
Changes to legislation: There are currently no known outstanding effects for the Legal Services Act 2007, Part 1. (See end of Document for details)

SCHEDULES

SCHEDULE 5

AUTHORISED PERSONS

PART 1

CONTINUITY OF RIGHTS

Rights of audience and conduct of litigation

- 1 (1) For the purposes of section 18 (authorised persons), in the case of a person who is authorised by a listed body—
- (a) to exercise a right of audience before a court in relation to any proceedings, or
 - (b) to conduct litigation in relation to any proceedings,
- it is irrelevant whether the person's authorisation was granted before or on or after the appointed day.
- (2) The “listed bodies” are—
- (a) The Law Society,
 - (b) The General Council of the Bar,
 - (c) The Chartered Institute of Patent Attorneys,
 - (d) The Institute of Trade Mark Attorneys,
 - (e) The Association of Law Costs Draftsmen, and
 - (f) for the purposes of sub-paragraph (1)(a) only, The Institute of Legal Executives.
- (3) For the purposes of sub-paragraph (1), any authority conferred by section 31 of the Courts and Legal Services Act 1990 (c. 41) (barristers and solicitors deemed to have rights of audience and rights to conduct litigation) is to be disregarded (see paragraphs 4 and 7 below).

Commencement Information

II Sch. 5 para. 1 wholly in force at 1.1.2010, see s. 211 and S.I. 2009/3250, art. 2(b)(ii) (with art. 9)

Conveyancing services

- 2 (1) For the purposes of section 18, in the case of a licensed conveyancer who is authorised to carry on an activity which is a reserved instrument activity by a conveyancing licence, it is irrelevant whether the licence was granted before or on or after the appointed day.

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- (2) For the purposes of this paragraph “conveyancing licence” means a licence to practise as a licensed conveyancer granted under Part 2 of the Administration of Justice Act 1985 (c. 61).

Commencement Information

I2 Sch. 5 para. 2 wholly in force at 1.1.2010, see s. 211 and S.I. 2009/3250, art. 2(b)(ii) (with art. 9)

[^{F1}Probate activities

Textual Amendments

F1 Sch. 5 para. 2A inserted (30.12.2009) by The Legal Services Act 2007 (Approved Regulators) Order 2009 (S.I. 2009/3233), arts. 1(1), 4

- 2A (1) This paragraph applies to a person who, immediately before the time paragraph 1 of Schedule 4 comes into force, has an exemption from the provisions of section 23(1) of the Solicitors Act 1974 (c. 47) (preparation of papers for probate etc by unqualified person) granted by a body within sub-paragraph (3).
- (2) For the purposes of section 18, the person is to be treated as if the exemption were an authorisation to carry on probate activities granted by the body in question at the time paragraph 1 of Schedule 4 comes into force.
- (3) The bodies are—
- (a) The Council for Licensed Conveyancers;
 - (b) The Institute of Chartered Accountants of Scotland;
 - (c) The Association of Chartered Certified Accountants.]

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