be inserted “ widower’s”.

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Commencement Information

111 Sch. 18 para. 35 wholly in force at 1.1.1992 see s. 124(3) and S.I. 1991/2730, art. 2, Sch.

The [F²¹Senior Courts Act 1981] (c. 54)

Textual Amendments

F21 Sch. 18 para. 36 cross-heading: for the words "Supreme Court Act 1981" wherever they occur there is substituted (1.10.2009) the words "Senior Courts Act 1981" by virtue of [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 59, 148(1), [Sch. 11 para. 1\(2\)](#); S.I. 2009/1604, art. 2(d)

- 36 (1) In section 85 of the [F²²Senior Courts Act 1981] (Supreme Court Rule Committee)—
- (a) for paragraphs (f) and (g) of subsection (1), there shall be substituted—
 - “(f) two persons who have a Supreme Court qualification (within the meaning of section 71 of the Courts and Legal Services Act 1990); and
 - (g) two persons who have been granted by an authorised body, under Part II of that Act, the right to conduct litigation in relation to all proceedings in the Supreme Court.”
 - (b) for subsection (4) there shall be substituted—
 - “(4) Before appointing a person under paragraph (f) or (g) of subsection (1), the Lord Chancellor shall consult any authorised body with members who are eligible for appointment under that paragraph.”

F²³(2)

Textual Amendments

F22 Sch. 18 para. 36: for the words "Supreme Court Act 1981" wherever they occur there is substituted (1.10.2009) the words "Senior Courts Act 1981" by virtue of [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 59, 148(1), [Sch. 11 para. 1\(2\)](#); S.I. 2009/1604, art. 2(d)

F23 Sch. 18 para. 36(2) repealed (18.9.2012) by [The Public Bodies \(Abolition of Crown Court Rule Committee and Magistrates' Courts Rule Committee\) Order 2012 \(S.I. 2012/2398\)](#), art. 1(2), [Sch. 1 para. 7](#)

- 37 In section 89(2) of that Act (person appointed as Queen's coroner and attorney and master of the Crown Office to be master of Queen's Bench Division) after the words "Crown Office" there shall be inserted " and Registrar of criminal appeals" .
- 38 For section 89(3)(e) of that Act (Senior Registrar of Family Division) there shall be substituted—
 - “(e) one of the district judges of the Principal Registry of the Family Division as Senior District Judge of that Division; and”.
- 39 In section 90 of that Act (Official Solicitor) the following subsections shall be inserted after subsection (3)—

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“(3A) The holder for the time being of the office of Official Solicitor shall have the right to conduct litigation in relation to any proceedings.

(3B) When acting as Official Solicitor a person who would otherwise have the right to conduct litigation by virtue of section 28(2)(a) of the Courts and Legal Services Act 1990 shall be treated as having acquired that right solely by virtue of subsection (3A).”

40 (1) In section 100(1) of that Act (county court registrar to be appointed as district registrar for each district registry) for the words “county court registrar as a district registrar of the High Court” there shall be substituted “ district judge for a county court district, appointed under section 6 of the County Courts Act 1984, as a district judge of the High Court.” ”

(2) In sections 100(2) to (5) and 101 to 103 of that Act (further provisions with respect to district registrars, assistant district registrars and deputy district registrars)—

- (a) for the words “county court registrar” there shall be substituted “ district judge for a county court district” ”;
- (b) for the words “registrar” and “district registrar” in each place where they occur, except in the context of county court registrar, assistant district registrar or deputy district registrar, there shall be substituted “ district judge” ”;
- (c) for the words “assistant district registrar” in each place where they occur there shall be substituted “ assistant district judge” ”; and
- (d) for the words “deputy district registrar” in each place where they occur there shall be substituted “ deputy district judge” ”.

41 In section 151(1) of that Act (interpretation), the following shall be inserted after the definition of “appeal”—

“.

“arbitration agreement” has the same meaning as it has in the Arbitration Act 1950 by virtue of section 32 of that Act;”.

Commencement Information

I12 Sch. 18 para. 41 wholly in force at 1. 4.1991 see s. 124(3) and S.I. 1991/608, art. 2, Sch.

The County Courts Act 1984 (c. 28)

42 In sections 6 to 12 of the County Courts Act 1984 (provisions with respect to registrars, assistant registrars and deputy registrars)—

- (a) for the word “registrar” in each place where it occurs, except where it is in the context of assistant registrar or deputy registrar, there shall be substituted “ district judge” ”;

^{F24}(b)

and

- (c) for the words “deputy county court registrar” and “deputy registrar” in each place where they occur there shall be substituted “ deputy district judge” ”.

