



# Legal Services Act 2007

## 2007 CHAPTER 29

### PART 9

#### GENERAL

##### *Interpretation*

### 207 Interpretation

(1) In this Act, except where the context otherwise requires—

“barrister” means an individual who—

- (a) has been called to the Bar by an Inn of Court, and
- (b) is not disbarred by order of an Inn of Court;

[<sup>F1</sup>“the CMA” means the Competition and Markets Authority;]

“consumers” means (subject to subsection (3)) persons—

- (a) who use, have used or are or may be contemplating using, services within subsection (2),
- (b) who have rights or interests which are derived from, or are otherwise attributable to, the use of such services by other persons, or
- (c) who have rights or interests which may be adversely affected by the use of such services by persons acting on their behalf or in a fiduciary capacity in relation to them;

“conveyancing services” has the same meaning as in Part 2 of the Administration of Justice Act 1985 (c. 61) (licensed conveyancing) (see section 11(3) of that Act);

“court” includes—

- (a) a tribunal that [<sup>F2</sup>was] (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); [<sup>F3</sup>immediately before the coming into force of the repeal of that Schedule]

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- (b) a court-martial;
  - (c) a statutory inquiry within the meaning of section 16(1) of the Tribunals and Inquiries Act 1992 (c. 53);
  - (d) an ecclesiastical court (including the Court of Faculties);
    - “functions” includes powers and duties;
    - “immigration advice” and “immigration services” have the meaning given by section 82 of the Immigration and Asylum Act 1999 (c. 33) (interpretation of Part 5) (see also subsection (4) below);
    - “independent trade union” has the same meaning as in the Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52) (see section 5 of that Act);
    - “manager”, in relation to a body, means (subject to subsection (5)) a person who—
      - (a) if the body is a body corporate whose affairs are managed by its members, is a member of the body,
      - (b) if the body is a body corporate and paragraph (a) does not apply, is a director of the body,
      - (c) if the body is a partnership, is a partner, and
      - (d) if the body is an unincorporated body (other than a partnership), is a member of its governing body;
    - “modify” includes amend, add to or revoke, and references to “modifications” are to be construed accordingly;
    - “non-commercial legal services” means—
      - (a) legal services carried on otherwise than with a view to profit;
      - (b) legal services carried on by a not for profit body, a community interest company or an independent trade union;
    - “not for profit body” means a body which, by or by virtue of its constitution or any enactment—
      - (a) is required (after payment of outgoings) to apply the whole of its income, and any capital which it expends, for charitable or public purposes, and
      - (b) is prohibited from directly or indirectly distributing amongst its members any part of its assets (otherwise than for charitable or public purposes);
    - [<sup>F4</sup> “ the OFT ” means the Office of Fair Trading; ]
    - “person” includes a body of persons (corporate or unincorporate);
    - “reserved legal services” means services provided by a person which consist of or include reserved legal activities carried on by, or on behalf of, that person;
    - “solicitor” means solicitor of the Senior Courts.
- (2) The services within this subsection are—
- (a) any services provided by a person who is an authorised person in relation to an activity which is a reserved legal activity, and
  - (b) any other services provided by a person which consist of or include a legal activity carried on by, or on behalf of, that person.
- (3) For the purposes of the definition of “consumers” in subsection (1)—
- (a) if a person (“A”) is carrying on an activity in A's capacity as a trustee, the persons who are, have been or may be beneficiaries of the trust are to be treated

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- as persons who use, have used or are or may be contemplating using services provided by A in A's carrying on of that activity, and
- (b) a person who deals with another person (“B”) in the course of B's carrying on of an activity is to be treated as using services provided by B in carrying on that activity.
- (4) The references in this Act (other than section 195) to the provision of immigration advice or immigration services are to the provision of such advice or services by a person—
- (a) in England and Wales (regardless of whether the persons to whom they are provided are in England and Wales or elsewhere), and
- (b) in the course of a business carried on (whether or not for profit) by the person or another person.
- (5) The Lord Chancellor may by order make provision modifying the definition of “manager” in its application to a body of persons formed under, or in so far as the body is recognised by, law having effect outside England and Wales.
- (6) In this section “enactment” means a provision of—
- (a) an Act of Parliament;
- (b) an Act of the Scottish Parliament;
- (c) a Measure or Act of the National Assembly for Wales;
- (d) Northern Ireland legislation.

#### Textual Amendments

- F1** Words in s. 207(1) inserted (E.W.) (1.4.2014) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), [Sch. 6 para. 116\(a\)](#); S.I. 2014/416, art. 2(1)(d) (with Sch.)
- F2** Word in s. 207 substituted (19.9.2013) by [The Public Bodies \(Abolition of Administrative Justice and Tribunals Council\) Order 2013 \(S.I. 2013/2042\)](#), art. 1(2), [Sch. para. 39\(a\)](#)
- F3** Words in s. 207 inserted (19.9.2013) by [The Public Bodies \(Abolition of Administrative Justice and Tribunals Council\) Order 2013 \(S.I. 2013/2042\)](#), art. 1(2), [Sch. para. 39\(b\)](#)
- F4** Words in s. 207(1) omitted (E.W.) (1.4.2014) by virtue of [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), [Sch. 6 para. 116\(b\)](#); S.I. 2014/416, art. 2(1)(d) (with Sch.)

#### Modifications etc. (not altering text)

- C1** S. 207 modified (temp.) (7.3.2008) by [The Legal Services Act 2007 \(Commencement No.1 and Transitory Provisions\) Order 2008 \(S.I. 2008/222\)](#), [art. 7\(1\)](#)

#### Commencement Information

- I1** S. 207 wholly in force; s. 207 not in force at Royal Assent see s. 211; s. 207 in force for certain purposes at 7.3.2008 by [S.I. 2008/222](#), [art. 3](#); s. 207(1)(5) in force for certain purposes at 30.6.2008 by [S.I. 2008/1436](#), [art. 2\(c\)](#); s. 207 in force for certain purposes at 31.3.2009 by [S.I. 2009/503](#), [art. 2\(a\)](#); s. 207 in force at 1.1.2010 by [S.I. 2009/3250](#), [art. 2\(g\)](#) (with art. 9)

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