



# Courts and Legal Services Act 1990

## 1990 CHAPTER 41

### PART II

#### LEGAL SERVICES

##### *The Advisory Committee*

#### **19 The Lord Chancellor's Advisory Committee on Legal Education and Conduct**

- (1) There shall be a body corporate to be known as the Lord Chancellor's Advisory Committee on Legal Education and Conduct (in this Act referred to as "the Advisory Committee").
- (2) The Advisory Committee shall consist of a Chairman, and 16 other members, appointed by the Lord Chancellor.
- (3) The Chairman shall be a Lord of Appeal in Ordinary or a judge of the Supreme Court of England and Wales.
- (4) Of the 16 other members of the Advisory Committee—
  - (a) one shall be a judge who is or has been a Circuit judge;
  - (b) 2 shall be practising barristers appointed after consultation with the General Council of the Bar;
  - (c) 2 shall be practising solicitors appointed after consultation with the Law Society;
  - (d) 2 shall be persons with experience in the teaching of law, appointed after consultation with such institutions concerned with the teaching of law and such persons representing teachers of law as the Lord Chancellor considers appropriate; and
  - (e) 9 shall be persons other than—
    - (i) salaried judges of any court;
    - (ii) practising barristers;
    - (iii) practising solicitors; or

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*Status: This is the original version (as it was originally enacted).*

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- (iv) teachers of law,  
appointed after consultation with such organisations as the Lord Chancellor considers appropriate.
- (5) In appointing any member who falls within subsection (4)(e), the Lord Chancellor shall have regard to the desirability of appointing persons who have experience in, or knowledge of—
- (a) the provision of legal services;
  - (b) civil or criminal proceedings and the working of the courts;
  - (c) the maintenance of professional standards among barristers or solicitors;
  - (d) social conditions;
  - (e) consumer affairs;
  - (f) commercial affairs; or
  - (g) the maintenance of professional standards in professions other than the legal profession.
- (6) The Advisory Committee shall not be regarded as the servant or agent of the Crown, or as enjoying any status, immunity or privilege of the Crown.
- (7) The Advisory Committee’s property shall not be regarded as property of, or held on behalf of, the Crown.
- (8) In this section “practising” means—
- (a) in relation to a barrister, one who is in independent practice or is employed wholly or mainly for the purpose of providing legal services to his employer;
  - (b) in relation to a solicitor, one who has a practising certificate in force or is employed wholly or mainly for the purpose of providing legal services to his employer.
- (9) The provisions of Schedule 1 shall have effect with respect to the constitution, procedure and powers of the Advisory Committee and with respect to connected matters.

## **20 Duties of the Advisory Committee**

- (1) The Advisory Committee shall have the general duty of assisting in the maintenance and development of standards in the education, training and conduct of those offering legal services.
- (2) The Advisory Committee shall carry out that general duty by performing the functions conferred on it by Schedule 2.
- (3) In discharging its functions the Advisory Committee shall—
- (a) where it considers it appropriate, have regard to the practices and procedures of other member States in relation to the provision of legal services;
  - (b) have regard to the desirability of equality of opportunity between persons seeking to practise any profession, pursue any career or take up any employment, in connection with the provision of legal services.