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Textual Amendments

F24 [Sch. 18 para. 42\(b\)](#) repealed (31.3.1995) by 1993 c. 8, s. 31(2)(4), [Sch. 9](#); S.I. 1995/631, [art. 2](#)

43 In section 52 of that Act (powers of court exercisable before commencement of action) the following subsection shall be added at the end—

“(3) This section is subject to any provision made under section 38,”

Commencement Information

I13 [Sch. 18 para. 43](#) wholly in force at 1.7.1991 see [s. 124\(3\)](#) and S.I. 1991/1364, [art. 2](#), [Sch.](#)

44 In section 53 of that Act (powers of court to order disclosure of documents, inspection of property etc. in proceedings for personal injuries or death) the following subsection shall be added at the end—

“(5) This section is subject to any provision made under section 38,”

Commencement Information

I14 [Sch. 18 para. 44](#) wholly in force at 1.7.1991 see [s. 124\(3\)](#) and S.I. 1991/1364, [art. 2](#), [Sch.](#)

45 In section 54 of that Act (provisions supplementary to sections 52 and 53) the following subsection shall be added at the end—

“(6) This section is subject to any provision made under section 38,”

Commencement Information

I15 [Sch. 18 para. 45](#) wholly in force at 1.7.1991 see [s. 124\(3\)](#) and S.I. 1991/1364, [art. 2](#), [Sch.](#)

46 In section 69 of that Act (power to award interest on debts and damages), the following shall be substituted for subsection (8)—

“(8) In determining whether the amount of any debt or damages exceeds that prescribed by or under any enactment, no account shall be taken of any interest payable by virtue of this section except where express provision to the contrary is made by or under that or any other enactment.”

Commencement Information

I16 [Sch. 18 para. 46](#) wholly in force at 1.7.1991 see [s. 124\(3\)](#) and S.I. 1991/1364, [art. 2](#), [Sch.](#)

47 For section 75(7) of that Act (members of the rule committee) there shall be substituted—

“(7) The rule committee shall consist of the following persons appointed by the Lord Chancellor—

- (a) five judges of county courts;
- (b) two district judges;

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- (c) two persons who have a Supreme Court qualification (within the meaning of section 71 of the Courts and Legal Services Act 1990); and
- (d) two persons who have been granted by an authorised body, under Part II of that Act, the right to conduct litigation in relation to all proceedings in the Supreme Court.”
- 48 For section 143(1) of that Act (prohibition on persons other than solicitors receiving remuneration for work in county courts) there shall be substituted—
- “(1) No person other than—
- (a) a legal representative; or
- (b) a person exercising a right of audience or a right to conduct litigation by virtue of an order made under section 11 of the Courts and Legal Services Act 1990 (representation in county courts),
- shall be entitled to have or recover any fee or reward for acting on behalf of a party in proceedings in a county court.”

Commencement Information

I17 Sch. 18 para. 48 wholly in force at 1. 4.1991 see s. 124(3) and S.I. 1991/608, art. 2, Sch.

- 49 (1) In section 147(1) of that Act (interpretation) after the definition of “landlord” there shall be inserted—
- ““legal representative” means an authorised advocate or authorised litigator, as defined by section 119(1) of the Courts and Legal Services Act 1990.”
- (2) For the word “solicitor” in sections 13(1) and (4), 61(2) and 126 of that Act there shall be substituted “ legal representative” ”.
- (3) For the word “solicitors” in sections 18, 24(1),^{F25} ... 75(3)(f) and 79 of that Act there shall be substituted “ legal representatives” ”.

Textual Amendments

F25 Word in Sch. 18 para. 49(3) repealed (22.4.2014) by *Crime and Courts Act 2013* (c. 22), s. 61(3), Sch. 9 para. 141; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

Commencement Information

I18 Sch. 18 para. 49 wholly in force at 1. 4.1991 see s. 124(3) and S.I. 1991/608, art. 2, Sch.

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

PROSPECTIVE

Status: This version of this schedule contains provisions that are prospective.

Changes to legislation: Courts and Legal Services Act 1990, SCHEDULE 18 is up to date with all changes known to be in force on or before 01 May 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

Textual Amendments

- F26** Sch. 18 para. 50 repealed (6.4.2011) by Courts Act 2003 (c. 39), s. 110(1), **Sch. 10**; S.I. 2010/2921, art. 3(c)

The Prosecution of Offences Act 1985 (c. 23)

^{F27}51

Textual Amendments

- F27** Sch. 18 para. 51 repealed (31.7.2000) by 1999 c. 22, s. 106, **Sch. 15 Pt. II** (with Sch. 14 paras. 7(2), 36(9)); S.I. 2000/1920, art. 2(c)

- 52 (1) In section 14(1)(a) of that Act (regulations in relation to fees of counsel) for the word “counsel” there shall be substituted “ any legal representative ”.
- (2) The following definition shall be inserted in section 15(1) of that Act after the definition of “Director”—
- ““legal representative” means an authorised advocate or authorised litigator, as defined by section 119(1) of the Courts and Legal Services Act 1990.”

Commencement Information

- I19** Sch. 18 para. 52 wholly in force at 1. 4.1991 see s. 124(3) and S.I. 1991/608, art. 2, **Sch.**

- 53 In section 20(2) of that Act (regulations providing for the recovery of sums paid by the Legal Aid Board or out of central funds), in paragraph (a) for the words “party to proceedings” there shall be substituted “ person ”.

