



# Courts and Legal Services Act 1990

## 1990 CHAPTER 41

### PART VI

#### MISCELLANEOUS AND SUPPLEMENTAL

##### *Supplemental*

#### **119 Interpretation.**

(1) In this Act—

“administration”, in relation to letters of administration, has the same meaning as in section 128 of the<sup>M1</sup> Supreme Court Act 1981;

“advocacy services” means any services which it would be reasonable to expect a person who is exercising, or contemplating exercising, a right of audience in relation to any proceedings, or contemplated proceedings, to provide;

“authorised advocate” means any person (including a barrister or solicitor) who has a right of audience granted by an authorised body in accordance with the provisions of this Act;

“authorised body” and “appropriate authorised body”—

(a) in relation to any right of audience or proposed right of audience, have the meanings given in section 27; and

(b) in relation to any right to conduct litigation or proposed right to conduct litigation, have the meanings given in section 28;

“authorised litigator” means any person (including a solicitor) who has a right to conduct litigation granted by an authorised body in accordance with the provisions of this Act;

“authorised practitioner” has the same meaning as in section 37;

[<sup>F1</sup>“Consultative Panel” means the Legal Services Consultative Panel;]

“conveyancing services” means the preparation of transfers, conveyances, contracts and other documents in connection with, and other services ancillary to, the disposition or acquisition of estates or interests in land;

*Status: Point in time view as at 01/11/2007. This version of this provision has been superseded.*

*Changes to legislation: Courts and Legal Services Act 1990, Section 119 is up to date with all changes known to be in force on or before 22 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)*

“court” includes—

- (a) [<sup>F2</sup>a tribunal that is (to any extent) a listed tribunal for, or for any of, the purposes of Schedule 7 to the Tribunals, Courts and Enforcement Act 2007 (functions etc. of Administrative Justice and Tribunals Council);
- (b) any court-martial; and
- (c) a statutory inquiry within the meaning of [<sup>F3</sup>section 16(1) of the Tribunals and Inquiries Act 1992];

“designated judge” means the Lord Chief Justice, the Master of the Rolls, [<sup>F4</sup>the President of the Queen's Bench Division, the President of the Family Division or the Chancellor of the High Court];

<sup>F5</sup>

“duly certificated notary public” has the same meaning as it has in the <sup>M2</sup>Solicitors Act 1974 by virtue of section 87(1) of that Act;

“the general principle” has the meaning given in section 17(4);

“licensed conveyancer” has the same meaning as it has in the <sup>M3</sup>Administration of Justice Act 1985 by virtue of section 11 of that Act;

“litigation services” means any services which it would be reasonable to expect a person who is exercising, or contemplating exercising, a right to conduct litigation in relation to any proceedings, or contemplated proceedings, to provide;

“member”, in relation to any professional or other body (other than any body established by this Act), includes any person who is not a member of that body but who may be subject to disciplinary sanctions for failure to comply with any of that body’s rules;

“multi-national partnership” has the meaning given by section 89(9);

[<sup>F6</sup>“officer”, in relation to a limited liability partnership, means a member of the limited liability partnership;]

[<sup>F7</sup>“the OFT” means the Office of Fair Trading;]

“probate services” means the drawing or preparation of any papers on which to found or oppose a grant of probate or a grant of letters of administration and the administration of the estate of a deceased person;

“prescribed” means prescribed by regulations under this Act;

“proceedings” means proceedings in any court;

“qualification regulations” and “rules of conduct”—

- (a) in relation to any right of audience or proposed right of audience, have the meanings given in section 27; and
- (b) in relation to any right to conduct litigation or proposed right to conduct litigation, have the meanings given in section 28;

“qualified person” has the meaning given in section 36(6);

“registered foreign lawyer” has the meaning given by section 89(9);

“right of audience” means the right to [<sup>F8</sup>appear before and address a court including the right to call and examine] witnesses;

“right to conduct litigation” means the right—

- (a) to [<sup>F9</sup>issue] proceedings before any court ; and
- (b) to perform any ancillary functions in relation to proceedings (such as entering appearances to actions);

“solicitor” means solicitor of the Supreme Court; and

“the statutory objective” has the meaning given in section 17(2).

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- (2) For the purposes of the definition of “conveyancing services” in subsection (1)—  
“disposition”—
- (i) does not include a testamentary disposition or any disposition in the case of such a lease as is referred to in section 54(2) of the<sup>M4</sup>Law of Property Act 1925 (short leases); but
  - (ii) subject to that, includes in the case of leases both their grant and their assignment; and  
“acquisition” has a corresponding meaning.
- (3) In this Act any reference (including those in sections 27(9) and 28(5)) to rules of conduct includes a reference to rules of practice .]

#### Textual Amendments

- F1** S. 119(1): definition of “Consultative Panel” inserted (1.1.2000) by 1999 c.22, s. 35(3) (with Sch. 14 para. 7(2)); S.I. 1999/3344, art. 2(a)
- F2** S. 119(1): in definition of “court” para. (a) substituted (1.11.2007) by Tribunals, Courts and Enforcement Act 2007 (c. 15), ss. 48(1), 148, Sch. 8 para. 15; S.I. 2007/2709, art. 3(b)(i)
- F3** Words in para. (c) in the definition of “court” in s. 119(1) substituted (1.10.1992) by Tribunals and Inquiries Act 1992 (c. 53, SIF 127), ss. 18(1), 19(2), Sch. 3 para. 35
- F4** S. 119(1): words in definition of “designated judge” substituted (1.10.2005) by Constitutional Reform Act 2005 (c. 4), ss. 15(1), 148, Sch. 4 para. 216; S.I. 2005/2505, art. 2(c)
- F5** S. 119(1): definition of “the Director” repealed (1.4.2003) by 2002 c. 40, ss. 278, 279, Sch. 25 para. 23(9)(a), Sch. 26; S.I. 2003/766, art. 2, Sch. (with art. 3)
- F6** S. 119(1): definition of “officer” inserted (6.4.2001) by S.I. 2001/1090, reg. 9(1), Sch. 5 para. 17
- F7** S. 119(1): definition of “the OFT” inserted (1.4.2003) by 2002 c. 40, ss. 278, 279, Sch. 25 para. 23(9)(b); S.I. 2003/766, art. 2, Sch. (with art. 3)
- F8** S. 119(1): words in definition of “right of audience” substituted (27.9.1999) by 1999 c. 22, s. 43, Sch. 6 para. 10(1)(2) (with Sch. 14 para. 7(2)); S.I. 1999/2657, art. 2(a)
- F9** S. 119(1): word in para. (a) in definition of “right to conduct litigation” substituted (27.9.1999) by 1999 c.22, s. 43, Sch. 6 para. 10(1)(3) (with Sch. 14 para. 7(2)); S.I. 1999/2657, art. 2(a)

#### Marginal Citations

- M1** 1981 c. 54.  
**M2** 1974 c. 47.  
**M3** 1985 c. 61.  
**M4** 1925 c. 20.

**Status:**

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