



Courts and Legal Services Act 1990

1990 CHAPTER 41

PART I

PROCEDURE ETC. IN CIVIL COURTS

Miscellaneous

11 Representation in certain county court cases

- (1) The Lord Chancellor may by order provide that there shall be no restriction on the persons who may exercise rights of audience, or rights to conduct litigation, in relation to proceedings in a county court of such a kind as may be specified in the order.
- (2) The power to make an order may only be exercised in relation to proceedings—
 - (a) for the recovery of amounts due under contracts for the supply of goods or services;
 - (b) for the enforcement of any judgment or order of any court or the recovery of any sum due under any such judgment or order;
 - (c) on any application under the Consumer Credit Act 1974;
 - (d) in relation to domestic premises; or
 - (e) referred to arbitration in accordance with county court rules made under section 64 of the County Courts Act 1984 (small claims),or any category (determined by reference to such criteria as the Lord Chancellor considers appropriate) of such proceedings.
- (3) Where an order is made under this section, section 20 of the Solicitors Act 1974 (unqualified person not to act as solicitor) shall cease to apply in relation to proceedings of the kind specified in the order.
- (4) Where a county court is of the opinion that a person who would otherwise have a right of audience by virtue of an order under this section is behaving in an unruly manner in any proceedings, it may refuse to hear him in those proceedings.

Status: This is the original version (as it was originally enacted).

- (5) Where a court exercises its power under subsection (4), it shall specify the conduct which warranted its refusal.
- (6) Where, in any proceedings in a county court—
- (a) a person is exercising a right of audience or a right to conduct litigation;
 - (b) he would not be entitled to do so were it not for an order under this section; and
 - (c) the judge has reason to believe that (in those or any other proceedings in which he has exercised a right of audience or a right to conduct litigation) that person has intentionally misled the court, or otherwise demonstrated that he is unsuitable to exercise that right,
- the judge may order that person’s disqualification from exercising any right of audience or any right to conduct litigation in proceedings in any county court.
- (7) Where a judge makes an order under subsection (6) he shall give his reasons for so doing.
- (8) Any person against whom such an order is made may appeal to the Court of Appeal.
- (9) Any such order may be revoked at any time by any judge of a county court.
- (10) Before making any order under this section the Lord Chancellor shall consult the Senior Presiding Judge.
- (11) In this section “domestic premises” means any premises which are wholly or mainly used as a private dwelling.