

## SCHEDULE 4

### MISCELLANEOUS AND GENERAL MATTERS

#### *Lay representation for non-natural persons*

#### **Interpretation**

**19.—(1)** In paragraphs 19 to 22—

“authorisation document” means a document executed by a non-natural person of a type mentioned in the first column of the following table authorising an individual holding the relevant position mentioned in the corresponding second column to act as its lay representative—

<i>Type of non-natural person</i>	<i>Relevant position</i>
a company	a director or a secretary of the company
a limited liability partnership	a member of the limited liability partnership
any other partnership	a partner in the partnership
an unincorporated association of persons	a member or office holder of the association

“non-natural person” means—

- (a) a company (whether incorporated in the United Kingdom or elsewhere);
- (b) a limited liability partnership;
- (c) any other partnership; or
- (d) an unincorporated association of persons;

“lay representative” means an individual who is not a legal representative; and

“legal representative” means—

- (a) a solicitor;
- (b) an advocate; or
- (c) a person having a right to conduct litigation, or a right of audience, by virtue of section 27 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990<sup>(1)</sup>.

(2) An individual holds a relevant position with a non-natural person if the individual—

- (a) in the case of a company, is a director or secretary of the company;
- (b) in the case of a limited liability partnership, is a member of the partnership;
- (c) in the case of any other partnership, is a partner in the partnership; or
- (d) in the case of an unincorporated association, is a member or office holder of the association.

(3) References to conducting proceedings are references to exercising, in relation to the proceedings, a function or right (including a right of audience) that a legal representative could exercise in the proceedings.

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(1) 1990 c.40.