



Courts and Legal Services Act 1990

1990 CHAPTER 41

PART II

LEGAL SERVICES

Probate services

55 Preparation of probate papers etc: exemption from section 23(1) of Solicitors Act 1974

- (1) The provisions of section 23(1) of the Solicitors Act 1974 (preparation of papers for probate etc. by unqualified persons) shall not apply to any person to whom exemption from those provisions is granted by an approved body.
- (2) An approved body may only grant such an exemption to a person who is one of its members and who satisfies it—
 - (a) that his business is, and is likely to continue to be, carried on by fit and proper persons or, in the case of an individual, that he is a fit and proper person;
 - (b) that he, and any person employed by him in the provision of probate services, is suitably trained;
 - (c) that satisfactory arrangements will at all times be in force for covering adequately the risk of any claim made against him in connection with the provision of probate services by him, however arising;
 - (d) that he is a member of, or otherwise subject to, a scheme which—
 - (i) has been established (whether or not exclusively) for the purpose of dealing with complaints about the provision of probate services; and
 - (ii) complies with such requirements as may be prescribed by regulations made by the Lord Chancellor with respect to matters relating to such complaints; and
 - (e) that he has in force satisfactory arrangements to protect his clients in the event of his ceasing to provide probate services.

Status: This is the original version (as it was originally enacted).

- (3) In this section “approved body” means a professional or other body which is approved by the Lord Chancellor under Schedule 9.
- (4) The approval of any body under Schedule 9 may be revoked under that Schedule.