Commencement Information

- I20** Sch. 18 para. 53 wholly in force at 1.5.1991 see s. 124(3) and S.I. 1991/985, art. 2(b)

The Administration of Justice Act 1985 (c. 61)

- 54 (1) Section 9 of the Administration of Justice Act 1985 (management and control by solicitors of incorporated practices) shall be amended as follows.
- (2) In subsection (1)(a)—
- (a) after the word “solicitors”, where it first occurs, there shall be inserted “ or solicitors and one or more registered foreign lawyers ”; and
- (b) at the end there shall be inserted “ or by multi-national partnerships ”.
- (3) In subsection (8), the following definitions shall be inserted at the appropriate places—
- “multi-national partnership” means a schedule 20partnership whose members consist of one or more registered foreign lawyers and one or more solicitors;

Status: This version of this schedule contains provisions that are prospective.

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“registered foreign lawyer” means a person who is registered under section 89 of the Courts and Legal Services Act 1990.

Commencement Information

I21 Sch. 18 para. 54 wholly in force at 14.10.1991 see s. 124(3) and S.I. 1991/1883, art. 3, Sch.

55 In paragraph 10 of Schedule 2 to that Act (which extends the offence in section 42(1) of the Solicitors Act 1974 of seeking employment whilst struck off or suspended to employment by an incorporated practice) for the words “Section 42(1)” there shall be substituted “Section 42(1) and (1A)”.

56 ^{F28}

Textual Amendments

F28 Sch. 18 para. 56 repealed (1.1.2010) by Legal Services Act 2007 (c. 29), ss. 210, 211, Sch. 23 (with ss. 29, 192, 193); S.I. 2009/3250, art. 2(i)(viii)(ss) (with art. 9)

57 In Schedule 2 to that Act (incorporated practices), in paragraph 18 the following sub-paragraph shall be inserted after sub-paragraph (2)—

“(2A) Where, on the hearing of any application or complaint made to it under this Schedule, the Tribunal is satisfied that more than one allegation is proved against the recognised body to whom the application or complaint relates, it may impose a separate penalty (by virtue of sub-paragraph (2) (b)) with respect to each such allegation.”

58 In Schedule 6 to that Act (incorporated licensed conveyancers) the following shall be substituted for paragraph 4(3)—

“(3) Where it appears to the Council that the professional services provided by a recognised body in connection with any matter in which that body has been instructed by a client have, in any respect, not been of the quality which it is reasonable to expect of that body, the Council may take any step with respect to that recognised body as it could take under paragraphs 14 to 20 of Schedule 8 of the Courts and Legal Services Act 1990 with respect to a licensed conveyancer in similar circumstances.

(3A) Those paragraphs shall have effect (with the necessary modifications) with respect to any steps taken against the recognised body under this sub-paragraph as they have effect with respect to any steps taken with respect to a licensed conveyancer under paragraph 14 of that Schedule.”

Commencement Information

I22 Sch. 18 para. 58 wholly in force at 1.4.1991 see s. 124(3) and S.I. 1991/608, art. 2, Sch.

The Legal Aid Act 1988 (c. 34)

^{F29}59

Status: This version of this schedule contains provisions that are prospective.

Changes to legislation: Courts and Legal Services Act 1990, SCHEDULE 18 is up to date with all changes known to be in force on or before 01 May 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

Textual Amendments

F29 Sch. 18 para. 59 repealed (1.4.2000) by 1999 c. 22, s. 106, **Sch. 15 Pt. I** (with Sch. 14 paras. 7(2), 36(9)); S.I. 2000/774, art. 2(c)(ii), **Sch. para. 7** (with arts. 3-5)

^{F30}60

Textual Amendments

F30 Sch. 18 para. 60 repealed (1.4.2000) by 1999 c. 22, s. 106, **Sch. 15 Pt. I** (with Sch. 14 paras. 7(2), 36(9)); S.I. 2000/774, art. 2(c)(ii), **Sch. para. 7** (with arts. 3-5)

^{F31}61

Textual Amendments

F31 Sch. 18 para. 61 repealed (1.4.2000) by 1999 c.22, s. 106, **Sch. 15 Pt. I** (with Sch. 14 paras. 7(2), 36(9)); S.I. 2000/774, art. 2(c)(ii), **Sch. para. 7** (with arts. 3-5)

^{F32}62

Textual Amendments

F32 Sch. 18 para. 62 repealed (1.4.2000) by 1999 c.22, s. 106, **Sch. 15 Pt. I** (with Sch. 14 paras. 7(2), 36(9)); S.I. 2000/774, art. 2(c)(ii), **Sch. para. 7** (with arts. 3-5)

^{F33}63

Textual Amendments

F33 Sch. 18 para. 63 repealed (1.4.2000) by 1999 c. 22, s. 106, **Sch. 15 Pt. I** (with Sch. 14 paras. 7(2), 36(9)); S.I. 2000/774, art. 2(c)(ii), **Sch. para. 7** (with arts. 3-5)

Status:

This version of this schedule contains provisions that are prospective.

Changes to legislation:

Courts and Legal Services Act 1990, SCHEDULE 18 is up to date with all changes known to be in force on or before 01 May 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 :

- 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](#)