



Senior Courts Act 1981

1981 CHAPTER 54

PART IV

OFFICERS AND OFFICES

Appointment of certain officers of [^{F1}Senior Courts]

90 Official Solicitor.

- (1) There shall continue to be an Official Solicitor to the [^{F1}Senior Courts], who shall be appointed by the Lord Chancellor.
- (2) There shall be paid to the Official Solicitor out of money provided by Parliament such salary as the Lord Chancellor may, with the concurrence of the Minister for the Civil Service, determine.
- (3) The Official Solicitor shall have such powers and perform such duties as may for the time being be conferred or imposed on the holder of that office—
 - (a) by or under this or any other Act; or
 - (b) by or in accordance with any direction given (before or after the commencement of this Act) by the Lord Chancellor.

[^{F2}(3A) The holder for the time being of the office of Official Solicitor shall have the right to conduct litigation in relation to any proceedings.

(3B) When acting as Official Solicitor a person who would otherwise have the right to conduct litigation by virtue of [^{F3}the fact that he is a person who, for the purposes of the Legal Services Act 2007, is an authorised person in relation to an activity which constitutes the conduct of litigation (within the meaning of that Act)] shall be treated as having acquired that right solely by virtue of subsection (3A).]

- (4) If—
 - (a) the Official Solicitor is not available because of his absence or for some other reason; or
 - (b) his office is vacant,

Status: Point in time view as at 01/01/2010.

Changes to legislation: Senior Courts Act 1981, Section 90 is up to date with all changes known to be in force on or before 30 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

then, during such unavailability or vacancy, any powers or duties of the Official Solicitor shall be exercisable or fall to be performed by any person for the time being appointed by the Lord Chancellor as deputy to the Official Solicitor (and any property vested in the Official Solicitor may accordingly be dealt with by any such person in all respects as if it were vested in him instead).

Textual Amendments

- F1** Words in s. 90 substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 59, 148, **Sch. 11 para. 26(1)**; S.I. 2009/1604, **art. 2(d)**
- F2** S. 90(3A)(3B) inserted by [Courts and Legal Services Act 1990 \(c. 41, SIF 37\)](#), s. 125(3), **Sch. 18 para. 39**
- F3** Words in s. 90(3B) substituted (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), ss. 208, 211, **Sch. 21 para. 47** (with ss. 29, 192, 193); S.I. 2009/3250, **art. 2(h)**

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