
STATUTORY INSTRUMENTS

2009 No. 2657

The Court Martial Appeal Court Rules 2009

PART 3

PROCEEDINGS: GENERAL

Legal representatives

18.—(1) A party to proceedings to which these Rules apply may appoint a legal representative to act for him in relation to the proceedings.

(2) A person may not be appointed as a legal representative unless—

- (a) he has a general qualification within the meaning of section 71 of the Courts and Legal Services Act 1990 ^{M1};
- (b) he is an advocate or a solicitor in Scotland;
- (c) he is a member of the Bar of Northern Ireland or a solicitor of the Court of Judicature of Northern Ireland; or
- (d) he is a person having in any of the Channel Islands, the Isle of Man, a Commonwealth country or a British overseas territory rights and duties similar to those of a barrister or solicitor in England and Wales, and is subject to punishment or disability for breach of professional rules.

(3) Any right conferred on a party to proceedings by these Rules may be exercised, and any duty imposed on him by these Rules discharged, by his legal representative on his behalf.

(4) A party who appoints a legal representative must notify the registrar of the legal representative's business address.

Marginal Citations

M1 1990 c. 41. Subsection (6) of section 71 of the Courts and Legal Services Act 1990 was substituted by the Access to Justice Act 1999 (c. 22), section 43, [Schedule 6](#), paragraphs 4 and 9. Subsections (7) and (8) of section 71 of the 1990 Act were repealed by section 106 of, and Schedule 15, Part 2 to, the 1999 Act. Prospective amendments to section 71 of the 1990 Act are made to subsection (3) by the [Constitutional Reform Act 2005](#) (c. 4), section 59(5), [Schedule 11](#), Part 2, paragraph 4(1) and (3). Prospective amendments are made to subsections (4) and (6) and a new subsection (6A) is inserted into section 71 of the 1990 Act by the [Legal Services Act 2007](#) (c. 29), section 208(1), [Schedule 21](#), paragraphs 83 and 94(a), (b) and (c).

Changes to legislation:

There are currently no known outstanding effects for the The Court Martial Appeal Court Rules 2009, Section 18.