



# 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 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;

“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;

“court” includes—

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*Status: This is the original version (as it was originally enacted).*

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- (a) any tribunal which the Council on Tribunals is under a duty to keep under review;
- (b) any court-martial; and
- (c) a statutory inquiry within the meaning of section 19(1) of the Tribunals and Inquiries Act 1971;

“designated judge” means the Lord Chief Justice, the Master of the Rolls, the President of the Family Division or the Vice-Chancellor;

“the Director” means the Director General of Fair Trading;

“duly certificated notary public” has the same meaning as it has in the 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 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);

“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 exercise any of the functions of appearing before and addressing a court including the calling and examining of witnesses;

“right to conduct litigation” means the right—

- (a) to exercise all or any of the functions of issuing a writ or otherwise commencing 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).

- (2) For the purposes of the definition of “conveyancing services” in subsection (1)—  
“disposition”—

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*Status: This is the original version (as it was originally enacted).*

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- (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 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.